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## Subcommittee tackles infrastructure and drainage problems for private roads

By Alison Burns

It was standing room only in the Sarge Littlehale Community Room on April 17 when Mayor Darlene Gee and Vice Mayor Latika Malkani headed the first meeting of a newly-formed ad-hoc Infrastructure Subcommittee. The plan was to evaluate the various options available for integrating and maintaining the community infrastructure and drainage on Orinda's many private roads.

Gee - who is a Civil Engineer by profession - opened the meeting by admitting that the current situation comprises "a long series of problems that are not easy to solve", but added that she is "a strong believer that just because it's not easy [doesn't mean] we shouldn't be working on it".

She said that in the past, the City had spent "quite a bit of time talking about private roads, but we've never really spent so much time talking about private drainage, which is every bit of challenge for you and your neighbors".

In a space of just four weeks, prior to the meeting, the City had received over 60 letters of complaint, all echoing the same theme: that Orinda residents living on private streets, who already contribute regular taxes, should not have to pay additional tens of thousands of dollars to maintain their road surfaces and drains.

Many of the complaints were directed at services like Central San and EBMUD, who enjoy easements on private roads, and "will dig up and ruin our road as they see fit", according to Rachel Burge, yet do not contribute to the cost of the damage they cause.

According to former Mayor Dennis Fay (a retired transportation engineer), the average home generates five car trips a day. By contrast, one heavy garbage/recycle truck has the same effect as 9,000 car trips, which means that three trucks making their weekly run will impact streets with the equivalent of 27,000 car trips. Steve Cohn, who has long been very vocal about this inequality, spoke for a group known as Orindans for Fair Road Funding. Their website questions why 20% of Orinda's homeowners and taxpayers are unable to access the same services as their neighbors on public roads.

The gulf between private and public streets began in the mid-1920s, when tracts of land were subdivided and developed into residential lots. Over time, some streets were established as "public", but even when Orinda became incorporated in 1985, almost one third of its 85 miles of residential streets were still regarded as private.

Gradually, a two-class road system evolved: providing publicly funded access to 5,500 of Orinda's residents right up to their driveways, while denying that same benefit to the remaining 1,500 homeowners. The phrase "second class citizens" was heard throughout the meeting.

When Gee asked how many newcomers actually realized they were buying a house on a private road, a large number of hands shot up into the air, to the surprise of onlookers.

It turns out that realtors are not obligated to disclose that their clients are about to sink their savings into underwriting the cost of repairing a road that might well throw up long-established drainage issues or even sinkholes, potholes, and landslides.

At the end of what Gee called the evening's "robust conversation", both Councilors said they had listened to everyone in the room and were wholly committed to finding a solution to what had long been "a very problematic issue".

At present, the subcommittee is expected to be in existence until December 2024, but this can be extended until a work plan and proposal have been submitted to the City Council.

An audio recording of the meeting is available at [orinda.iqm2.com](http://orinda.iqm2.com)

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