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## **It's final: Wilder developer is in default, but still working with city to complete the project**

*By Sora O'Doherty*

The Orinda City Council on Nov. 15 officially held that the developer of Wilder, OGLLC, is in default of the development agreement. The council has so held on a number of recent occasions, but this time, the council chose to not continue the matter for discussion at a later date. The council has also held that the transfer of LLC interest allegedly completed in 2020 was not properly completed.

This does not mean that the matter is concluded. Far from it. OGLLC representative Bruce Yamamoto appeared at the meeting, and stated that the developer is continuing to work with the city to finalize the outstanding issues. He said that the weekly meetings with Orinda staff have been particularly helpful. Staff presented a report to the council with specific updates. Among them, a certificate of insurance has been provided, but with a lower limit than required, and is being evaluated. A \$20,000 payment has been received toward the developers' reimbursement obligations, with a commitment to make \$10,000 payments monthly, with the second payment having been received on Nov. 8. OGLLC is delinquent on property taxes for all the parcels remaining to be conveyed to the city, the Geological Hazard Abatement District (GHAD), East Bay Municipal District (EBMUD) and East Bay Regional Parks District (EBRPD).

OGLLC's proposal to eliminate the Red Tail Hawk Staging Area is being reviewed by the city and the park district. OGLLC's proposed modification to the required grazing plan and improvements are also being evaluated, and may be possibly secured by a bond held by the California Department of Fish and Wildlife. Work is continuing on a number of different fronts to tie up loose ends on the development. Some are being negotiated with other agencies, including, EBMUD, EBRPD and the California Department of Fish and Wildlife.

Council Member Nick Kosla asked specifically about resident concerns, that included a "drum of something" and some vegetation piled up near the front of the development. Yamamoto responded that the drum, as well as other drums, were illegally dumped on the property. He noted that the developer has spent some \$30,000 disposing of illegally dumped materials, including a load of concrete. Illegal dumping has been a concern to Orinda, in and around Wilder as well as along Highway 24.

Yamamoto also mentioned that there is an endowment currently valued at approximately \$5.7 million, while it is estimated that the purposes for which the endowment was established will only require about \$3.26 million. He wondered if the endowment might be restructured to provide funds for other projects to complete the development agreement. Discussions will begin on that topic with Fish & Wildlife.

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