



The I C O N

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Big-Money, Pro-Development Interests Dominate Orinda's City Council Race

By Richard Colman

The traditional power brokers who have dominated Orinda politics for years have made substantial financial contributions to two candidates for the Orinda City Council: Darlene Gee and Inga Miller.

Contributions to Ms. Gee and Ms. Miller have come from individuals who are associated with real-estate development projects. In addition, both Ms. Gee and Ms. Miller have received donations from contributors located outside of Orinda.

Ms. Gee and Ms. Miller are running for two open city-city council seats. Two other candidates also running for the same two seats are Dr. Bruce London and Ms. Linda Delehunt.

Ms. Gee is a vice president of HNTB, a construction company. Ms. Miller is a practicing real-estate lawyer. Dr. London is a retired physician. Ms. Delehunt is an educator.

Ms. Gee and Ms. Miller have -- as a team and as individuals -- raised more than twice as much money as Dr. London and Ms. Delehunt combined.

Ms. Gee and Ms. Miller are linked to special interests that promote real-estate development in Orinda.

If both Ms. Gee and Ms. Miller are both elected to the city council, there are concerns that Orinda's housing prices will fall and that the city's schools will become overcrowded. One disgruntled Orindan, who did not wish to be identified, said on September 28, 2016, "The election of both Gee and Miller will ruin Orinda's environment, force the city's housing prices to fall, and lead to school overcrowding."

On September 29, 2016, the Orinda city

clerk's office made information on the four candidates' financial contributions.

According to the city clerk's office, Ms. Gee on her own raised \$8,269 between July 11, 2016, and September 24, 2016.

Ms. Miller on her own raised \$7,234 between July 1, 2016, and September 24, 2016.

As a team, Ms. Miller and Ms. Gee, working together, raised \$5,859.

Thus, Ms. Gee and Ms. Miller raised a total of \$21,362.

Dr. London, between January 1, 2016, and September 24, 2016, raised \$6,498 on his own.

Between August 14, 2016, and September 24, 2016, Ms. Delehunt raised \$2,905 on her own.

Together, Dr. London and Ms. Delehunt raised \$9,403 -- less than half as much as Ms. Gee and Ms. Miller.

On July 15, 2015, Ms. Gee was appointed by the city council to a vacant council seat. The seat had been occupied by Steve Glazer from 2004 to 2015. On May 19, 2015, Mr. Glazer was elected to the California State Senate. He resigned his city-council seat on May 28, 2015.

Ms. Gee received contributions from individuals associated with HNTB. Many of these individuals do not live in Orinda.

These individuals include Darrel Vice (of Orinda), Anthony Lee (of Cranford, New Jersey) Dina Potter (of Piedmont, California), Joshua Englander (of Sherman Oaks, California), and Shannon Gaffney (of Moraga, Cali-

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And the Winner is...the Grape

By Dr. Laura Pawlak

Nature introduced our ancestors to the first sampling of wine about 10 million years ago. As fruit ripened and fell to the earth, a natural process of decomposition occurred.

Microbes in the soil turned fruit sugar into a simpler component, ethyl alcohol. Some curious, hungry ancestor, eating the decaying fruit, probably rejected the taste, but loved the altered state of mind. A sophisticated version of nature's process, called fermentation, was perfected, producing wines that delight the palate as well as the mind.

My grandmother lived in rural Manitoba, Canada, and made her own wine from wild berries picked in late summer. Her doctor recommended a glass of wine each night for good sleep and longevity. In her generation, that glass was small, holding a mere four ounces. Although today's wine goblet may be enormous in size, the recommended intake of wine remains 4-6 ounces per day. At high doses, the alcoholic content of wine may be both addictive and toxic to the brain. An alternative choice is nonalcoholic wine.

Fermentation of the grape produces an array of chemical changes. In addition to the conversion of sugar to alcohol, compounds in the grape's skin and pulp are released, creating more than color, aroma, and a distinctive taste. Vitamins, minerals, and an array of other nutrients are released into the liquid brew. One of the heart-healthy plant chemicals concentrated in wine is the antioxidant resveratrol. How does the content of res-



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fornia). In addition, Ms. Gee received \$1,000 from the HNTB Holding PAC (political action committee). The HNTB Holding PAC is located in Kansas City, Missouri.

In addition to HNTB-affiliated contributors, Ms. Gee received contributions from politically active Orinda residents. There residents include, Sue Severson, Victoria Smith, Carol Penskar, and Tom Trowbridge.

Ms. Severson and Ms. Smith have served on the Orinda City Council. Ms. Severson was on the council from 2006 to 2014. She left the city council in December 2014 after she, as a city-council member, used e-mails improperly. Ms. Smith was elected to the city council in 2004 and is still a member of the council. After three consecutive terms on the council, Ms. Smith will leave the council in December 2016.

Ms. Penskar has been an advocate of construction projects in Orinda. Mr. Trowbridge is the head of OrindaVision, an organization that favors changes in downtown Orinda.

Ms. Gee received a contribution from Grace Crunican, the general manager of BART (Bay Area Rapid Transit).

HNTB, according to its website, has done work for BART, San Francisco International Airport, and Levi's Stadium (home of the San Francisco 49ers).

Darrel Vice is a senior project manager of HNTB. On September 11, 2016, Mr. Vice wrote a column in the East Bay Times. In his column, Mr. Vice advocated passage of two local tax measures: A \$3.5 billion bond for BART (Measure RR) and a one-half percentage point increase in the sales tax (Measure X) for Contra Costa County. If Measure X is approved, the sales tax in Orinda will go from 9.0 percent to 9.5 percent.

In his East Bay Times piece, Mr. Vice said: "By approving the BART bond measure [Measure RR] and the Contra Costa Transportation Authority's half-cent sales tax [Measure X], we can substantially strengthen our transportation systems and improve our quality of life."

A review of Ms. Gee's campaign contributions shows that 56 percent of her donors and 60 percent of her dollars came from outside of Orinda.

According to California Form 497 (dated September 21, 2016), HNTB donated \$20,000 to support Measure X. HNTB made its contribution as "HNTB Holdings of Kansas City, Mis-

souri." Form 497 lists contributions made by individuals and organizations to various political campaigns.

The Icon had made several attempts to contact Ms. Gee to determine if her employment with HNTB presents a conflict of interest with her current presence on the city council and her desire to be elected to a full four-year term. The Icon has asked Ms. Gee if there is a special connection with Mr. Vice and HNTB -- a connection that might affect Ms. Gee's ability to serve Orinda impartially. The Icon has not received a reply.

In addition, The Icon asked Ms. Gee if she supports Measure RR and Measure X. The Icon did not, at press time, receive a reply from Ms. Gee.

According to an advertisement in the Lamorinda Weekly (September 21, 2016, page A13), Ms. Miller has endorsements from Amy Worth and Dean Orr, both of whom are current members of the city council. Ms. Miller also has endorsements from Ms. Smith and Ms. Gee.

When The Icon, on August 22, 2016, asked Ms. Miller for a copy of her city-council political platform, she replied on August 23, 2016, writing: "I am not sure that I have written a platform." On September 20, 2016, when The Icon asked Ms. Miller in person if she had a platform, she did not give a reply.

A study of Ms. Miller's contributions shows that 21 percent of her donors and 15 percent of her dollars came from outside of Orinda.

An examination of the Orinda City Council from 2004 to the present time shows that real-estate interests and related interests have had significant influence on the course of Orinda politics.

During that period (2004 to the present time), several controversial real-estate projects have been built in Orinda.

One such project is the Monteverde/Eden Housing project, a project to provide housing for senior citizens. Located at 2 Irwin Way, Monteverde is across the street from the Orinda Way firehouse and the Orinda branch of Citibank. Monteverde has 67 residential units and 30 parking spaces. In 2010, Amy Worth of the Orinda City Council, commenting on Monteverde, said, "This project will provide a safe, comfortable, convenient environment for senior residents. I think it will be a tremendous asset to Orinda" (Lamorinda Weekly, April 28,

2010). Monteverde exceeds Orinda's 35-foot height limit.

The Orinda Grove/Pulte project on Altarinda Road in Orinda, squeezed 73 homes into a small area. The homes are so close together that a tall individual, by extending his arms, can touch two adjacent structures.

Over the last several years, the Orinda City Council has approved five Housing Elements, which are plans to add hundreds of new homes to Orinda, a city that is basically full. Some of the new homes are to be set aside for low-income individuals.

On July 18, 2013, two regional governmental agencies, MTC (Metropolitan Transportation Commission) and ABAG (Association of Bay Area Governments) voted for Plan Bay Area, a scheme to force local communities in the Bay Area to build high-rise, high-density housing. At the time of the vote, the chairperson of MTC was Ms. Worth. The directors of MTC and ABAG are not directly elected by voters.

In December 2014, Eve Phillips, who was elected to the city council in November 2014, moved, at a city-council meeting, to have a council discussion of the Fifth Cycle (version) Housing Element. Voting against Ms. Phillips motion were Ms. Smith and Ms. Worth, a member of the city council since 1998. Voting for the motion were Phillips herself, Mr. Glazer, and Dean Orr, a member of the city council since 2010.

In January 2015, Ms. Phillips moved to have a city-wide vote on the Fifth Cycle of the Housing Element. Ms. Phillips' motion was not seconded, killing it. Council members present at the January 2015 meeting were Mr. Glazer, Ms. Smith, and Mr. Orr. Ms. Worth was absent.

Dr. London and Ms. Delehunt are identified with causes related to conservation and preservation. They both want to maintain Orinda's semi-rural, village-like environment. They favor a 35-foot height limit on Orinda's buildings.

Dr. London and Ms. Delehunt are not opposed to downtown changes. They both favor a refreshed look for downtown.

With Dr. London, no donors and no dollars came from outside of Orinda. The same can be said of Ms. Delehunt.

Election day is Tuesday, November 8, 2016.

Disclosure: This reporter is supporting Dr. London for the city council. ■

Rubbish Costs Soar In Orinda

Victoria Smith will be leaving the Orinda City Council in December 2016.

In August, Ms. Smith decided not to seek re-election to a fourth consecutive term on the city council.

What will not be leaving along with her are the very high, garbage-collection fees that Orindans pay.

In her 2012 campaign for the city council, Ms. Smith received contributions from special interests associated with garbage collection.

Ms. Smith was elected to the city council in November 2004 and took office the following month. She was re-elected in 2008 and 2012.

On Feb. 28, 2005, the typical Orinda garbage bill was \$59.46.

By August 31, 2016, that bill was \$109.71 -- an 85 percent increase.

Orinda's garbage rates are set by the Central Contra Costa Solid Waste Authority. Currently, Ms. Smith is a member of the board of directors of the Authority. Also, Amy Worth, another member of the city council, is

an Authority director. Worth has served on the city council continually since 1998.

According to the Solid Waste Authority, Ms. Smith was appointed to be an Authority director on Jan. 27, 2005, and is still a



member. Ms. Worth, was an authority director in 2007-2008, left the Authority, and was appointed again on Jan. 27, 2014.

On a form -- California Form 460 -- released by the Orinda city clerk's office, Ms. Smith received \$14,476.13 in donations for her 2012 city-council campaign.

According to Form 460, Ms. Smith, on Sept. 14, 2012, received \$250 from Republic Services. According to the website of Republic Services, "We are committed to

providing reliable and responsible recycling and waste disposal services . . ."

Republic Services is the company that currently collects Orinda's garbage.

Also, on Sept. 14, 2012, Allied Waste contributed \$250 to Ms. Smith's campaign. From June 2005 to March 2015, Orinda residents sent their garbage bills to Allied Waste.

On October 12, 2012, Ms. Smith received \$250 from Sil Garaventa, a person affiliated with Concord Disposal Services, the company which collects the garbage in Concord, California.

Why did Orinda's garbage rates up so much since 2004? No one seems to know, and Ms. Smith and Ms. Worth are not talking. Neither council member responded to repeated inquiries for more information.

So, Ms. Smith will be leaving the city council.

But don't expect any relief in the price of garbage collection. ■

By Richard Colman

EDITORIAL: Replace the Property Tax

Toward the end of September or early October, Orinda residents, as well as residents of other parts of California, will be receiving their 2016-2017 property tax bills.

What they will also be receiving is an example of economic folly.

In Orinda, the property tax on a \$1 million home is likely to be \$117 to \$220 more in 2016-2017 than the property tax of the previous interval (2015-2016).

The higher tax rate is the result of Orindans' passing Measure L, a \$25 million road-repair bond. The bond was passed on June 7, 2016.

The property tax is really a form of a wealth tax because the property tax is levied on an asset that is still in the owner's possession. Another example of a wealth tax is a tax on one's funds in a bank account.

There is no property tax on a person's furniture, clothing, or appliances. Nor is there a property tax on a someone's jewelry, computers, or books.

There is no property tax on assets like stocks, bonds, or businesses until the asset is sold (assuming the asset has appreciat-

ed in value).

And, worse, the tax on a new home in Orinda can be much higher. For example, if someone purchased a home in 1975 for \$50,000 and sold it in 2015 for \$1 million, the new owner pays a property tax based on the \$1 million price.

During the 40 years (from 1975 to 2015), the home may have increased in value 20 times. However, the new owner -- compared with the old owner -- is not receiving 20 times more in police, fire, and school services than the old owner received.

If the owner of a home fails to pay his or her property tax, the home can be confiscated by government authorities or a tax lien can be placed on the property.

The time has come to eliminate the property tax. However, people will ask: How will the schools, the fire department, the police department and other local services be funded?

The answer is to use an income tax. Using an income tax has the advantage of an owner's not being forced to leave his home for lack of a tax payment. A person with no income simply pays no tax -- property tax

or income tax.

(There are alternatives to the income tax. These alternatives can be explored at a future time.)

Regarding the property tax, imagine the horror an unemployed person will face if he cannot pay his property tax bill. He has a good chance of facing foreclosure and, ultimately, homelessness.

The horror can be extremely acute for an older person living on a fixed income, especially if all of that fixed income comes from Social Security. Why should such a person face the humiliation of homelessness?

The city of Orinda -- led by an uncommunicative city council majority -- has made the tax burden worse by increasing property taxes in 2014 and 2016. (These property tax increases do not include the one-half percentage point increase in the sales tax passed by the city's voters in 2012.)

The time to end property-tax folly has arrived. Orinda residents must demand that that city and state officials repeal the property tax and use a more just system of tax collection. ■



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Grapes

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veratrol in wine compare with that in grapes or grape juice?

Resveratrol contributes color to grapes. Red, purple, and black grapes are better sources of the chemical than white or green grapes. Secondly, there is more resveratrol in the skin of the grape than in the pulp. Fermentation releases the resveratrol from the grape's skin into the liquid. Thus, for the same weight or volume, red wine generally has more resveratrol than dark grapes or its juice. Keep in mind that the fresh grape is an excellent choice, perhaps better than grape juice or wine. For variety, peanuts, pistachios, cocoa, blueberries, and cranberries are good sources of resveratrol.

If you want more resveratrol in your diet, get it from food or wine, not from pills. Whole food or a glass of your favorite wine contains nutrients that work with this super antioxidant (resveratrol) for more healthful years.

Dr. Laura Pawlak (Ph.D., R.D. emerita) is a world-renown biochemist and dietitian emerita. She is the author of many scientific publications and has written such best-selling books as "The Hungry Brain," "Life Without Diets," and "Stop Gaining Weight." On the subjects of nutrition and brain science, she gives talks internationally. ■

ANNOUNCEMENT:

The Icon is a periodic publication designed to inform Orinda residents about important issues in their community.

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