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Escalating rents prompt call for council action

... continued from page A1

direct city staff to draft a rent review ordinance similar to a program introduced in May of this year in the city of Concord.

Lafayette Planning and Building Services Director Niroop Srivatsa emphasized that this was rent review as opposed to rent control and described it as a non-binding conciliation and mediation process. Staff asked for direction determining the scope of such an ordinance covering complexes with 25 units or more.

Should it be mandatory? Who shoulders the cost of the program, estimated in Concord to be about \$150,000 annually? Should a 10 percent increase in rent be the trigger for mediation? Should such a program in fact apply to all rental properties or just larger complexes?

The council heard from residents who explained that additionally, rent increases are also being dressed up in other guises too and related stories of randomly increased pet fees, parking fees and changes in utility fees that also make living costs unaffordable.

Residents were visibly upset; many were from the same apartment complex on Second Street owned by Tilden Properties.

The council also heard from several landlords, some with just a

few units, who explained that since they currently rent at below market value, they would be unfairly penalized. One landlord suggested that ahead of a new ordinance being introduced, he might be forced to raise rent now to the maximum to get in before the ordinance takes effect since being restricted to a 10 percent increase on an already low rent would be punitive.

As several speakers pointed out, despite there being 1,700 rental units in Lafayette, all the complaints that evening were coming from residents of Second Street.

Tilden Properties Representative Ryan Crowley also spoke. He said that his firm is sensitive to Lafayette and pointed out that when the company purchased the 117-unit property on Second Street in December they implemented several long-overdue improvement projects that had been deferred but which, he acknowledged, came at a cost to residents.

The discussion came back to the council between Lafayette City Council Member Cam Burks, Vice Mayor Don Tatzin and Mayor Mike Anderson with Council Members Ivor Samson and Mark Mitchell recused.

Burks was definitive in his view – that while he has sympathy for tenants, he is firmly against

government intervention. He added that fiscally such a program presented a risk to the city and to the taxpayers.

Tatzin agreed that in general he doesn't like government interference but said that sometimes the circumstances are warranted to protect residents. He said he could support a program that recovers fees only from those landlords proposing an increase in rent of more than 10 percent. He said that by allowing unmitigated increases he worries they would be signaling residents to move out.

Anderson acknowledged the importance of the question of housing. He reflected that sometimes in intervening "we damage the people we were trying to help," by forcing out small owners with regulatory insertions in their process.

The council asked staff to come back at the first meeting in November with more information on how to structure and what the fiscal options might be for some sort of ordinance whereby a 10 percent increase would trigger mediation to be paid for at that time only by the landlord involved and only applying to units of 25 or more. Staff is also to have further discussions with Tilden Properties to see if an agreement can be reached.

"Crosses" land donation

... continued from page A2

Mayor Mike Anderson pointed out the costs that would be incurred by the city in removing the crosses, land maintenance and the cost of possibly replacing the current installation with a new memorial.

The council heard from several speakers who were in favor of keeping the offer on the table, pointing to the value of the crosses to the community and to the country as a respected art installation. Several recognized that the crosses cannot remain there forever but said they would like to see a peace memorial in its place.

The council had also received a couple of letters from residents who disagreed and felt that the cost to the city would be too great.

Having heard from Clark, Samson was blunt in sharing his opinion and called it an "ill-conceived and cynical" idea. He accused Clark of "requesting expedited lot line adjustments in exchange for a gift to the city wrapped up in a patina of supporting an art and peace memorial."

Tatzin and Mitchell pointed to the need for more public input and were in favor of forming a subcommittee. With Samson and Burks adamantly against the idea, Anderson

weighed in.

Anderson said that he saw a huge liability. He said that he liked the crosses but recognized they would have to be removed and said that he would like to see a nonprofit take it on instead.

With only two votes from Mitchell and Tatzin to take this forward and the other three against it, the discussion appears over.

After the meeting Clark commented via email, "I was extremely disappointed in the demeanor of the city council members."

He continued, "I was accused of attempting to manipulate and make an end run around the city's process. I was attacked about my motivation for this donation and the deed restrictions that they incorrectly assumed that I would be requiring in order to establish my personal dictatorial control over the city's every use of this land that I have offered ... Not one question came up from council about the obvious option of embracing this opportunity to build the city a new 10,000 square foot office complex on this 2.66 acres of downtown land that I am still offering to donate to the city, free and clear."

Buy or rent? Lafayette continues to look for options

... continued from page A3

Mayor Mike Anderson commented that they now have "a good model, but nothing to plug into the machine," referring to not having any specific location in mind.

And generally, that is what all agreed on – that it was necessary to direct staff to keep looking and take each potential location on a case-by-case basis, running the numbers and examining the pros and cons.

Council Member Cam Burks said that he leans toward owning and noted the risks of leasing beyond even the financial implications – the loss of continuity, the potential for rent increases. He noted too that Lafayette is the only city around here that doesn't own its own city hall. He said he would like to enable staff to aggressively look for a property within the recommended figures.

Council Member Ivor Samson was a little more cautious but agreed that they need to be aware of opportunities as they arise as did Tatzin who commented, "What you get with ownership is certainty."

Council Member Mark Mitchell made the point that they need and are starting to get public opinion.

A couple of business owners who rent their properties spoke out of concern for losing their sites should the council try to pursue locations that have been previously identified as possibilities.

One such spot is that of the party supply store Boswells, next door to the new police headquarters. Luke Boswell expressed his concern about being put out of business and urged the council to be aware of what they are doing.

Lafayette resident and local business owner Kiki Stack commented that she and other business owners on Golden Gate Way feel under fire since her building was mentioned as under consideration as a potential location last year. She said she would have nowhere to go and asked, "What about affordable businesses?" referring to a separate agenda item earlier in the evening on affordable housing.

A motion to adopt the conclusions of the report and to direct staff to actively identify opportunities, conduct further analysis and bring it back to the council at an appropriate time was supported unanimously.

Moraga's new unique park will need some TLC

... continued from page A4

When Preston visited the site she said that these weeds were ready to go to seed now, and that they should be pulled and taken away. Sproul commented that turning the dirt over as the maintenance staff often does at the Moraga Commons Park would entrench the seeds even deeper, and that instead it should be mowed twice a year to ensure native grasses ever grow there again.

Some of the trees were also at issue, such as alders Sproul noted were planted in the middle of the park, which he says is the wrong placement for them, since these native trees grow in riparian corridors and need water. He recommended replacing them with valley oaks that already do very well there. And while the pear trees in the

park showcase Moraga's agricultural past, the very old trees are not in great shape. Preston noted that many are overgrown, overtaken with fire blight or poison oak – a native plant. She says that it would probably take a group of 12 dedicated volunteers working in teams to prune and salvage the trees.

The Moraga park maintenance staff did not return calls in time for this article. It is unlikely that the town would have the resources to maintain the park at the level required, since the budget for park maintenance was pared down during the recent budget cycle.

Preston said she hoped that a local service or Scout group would decide to take on maintaining the park as a community service project.

New Bell and Block Schedule

... continued from page A1

While the interviews for this article consisted of only a handful of teachers and a few administrators, the mood at the four high schools indicate that the new academic year is running smoothly.

In fact, at the Back-to-School dance held earlier this month at Acalanes, students were asked what they liked about school. Their three top answers were: seeing their friends; they loved their teachers; and they're really liking the block schedule.

Julie Parks, in her fourth year as principal of Miramonte High School, stated that the preliminary feedback from students is that they are less stressed and have less homework. "While we are planning a more in-depth survey at the end of the quarter, we are excited that we seem to be making progress in these areas."

One of the biggest changes is the Academy period. The program is being implemented at all four high schools in the district during the second block on Wednesdays and Fridays. The students have a 55-minute session for test review sessions, quiet study time, make-up test time, skill building and one-on-one or small group sessions with their teachers. In addition, a student can choose from many other academic activities on any given day.

"There are a lot of students making good use of the Academy period," says Ryan Boyd, a social studies teacher in his 17th year at Campolindo High School. "Of course, some aren't as conscientious and don't have a great attitude about it."

On the day this reporter observed Academy at Miramonte, the

library was filled with students, most of them on their computers. Many were busy with schoolwork, but it was impossible to tell if everyone had academic tasks going on.

The consensus of some of the teachers interviewed was that "veggieing out" could be an appropriate choice, considering the stress these students are under, while others may view it as a waste of time.

Steve Poling, a veteran of 30 years – 17 of them teaching English at Miramonte – says that the Academy period gives students the chance to make intelligent choices, which they can then learn from.

Accountability for the Academy period has taken some adjustments. Some schools rely on rosters for sign-in, while others use student IDs to take roll. Natalie Moore, an English and social development teacher at Acalanes High School, is pleased with the new block schedule, and especially with the Academy period. "I can meet with students to go over a paper, make up a test, or give them tutoring help. We used to have to do this at lunch or after school. Now we can both eat our lunches without stress."

Poling agrees: "The 90-minute blocks grant teachers and students the opportunity to delve deeper into curriculum with essential questions and discussions, application of curricular concepts, and personal reflection on what and how students are learning. Though I've taught for a long time, I feel energized by the new schedule and I sense the students do too."

One science teacher said about teaching the new science curriculum Living Earth, "There's no way

I could do these labs without the block schedule."

Speaking on behalf of what he's heard from his colleagues at Campolindo, Boyd feels that the overall consensus has been positive. "There are definitely challenges in reshaping courses, pacing of curriculum, and student absences." He points out that when a student misses a block day, it is roughly equivalent to two instructional days.

Most of the teachers agree that the block schedule allows them to go deeper into their subject with more efficient use of time. Moore commented, "It's like my students can fully arrive and be here in my classroom." Another teacher said, "The longer periods shut out a lot of noise. It's like I can finish a thought before a bell rings."

One other benefit is the additional hour for teacher collaboration two mornings a week.

Some drawbacks were also mentioned, though. Most teachers are finding that going more into depth on their subject is causing them to get behind in the curriculum. Many also complain that lunch does not begin until almost 1 p.m. on all five days, causing some dizziness and the need for snack time. Another scheduling problem for some families is the late start three days a week.

Parks credits the teachers as having worked hard to adapt to the timing of the block schedule. "This change is really hard and the biggest complaint may be that it is tiring," she said. "The benefits have been huge, but that is a result of the tremendous work the teachers and staff have put in."



Maria Eberle, REALTOR®
 (925) 478-7190
Maria@MariaEberle.com
www.MariaEberle.com
 CalBRE #01798906



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