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Photo Doug Kohen

Splashball - A First in Northern California

By Sophie Braccini

Splashball? It's all about kids, balls and water - how could it not be fun? "Splashball is to water polo what t-ball is to baseball," says Bill Brown, who created Miramonte High School's water polo program over 40 years ago. Brown is working with the Lamorinda Water Polo Club, Moraga Parks and Recreation Department and over 40 boys and girls to splash their way through the basics of water polo.

Boyd Lachance, the founder and executive director of Lamorinda Water Polo Club (LWC), says, "Splashball was born in Australia and New Zealand under the name Flippa Ball." LWP started one of the very first Splashball programs in northern California this past summer and is partnering with the Moraga Parks and Rec this fall to offer the program at Campolindo High School's Soda Aquatic Center for kids ages 5-9. ... continued on page S2

Quote of the Week:

"I left the meeting asking myself 'what happened?'"


Read Letters to the Editor, page A8

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Heritage Tree Status for Donna Maria Oak Denied

By Andrea A. Firth

Charlotte and Jim Smith were back before Orinda's City Council on Tuesday, September 7th, requesting that the 39-inch diameter Coast Live Oak at the foot of their property along Donna Maria Way be designated as a Heritage Tree. But a poorly written ordinance and the lack of consent from the adjacent property owner led the City Council to vote unanimously to deny the Heritage Tree designation.

The City Council's review of the Smith's Heritage Tree application—the only application that has been presented to the City for this tree distinction since the ordinance was adopted over 15 years ago—had been continued since May pending a survey to determine the specific location of the tree's trunk, which resides on the Smith's property, and the tree's protected perimeter (the area under the tree's canopy plus a 10-foot strip), which extends onto three nearby parcels. Heritage Trees are protected through

stringent standards on pruning, relocating, and removing and special requirements apply if grading or building is to take place near the tree. For example, no concrete, asphalt or impervious paving material may be placed within the protected perimeter of a Heritage Tree.

The question that challenged the Council was whether the Heritage Tree designation was confined to the owners of the tree or required the consent of all property owners impacted by the designation. "It's not the clearest ordinance in the world," said Orinda City attorney Osa Wolff, "It does not seem to anticipate this situation." Although she acknowledged that the Smith's are the owners of the massive oak tree and that the ordinance does not specifically state that the consent of other property owners is required, Wolff believed that the intent of the ordinance was to have the consent of all affected parties.

... continued on page A6

Lafayette Housing Element Still Not in Compliance

Land owner may sue for proposed downzoning

By Cathy Tyson

In a letter dated September 7, 2010, the City of Lafayette was notified that its Housing Element, which has been revised three times, is still not in compliance with state law. Administrators with the Department of Housing and Community Development (HCD) stated that a number of revisions are still necessary to comply with State Housing Element law.

Lafayette, like all California municipalities, is mandated to have a plan to accommodate its fair share of low income housing; 361 units for the current planning period. The City submitted its Housing Element in December of 2009, and received comments back from HCD.

The City is required to not have barriers to development through zoning and show that there is sufficient land in place to allow low income

housing units. Planners prefer to locate affordable housing in the downtown, to preserve open hillside spaces, and locate housing closer to transit to reduce traffic impacts.

"We are pleased to note that unlike previous comment letters, this letter does not question the adequacy of our housing inventory," said Niroop Srivatsa, Planning and Building Services Manager, who is already working on a response. "Rather, it requires the City to provide an assessment of our land use controls and strengthen our commitment to facilitate the development of housing in the downtown. We hope to submit our revisions to HCD very soon. Lafayette's previous housing element was certified by HCD, and I am therefore confident that we'll resolve any concerns they might have." ... continued on page A3

Turtle Island - Not Your Usual String Quartet

By Lou Fancher



When David Balakrishnan brings his violin and the Turtle Island Quartet to Saint Mary's College on September 29, Jimi Hendrix will tag along. The Grammy-winning string quartet, known for its genre-defying mastery of everything from classical to bluegrass, swing to hip-hop, latin american music to jazz, and now, rock, easily defies description. Sometimes referred to as an "American string quartet," Turtle Island "... read on page L1

Customers Enjoy La Boulange: Délicieux

By Cathy Tyson



On a busy Thursday afternoon, customers oogled the very attractive croissants, brioche and tarts that looked almost too pretty to eat as they queued up for lunch at Lafayette's newest café, La Boulange. Coffee, iced tea, pastries, salads and the very popular "La Combo" - any open face sandwich with a cup of soup or side of greens - seemed to be flying out the door; ... read on page A3

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