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Town attorney briefs council on pending lawsuits

By Vera Kochan



Rheem sinkhole still awaits repairs. Photo Vera Kochan

To paraphrase Dorothy from "The Wizard of Oz": Landslides and sinkholes and lawsuits, oh my!

During the regularly scheduled Moraga Town Council meeting on Aug. 28, Mayor Roger Wykle reported on a Special Closed Session held prior to the meeting, stating, "We received a report from legal council. We gave direction on continuing negotiations with (the East Bay Municipal Utility District) concerning the Canyon Bridge landslides." Moraga pulled back the reins on litigation proceedings against EBMUD in June when both parties began to engage in productive settlement discussions.

Wykle added, "We also received a report from legal council and gave direction related to the safety concerns arising out of the sinkhole located on private property at the intersection of Rheem and Center Street."

The current Rheem sinkhole occurred during the last week of March. Since that time, it has undergone a video inspection and sediment draining. The yellow cautionary tape surrounding the area has been replaced with chain link fencing.

In April, this paper reported that the town's concern at that time was any possible impacts on a storm drain system that runs underneath the intersection where a remaining approximately 500-foot, 96-inch in circumference, corrugated metal pipe carries water from Laguna Creek.

The sinkhole is located roughly 75 feet across the street from the 2016 sinkhole.

Moraga's Public Works Director Edric Kwan said at that time that the video inspection revealed the area was in bad shape and needed immediate attention. PG&E along with EBMUD also confirmed to the town that the damage did not involve their utilities.

In referring to the shopping center, Kwan then stated, "What happens next will affect a lot of people.

Timing is truly of the essence. If that pipe were to collapse, it's a game changer."

Kwan stated in April that no one knew the cause of the failure and he was going to advise the property owner what steps need to be taken to rectify the situation.

Lamorinda Weekly reached out to town staff for clarification about the recent legal report and any additional safety concerns they might have, but staff said they were unable to comment further at this time.

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