



ORINDA

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Orinda reaches a settlement to open the 53 Rheem easement soon; pays property owners \$45,500

By Sora O'Doherty

Following a June 4 closed session, Orinda Mayor Inga Miller announced that the long-running controversy over the easement across the property at 53 Rheem Blvd. had been settled, avoiding threatened litigation. Property owners Kent and Dawnette DeSpain have agreed to grant the city an easement for pedestrians to walk the trail that leads from Rheem Boulevard to Parkway Court from dawn to dusk. Prior to the purchase of the property by the DeSpains, residents said that they had used the easement over the land to get to Glorietta Elementary School for some 40 years. But controversy flared over whether there actually was an existing easement, leading the DeSpains to install a locked gate, denying access to the easement for most of the past school year. The city ultimately accepted the easement, and the property owners contested

the legality of that action, leading to prolonged negotiations. Under the settlement, which is available to the public from the city clerk, the owners have granted the city a supplemental trail easement over the disputed trail. They will remove obstructions, including any gate, and will construct a privacy fence on their property, which will be their sole property and for the maintenance of which they will have the sole responsibility. The city will pay \$17,500 for fence, no matter what the actual cost to build it turns out to be. The DeSpains will use their best efforts to have fence constructed within 25 days. The city will also pay the DeSpains \$5,500 to defray the costs of surveyors, and a negotiated payment of \$22,500, which represents the value of the easement and the avoided legal costs that would have been incurred in litigation. Both sides will pay their own attorneys' fees. Orinda will operate the

easement as a park facility. Since the trail is unlit, like a park, its use will be limited to dawn to dusk daily. No bicycles or motorized cycles, and no unleashed dogs are permitted, although leashed dogs are allowed. There will also be no equestrian use; the trail will be limited to pedestrian use only. When the trail is opened to the public, the city will assume liability and responsibility for the trail and its maintenance. City staff have also undertaken to email residents who sign up to let them know when the trail is open and ready for use. Allison and John Banisadr, who used to live on Parkway Court, both attended the meeting to thank the city council for its hard work and determination to restore the easement between Rheem and Parkway Court. "We really appreciate your dedication," they said. "What you do, all your time, is well, well worth it in the eyes of the community," they continued, concluding that "even though

it seems a small thing, it is huge to the community." Naomi Greenstone also appeared to thank the council for its work on the issue, which she said was "near and dear to my heart and my husband's heart." For years, she said, "we've been telling our son he could walk to school when he was in the fourth grade." Although he was not able to walk to school this past school year, she thanked the council for making it possible for him to walk to school next year. Council Member Amy Worth wanted to thank the property owners, who worked with city staff, and also to thank all the neighbors who conveyed how this was a matter of very, very high priority to them. Worth noted that the trail will be part of the safe routes to school and recreational facilities in Orinda. The council also approved a three-way stop at Rheem Boulevard and Zander.

After ConnectOrinda Celebration, city council favors near-term projects



Photo Sora O'Doherty

Animated discussions about plans for ConnectOrinda were common at May 28 event.

By Sora O'Doherty

A plan to show off one of the near-term projects for downtown Orinda, the use of Vashell Way as a pedestrian area got washed out by wet weather, but was rescheduled and held inside on May 28. At the event, called the ConnectOrinda Celebration, the public was given another opportunity to discuss and comment on the projects that might be part of the final Orinda Streetscape Master Plan. Although not as well attended as some previous events, there was a good

turnout and members of the public engaged in animated conversations with staff and city council members. The results of this and the preceding events were then brought back to the city council on June 4 so that the council could provide guidance for the preparation of the draft Downtown Streetscape Master Plan to be brought back to the council in September. The boards from the Celebration will continue to be up in the Community Center until July 4 for public viewing, according to Senior Planner Adam Foster. The project has the major goal of identifying projects with broad community support. Its main objectives are to connect the two sides of downtown for all users, support future pedestrian access along San Pablo Creek, preserve Orinda's unique sense of place, produce grant-eligible projects that can be funded, beautify downtown Orinda and build consensus for the final plan through robust community engagement. One of the most popular projects from the beginning has been to improve access to San Pablo Creek. Among the most contentious were the large-scale projects of improving circulation between the two halves of downtown Orinda, the Theatre District and the Village. The council was unanimous in its belief that the large-scale projects should be deferred until a large traffic corridor study could be funded and conducted. Speakers appeared to

be divided about the usefulness of the existing pedestrian access from the Village to BART for bicyclists. Jaime Peterson said that he is a bike commuter, as is his wife, and that he regularly rides from home to BART. However, he said he never used the pedestrian bridge for bike commuting, nor did any of the cyclists he knows. "It's not a viable option," he said. Tandra Ericksen said that she favors the combined pedestrian/bicycle access, but mentioned that she believed that the current bridge does not meet the standards of the Americans with Disabilities Act. Erickson also favors proposed parklets and would like more places in downtown to sit and enjoy Orinda's fine weather. On the other hand, Katherin Bernstein voiced support for the safety of pedestrians and bicyclists, but thought the cost is outrageous and asked for alternatives. She and her husband took the overpass which needs to be painted and shrubbery cut back and she did not see any problems with bicyclists and pedestrians using it. Kathleen Jenkins, citing statistics on the national rise in pedestrian and bicyclist deaths, suggested moving bicycles off Camino Pablo entirely. The council generally agreed that the existing bridge could be improved, perhaps raising the section currently at ground level up to the height of the elevated portion, and with other improvements to make the bridge more attractive. ... continued on next Page

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Orinda Public Meetings	City Council Tuesday, June 18, 7 p.m. Regular Meeting Library Auditorium, Orinda Library, 26 Orinda Way Planning Commission Tuesday, June 25, 7 p.m. Library Auditorium, Orinda Library, 26 Orinda Way	Citizens' Infrastructure Oversight Commission Wednesday, June 12, 6:30 p.m. Sarge Littlehale Community Room, 22 Orinda Way, Orinda, CA 94563 Orinda Union High School District Board Meetings Monday, Aug. 12, 6 p.m. Regular Board Meeting 8 Altarinda Rd., Orinda www.orindaschools.org See also AUHSD meeting page A2
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