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# Motion to Bring Housing Element Special Election to Voters Fails

By Laurie Snyder

At the close of every Orinda City Council meeting, council members are asked if they want to initiate new matters. While sometimes policy-related, these actions often recognize worthy citizens or social causes. On Dec. 15, newly elected Orinda City Council Member Eve Phillips used her powers to have council consider whether or not to put Orinda's General Plan Housing Element up for public vote. On Jan. 20, with Council Member Amy Worth excused due to illness, council debated the idea at length, analyzing everything from fiscal prudence to the legal consequences of a failed vote.

City Manager Janet Keeter presented information from Contra Costa Elections staff that the city would be charged a rate of \$2.50 to \$4.25 per voter for administering such an election – plus \$91,000 to print the lengthy Housing Element for the voter information packet.

City Planning Director Emmanuel Ursu explained the available ballot options. In response to continued assertions by members of the activist group Orinda Watch that the city has not received enough input on the Housing Element, Ursu also illustrated how and

when the city has reached out to educate and receive feedback. (See the *Lamorinda Weekly's* 2013-14 archives for coverage.)

The vote could have occurred in one of three ways: a council-sponsored initiative; a voter-sponsored referendum requiring the measure to be placed on a ballot – if supporters could collect valid signatures from 10 percent of Orinda's roughly 12,000 registered voters; or a council-sponsored advisory vote.

Staff noted in its report that all three were problematic. The results of the advisory format would not have even been binding on the council, and it would have taken council members several meetings to draft ballot language. When combined with requirements that the election be held 88 days or later from the order of election, the city might not have been able to adopt its Housing Element by May 31, as required under California law. Furthermore, the costs seemed prohibitive in light of Orinda's road repair woes – woes that could worsen if the city were to lose the hundreds of thousands of dollars it receives annually in outside agency transportation

funding because voters torpedoed the Housing Element.

Orindans could also be risking fines and lawsuits. The City of Pleasanton has forked over about \$5 million – the amount of Orinda's current reserve – for Housing Element problems. "And that does not even take into account the more immediate impact on our residents," said Council Member Victoria Smith. Many settlements prevented cities from doing busi-

ness. "We could have people out on Ivy Drive or any other street in Orinda who couldn't even replace their water heater because they couldn't get a building permit because the city didn't comply with state law."

Council members also heard again from residents pro and con. A handful of current and former Orinda Watch members echoed Phillips' assertions that the majority of Orinda residents distrust city

leaders and disapprove of how they have conducted Orinda's Housing Element updates. Phillips suggested later on that ballot language should ask voters "whether you would prefer that document [the fifth cycle Housing Element draft] or one that would be written by a citizen committee."

But others said those accusations were unfair and a special election is unwarranted.

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## Potential Costs of a Special Election

- County Elections Department Cost Per Voter: \$31,800 - \$54,000
- Voter Information Printing – Housing Element: \$91,000\*
- Resulting Roads and Drains Funding Loss (potential): \$330,000+\*

\* Printing costs eliminated if materials posted online. If Housing Element voted down, possible loss or delay in infrastructure funding by outside agencies (Contra Costa Transportation Agency, et. al.).

## Other Orinda projects in the pipeline:

- Battery Backup-Traffic Signal Controls (2015-16): \$20,000
- Oak Park-Donald Drive Pavement Rehabilitation: \$180,000\*\*
- Pavement Management (small pothole patches): \$75,000/yr (roughly)
- St. Stephens Trail and Drainage Improvements: \$80,000\*\*\*
- Seismic Retrofit-Bear Creek Road Bridge: \$720,000\*\*
- Seismic Work-Miner Road Bridge (Right of Way expenses): \$35,000
- Urgent Repairs (big potholes, failed road segments): \$100,000 per year (roughly)

\*\*Estimated cost. Project currently unfunded and not scheduled.

\*\*\*Estimated cost. Project delayed until 2018 due to lack of funds.

Source: The Orinda Capital Improvement Plan 2014-2018 and other city sources.

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<p><b>MORAGA \$1,975,000</b> 4/3. Spacious Sanders Ranch! 4075 sqft, + office + bonus room, great floor plan, 1/3 acre lot w/pool &amp; spa. Elena Hood CalBRE#01221247</p>	<p><b>ORINDA \$2,045,000</b> 4/3. Delight in a classic Orinda setting w/ panoramic views of Mt. Diablo all on 1.43 acres. David Pierce CalBRE# 00964185</p>			
<p><b>MORAGA \$1,125,000</b> 4/2.5. Coming Soon. Impeccable quality Moraga Charming close to Rheem Valley shopping center and schools. Vlatka Bathgate CalBRE# 01390784</p>	<p><b>ORINDA \$2,695,900</b> 5/4.1. New Construction! Beautiful 2 story on 2.3 acre premium lot w/sweeping views. Visit OrindaOaks.com. The Beaubelle Group CalBRE#00678426</p>	<p><b>ALAMO \$1,595,000</b> 4/3. Located near Roundhill Country Club Entry &amp; Clubhouse this large home has gorgeous views. Julie Millard CalBRE#00921338</p>	<p><b>ORINDA \$1,950,900</b> 4/4. New Construction, Lot 7! Visit OrindaOaks.com. Buyer may select finishes. Front landscaping and fencing included. The Beaubelle Group CalBRE#00678426</p>	<p><b>ORINDA \$1,350,000</b> 4/4.5. Coming Soon! Cape Cod style updated with old world charm. Close to downtown Orinda Village. Maureen Wilbur CalBRE#01268536</p>
<p><b>ORINDA \$2,595,900</b> 5/5.1. New Construction! Stunning custom home on 3.5 acre premium lot w/gourmet kit w/island. Visit OrindaOaks.com. The Beaubelle Group CalBRE#00678426</p>	<p><b>MORAGA \$1,025,000</b> 4/2. Great Single level home. 1837 sqft, .27 acre lot, cul-de-sac, close to K-8 top schools. Elena Hood CalBRE#01221247</p>	<p><b>ORINDA \$3,900,000</b> 4/4.2. Rare opportunity to buy newer estate plus two adjacent lots. Gated, wine cellar, gorgeous grounds w/pool &amp; more! Elena Hood CalBRE#01221247</p>	<p><b>MORAGA \$849,900</b> 3/2. Park like setting. Steps to Mulholland Open Space &amp; Donald Rheem School. Fully fenced yard w/lawn. Walter Nelson CalBRE#01461463</p>	<p><b>WALNUT CREEK \$775,000</b> 3/2.5. BEAUTIFUL well appointed townhome in Summit Ridge. 3 bdrm + 4th potential bdrm/office. The Beaubelle Group CalBRE#00678426</p>
<p><b>PLEASANT HILL \$445,000</b> 2/2. Sun Valley Vineyards beauty. Updated featuring 2 Master Suites. Private patio. Move in NOW! Nancy Stryker CalBRE#01290021</p>	<p><b>LAFAYETTE \$2,790,000</b> 4/3.5. Breathtaking views! Custom home sits on 4.6 acres w/infinity edge pool, hot tub, pool house, wine rm. Its a 10!! Chad Morrison CalBRE#01905614</p>	<p><b>ORINDA \$1,095,000</b> 4/2.5. Nestled among the oaks in OCC. Vaulted ceilings, hdw floors, walls of windows. Views! Bo Sullivan CalBRE#00954395</p>	<p><b>MORAGA \$1,029,000</b> 4/2.5. Gorgeous contemporary. Spacious rooms. Back yard oasis with pool. Valley view. Rick &amp; Nancy Booth CalBRE#01388020/01341390</p>	<p><b>LAFAYETTE \$1,799,000</b> 6/4. Spacious Custom Home! 5112 sqft on .31 acre lot on a cul-de-sac, large bonus room, gourmet kitchen. Elena Hood CalBRE#01221247</p>
<p><b>PLEASANT HILL \$585,000</b> 3/2.5. Highly Upgraded Former Model Home is just steps to the most desirable area of downtown. Kathy McCann CalBRE#00946092</p>	<p><b>ORINDA \$2,295,900</b> 5/4.5. New Construction! Newly constructed estate offers all the bells and whistles one could imagine. OrindaOaks.com The Beaubelle Group CalBRE#00678426</p>	<p><b>ORINDA \$1,089,000</b> 5/2. Adorable rancher on a spectacular flat lot. Magical backyard. Unique floor plan. Laura Abrams CalBRE# 01272382</p>	<p><b>ORINDA \$2,285,900</b> 4/4. New Construction. Visit OrindaOaks.com! Lot 3 -Beautiful split level. Close to town &amp; transportation! The Beaubelle Group CalBRE#00678426</p>	<p><b>ORINDA \$995,000</b> 4/2. Opportunity in Orinda! 2463 sqft on 1.43 acre lot, also included is adjacent 1.22 acre lot. Elena Hood CalBRE#01221247</p>

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