



CITY OF ORANGE

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April 22, 2010

Orange Park Acres Association
Tom Davidson, President
P.O. Box 2293
Orange, CA 92869

Re: *Development Review Process for Ridgeline and Rio Santiago Projects*

Dear Mr. Davidson:

This is in response to your letter of April 14th in which you expressed a concern that my letter of November 19, 2008, was being taken out of context and used to portray members of the OPA Board as having done something “underhanded and possibly criminal.” You requested that I make clear the City’s position relative to the OPA Board. While I am reluctant to get any more involved in this matter, I can reiterate what I stated in November of 2008. Perhaps the best way to address this is to pull a quote directly out of my November letter, which reads as follows:

*It needs to be made abundantly clear that the City is **not** laying the blame at the feet of the OPA Board or JMI and in fact, fault is generally irrelevant to the City’s decision. What the City has concluded is that animosity exists and at least from a due process and administrative processing perspective, is irreparable.*

The potential conflict of interest alluded to in my November letter was related to conduct by the planning consulting firm the City had hired and the OPA Board had consulted and no conflict of interest was found as to the OPA Board, JMI or anyone else. Excluding the OPA Board from the City’s process in no way precludes the OPA Board from otherwise fully participating in the project review as citizens and residents, nor does it preclude JMI from continuing to seek community support, including that of the OPA Board.

As noted in my November letter, “ultimately the City’s decision is going to be based on the merits of the project and hopefully that will be the focus of everyone going forward.”

Sincerely,


David De Berry
City Attorney