

**TOWN OF MORAGA  
TOWN COUNCIL SPECIAL MEETING**

**January 22, 2015  
MINUTES**

**6:00 P.M. Special Meeting**

Hacienda de las Flores, La Sala Building  
2100 Donald Drive, Moraga, California 94556

**I. CALL TO ORDER**

The special meeting was called to order at 6:05 P.M. by **Mayor Roger Wykle**.

**ROLL CALL**

Councilmembers present: Mayor Roger Wykle, Vice Mayor Michael Metcalf, and Councilmembers Phil Arth, Teresa Onoda, and Dave Trotter

Councilmembers absent: None

**II. PLEDGE OF ALLEGIANCE**

**Vice Mayor Metcalf** led the Pledge of Allegiance.

**III. ADOPTION OF THE MEETING AGENDA**

**PUBLIC COMMENTS OPENED**

There were no comments from the public.

**PUBLIC COMMENTS CLOSED**

**ACTION: It was M/S (Trotter/Arth) to adopt the Meeting Agenda, as shown. Vote: 5-0.**

**IV. PUBLIC COMMENTS**

Edy Schwartz, Moraga, noted she was pleased to see the number of people in the audience for a Town Council Goal Setting Session as compared to the attendance just a few years ago.

**V. ADOPTION OF CONSENT AGENDA**

**A. Approval of Consent Items**

**ACTION: It was M/S (Trotter/Arth) to adopt the Consent Agenda, as shown. Vote: 5-0.**

1) Proclamation Honoring Campolindo High School 2014 State Championship Football Team Approved

**B. Consideration of Consent Items Removed for Discussion**

No items were removed from the Consent Agenda.

## VI. DISCUSSION AND PRIORTIZATION OF TOWN OF MORAGA GOALS FOR 2015

Town Manager Jill Keimach recognized specific staff members who had worked after hours to prepare the room for the Town Council Goal Setting Session and for members of the audience.

Ms. Keimach presented a PowerPoint presentation on the status of the Town's opportunities and resources, specifically financial and personnel; with a stable and balanced budget, optimism about future revenues, and with Measure K revenue having exceeded expectations. She recognized the Town's dedicated and committed staff and reported that key senior staff positions had been filled. She identified the 2014 High Level Accomplishments which included celebrations of the Town's 40<sup>th</sup> Anniversary; sales tax revenues assisting in the Pavement Repair Project; regional and State awards received for improving the Pavement Condition Index (PCI) from 48 (at risk) to 64 (fair); disposition of 1,196 pounds of at-risk pharmaceuticals; management and coordination of community events and addition of new activities; review of grading and hillside regulations; boutique wineries; and a pathway for bicyclists and pedestrians. She added that the Town of Moraga had been recognized as the fifth safest community in the State and seventh in the nation.

Projects, processes and ordinances included new storm drain repairs which had withstood the December Pineapple Express Storm; adoption of a new Historic Preservation Ordinance; implementation of a new rate for the Moraga Country Club Land Lease; agreement to use Moraga-Orinda Fire District (MOFD) Station 42 as the backup Emergency Operations Center (EOC); adoption of Sign, Nuisance Abatement, and Administrative Citation Ordinances; and Update of the Housing Element. In addition, the Climate Action Plan (CAP) had been completed and accepted, numerous applications had been processed within legal regulations, and there had been a discussion of options for shared recreational facilities.

For Administration, the High Level 2014 Accomplishments included completion of an impartial election, receipt of a National Award of Excellence for the First Annual Comprehensive Annual Financial Report, completion of legally required financial reports for the State, continuation of regional disaster training, and an increase in communication and transparency.

Ms. Keimach advised that continuing efforts and focus on Council 2015 Goals included negotiation of the five employee agreements; completion of the Community Meeting Room and Council Chambers; offering paperless options; implementation of strategies identified in the new CAP; refinement and design of the Canyon Bridge Replacement; completion of the Storm Drain Master Plan; consideration of design and construction of Americans With Disabilities Act (ADA) compliant restrooms at the Library; the Commons Park ADA pathway; development of a conceptual design for a sustainable community-oriented Hacienda; establishment of a Geologic Hazard and Abatement District (GHAD); consideration of the annexation of a portion of Carr Ranch; pursuit of outside funding to daylight Laguna Creek; analysis and proposal for new development impact fees; and initiation of a program and policies for police body-worn cameras.

**Councilmember Onoda** commented that as a former Planning Commissioner and now as a member of the Town Council, she acknowledged and expressed her appreciation to Town staff. She commended those staff members who regularly set up for all Town Council meetings and who stayed after hours.

**Councilmember Trotter** asked for clarification if the goal was to complete the ADA compliant Commons Park pathway within the next few months prior to the upcoming concert series, to which Ms. Keimach explained that the Town Council had previously directed staff to hire an architect to prepare a design for the Commons Park pathway, with Council direction to return with a cost estimate which would be brought back in February.

**Mayor Wykle** identified the proposed Town Council Goals for 2015 as follows:

1. Increase transparency through improved communications, including new community sign and broadcasting public meetings on the website;
2. Continue to exercise fiscal discipline and execute balanced Town budgets;
3. Work with community to amend regulations and reduce ambiguity in grading, hillside, and ridgeline regulations;
4. Continue to streamline planning processes by clarifying and simplifying procedures for single-family residential and commercial design review;
5. Work with property owners, community and developers to implement the vision of the Moraga Center Specific Plan (MCSP) while minimizing impacts on existing neighborhoods through new zoning, form-based design and streetscape standard, and parking and traffic management programs;
6. Complete last phase of pavement repair of neighborhood streets on time and budget and develop criteria for annual maintenance over the next 17 years;
7. Develop joint use agreements based on subcommittee recommendations to share existing recreational facilities in the community to include fields and other facilities;
8. Work to improve the long-term viability of The New Rheem Theatre in partnership with the business operator, property owner, Chamber of Commerce and the California Independent Film Festival (CAIFF);
9. Develop strategy for MCSP Park Mitigation Site where applicants have a choice to buy in to privately-owned parkland in-lieu of Park Development Impact Fees or creating small parks on-site;
10. Develop sustainable procedures to fund long-term and ongoing maintenance needs of Town facilities, parks, and infrastructure;
11. Continue Livable Moraga Road Project to create bicycle/pedestrian pathways between commercial centers and public parks consistent with Transportation for Livable Communities Grant and AB1358;
12. Consider development of a Rheem Center Specific Plan as required by the General Plan;
13. Conduct a statistically valid survey (similar to initial Measure K survey) to determine the public's priorities with respect to additional police officer(s), the ongoing repair/maintenance of Town facilities, the construction of new and/or recapitalization of Parks and Recreation Facilities, the acquisition of Open Space as required by the General Plan, as well as other Town initiatives; and
14. Review the Revenue Enhancement Committee Report and select the next set of recommendations to enhance revenue to the Town.

#### PUBLIC COMMENTS OPENED

**Mayor Wykle** recommended that the Town Council review each of the goals individually; welcomed public comment on each of the goals; and asked for any other recommendations from the public.

**The following spoke to Goal #1:**

Barry Behr, Moraga, requested clarification on the intent of the goal. Ms. Keimach stated that the intent of the goal was to both broadcast meetings via Comcast and to make meetings available on the website.

Lynda Deschambault, Moraga, spoke to the efforts to create the Moraga Center Specific Plan (MCSP), noting she did not believe the public fully understood what was currently happening with the MCSP. She requested agendas use more layman's terms to better inform the public, noting that the Moraga Citizens Network link was a good example of how to better educate the public.

Dale Walwark, Moraga, commented that he had found information from a pamphlet prepared in 1974 by Citizens to Incorporate Moraga, which had included five reasons to incorporate including a recommendation for better communications between citizens and local government, community identity, local government control, a better police department, and a provision for long-range planning for future growth. He offered some of his own goals he would like the Town Council to consider including: protect and improve Town assets, buildings, streets, storm drains, and parks; treat one-time windfalls as such, not as opportunities for current spending; avoid balancing the budget through the common practice of deferred maintenance; and keep trying to accomplish one of the five reasons Moraga had been incorporated in 1974, mainly for better communications between citizens and local government.

Edy Schwartz, Moraga, stated the Town had improved its communications tremendously. She noted that she had conversations with some younger people who had recommendations on how to encourage the younger generation to become more involved.

Bill Carman, Moraga, thanked the Town Council and Town staff for improved public communications, particularly through improvements in posting notices and notification on the Moraga Citizens Network. He requested that Town Council meeting minutes be posted in a timely manner on the Town's website.

Town Clerk Marty McInturf advised that audio files from the Town Council meetings were normally posted on the Town's website within 24 hours of the meeting and minutes were posted as soon as approved by the Town Council.

Chai Luk, Moraga, a resident of the Sanders Ranch neighborhood, emphasized the importance of wireless communications which also provided improved communications to the public.

**Councilmember Trotter** recommended that Goal #1 be revised to read:

*Continue the Town's focus on increased transparency through improved communications, including new community sign and broadcasting public meetings on the Internet.*

**There were no comments from the public on Goal #2.**

**The following spoke to Goal #3:**

Ms. Deschambault referenced the former Open Space Fund, which was financed by the General Fund surplus. She understood the fund had been eliminated as a result of the purchase of 329 Rheem Boulevard. As the economy and the Town's revenues improved, she suggested the Open Space Fund should be reconsidered. She also commented that the charrettes the Town had previously held for the hillside and ridgeline issue had demonstrated good outreach in layman terms and the meetings had been informative. She encouraged the continuation of that process.

#### **The following spoke to Goal #4:**

Planning Director Ellen Clark explained that Goal #4 had been a goal of the Town Council in the past, some progress had been made to modify design review procedures for both single-family and commercial projects, and the Town had stringent design review requirements for any exterior changes with a goal to simplify that process.

**Councilmember Trotter** asked the Town Council to consider another goal for 2015, to consider its approval process for larger projects in that many large projects in the past had first gone only to the Planning Commission for approval of a policy decision on density, setbacks, major conditions of approval, or anything that did not have to do with the design of the structure. The Design Review Board (DRB) was not involved until the Planning Commission policy decision had been made. In recent years, there had been feedback from the DRB for projects prior to Planning Commission review, requiring applications go to the DRB to obtain input before receiving a policy decision from the Planning Commission. He had received complaints from developers who had to attend multiple meetings, and who had been placed between the DRB and the Planning Commission, which he found troublesome. He sought, as a Town Council policy decision in 2015, a clarification of the roles of the DRB and the Planning Commission.

**Vice Mayor Metcalf** recognized that the Town's processes slowed projects down. He did not understand the three-step planning review process, and asked staff to develop recommendations for Town Council consideration which were fair to the community and responsive to landowners. He emphasized the need to reinvest in the Town, although he suggested the Town's current process deterred reinvestment. He sought a goal for Town Council to have a conversation on the issue.

**Councilmember Onoda** acknowledged that as a former member of the Planning Commission, oftentimes projects had gone before the DRB prior to Planning Commission review. She agreed the process should be better clarified in that some projects had gone back and forth between the two bodies.

**Councilmember Trotter** suggested that Goal #4 was a stand-alone goal. He recommended an additional goal with a discussion on the merits of the Town's three-step process for major subdivision approvals and a discussion of whether to deal with issues at the Planning Commission level, with their buy-in on policy before passing the project on to the DRB for design review.

Ms. Keimach suggested rather than decide on the best process at this time, Council could direct staff to bring a broader view of the planning process to the Town Council, and to either clarify, change, or amend. She acknowledged that residents and smaller builders had questioned the Town's extensive process.

Mr. Walwark agreed with the recommendation by Councilmember Trotter. He commented that when he had been a member of the Town Council, he had viewed the Council as the Senior Planning Commission. He favored more power to the Planning Commission in the appeal process before the Town Council.

**Councilmember Arth** noted that when a Planning Commission decision was appealed to the Town Council, that appeal would come as a de novo public hearing when the Town Council would be able to discuss all details.

#### **The following spoke to Goal #5:**

To provide clarification, Ms. Clark defined form-based design as a means of regulating development to achieve a specific urban form. Form-based codes created a predictable public realm by controlling physical form primarily, with a lesser focus on land use.

Ms. Clark stated the form-based approach had been popular for several years although most communities had evolved to a hybrid approach that had incorporated form-based zoning elements into the codes while maintaining use-based standards. She advised that the Town had received a \$150,000 grant from Contra Costa Transportation Authority (CCTA) and staff was working on the scope with a consultant firm for the implementation of the MCSP to create form-based standards zoning regulations to more effectively implement the MCSP. She noted, when asked, that in the same way the Moraga Municipal Code (MMC) implemented the General Plan land use diagram and districts, more detailed districts would be developed for the MCSP consistent with the current plan.

Sal Captain, Moraga, emphasized the need to look at all aspects of design. He suggested that the design in its totality should be considered in terms of form, fit, and function, which was all encompassing.

Mr. Luk questioned the impacts of additional development whether residential or commercial and suggested traffic was the main problem in the Town.

Ms. Clark again clarified form-based design and explained that the MCSP had established the vision for the district and had reviewed the land uses in a specific way. She felt that Goal #5 was consistent with Mr. Captain's comments.

Ms. Deschambault asked the Town Council to consider a Retail Ordinance, which was very common in neighborhoods; and a House Size Ordinance which would address Goal #4. As to the MCSP, she pointed out that the number of vehicle trips per day had already been calculated at build out and she had provided information in the past on shuttle services to reduce vehicle miles traveled. She suggested the MCSP would be a place for the Town Council to consider such a service, potentially in partnership with Saint Mary's College (SMC).

Speaking to Goal #12 (Renumbered to Goal #13), Ms. Deschambault asked for consideration of a Rheem Center Specific Plan area, to include affordable housing. She noted at the time of the creation of the MCSP, the Town had opted for high-density development to meet the Town's affordable housing goals.

**Vice Mayor Metcalf** reported that there was a study that had been underway for months for a shuttle service in the Lamorinda communities between the BART Station and Moraga.

#### **The following spoke to Goal #6: (Renumbered to Goal #7)**

**Mayor Wykle** asked that the Goal be revised to read:

*Complete the next phase of pavement repair of neighborhood streets on time and budget and develop criteria for annual maintenance over the next 17 years.*

**Vice Mayor Metcalf** commented that during the Revenue Enhancement Community Outreach to Neighborhoods (RECON) effort years ago, a paving consultant had provided information on recycled asphalt, and policies to keep the pavement fresh, but some citizens did not know what that meant. He suggested there should be an education process on what could be done inexpensively over the next 17 years to achieve long-term benefits. He noted the Town Engineer should come up with a maintenance strategy and inform the Council of the benefits.

**Councilmember Trotter** recommended that storm drains be included in the Goal, with **Mayor Wykle** noting that storm drains were inherent in the pavement program.

**Councilmember Trotter** asked that the Goal include the language: *Develop technical criteria and spending plans.*

Public Works Director/Town Engineer Edric Kwan explained that he would continue to maintain the pavement conditions as best as possible for the overall network. He explained that the Town had limited funds to maintain its asphalt and noted at the end of the 20 years the pavement would continue to deteriorate. Based on the maintenance plan, work done thus far, and pavement distress surveys to rate pavement condition, the Town would need \$2.4 million to maintain the current Pavement Condition Index (PCI). Regarding the 2015 Pavement Repair Project, he added that staff had recently completed its review of the 65% design submittal, with the project going out to bid in April. When bids were received and reviewed, staff would return to the Town Council, possibly in late May, to award the construction contract.

Ferenc Kovac, Moraga, asked what portion of Measure K funds could be used for non-vehicular traffic improvements, such as bicycle lanes and walking paths, to which Ms. Keimach advised that Measure K funds could legally be used for anything although the use of Measure K funds was a policy question for the Town Council.

**Vice Mayor Metcalf** acknowledged that Measure K funds could be used for discretionary spending, although during the Measure K campaign, it had been made clear to the public the funds would be used for roads and storm drainage that directly impacted roads.

**The following spoke to Goal #7: (Renumbered to Goal #8)**

**Mayor Wykle** reported that the Town Council had met jointly with the Moraga School District (MSD) Governing Board on January 20, 2015; received a presentation on the status of the Joint Ad Hoc Facilities Planning Subcommittee's Recommendations on Short- and Long-Term Improvements; the MSD Board was in the process of preparing Strategic and Facilities Assessment Plans and was not ready to make a commitment for the use of MSD fields and facilities; and staff would work with the MSD on how the MSD and the Town Council charged each other fees.

**Councilmember Trotter** recommended that the Goal be revised to read:

*Develop joint use agreements based on subcommittee recommendations to share existing and potentially plan for recreational facilities in the community to include fields and other facilities.*

**Mayor Wykle** accepted the revision to the Goal.

Mr. Behr thanked the Town Council for the initiative which had been discussed three years ago. He expressed his hope that once the goal had been accomplished, a database would be created to easily identify when and where park and recreational facilities would be available for use.

**The following spoke to Goal #8: (Renumbered to Goal #9)**

Ms. Schwartz thanked the Town Council for the continual support of The New Rheem Theatre. She reported the theatre was for sale; clarified a for-profit managed the Orinda and Rheem Theatres, and a non-profit managed the CAIFF; and it was important to know that those two entities were separate. She added that due to their synergistic relationship, both theatres were doing better than ever, with recent shows sold out. She emphasized The New Rheem Theatre appreciated the support of the Town.

**The following spoke to Goal #9: (Renumbered to Goal #10)**

Ms. Clark explained the intent and background of the Goal, a problem faced by many developers in the MSCP Area. She noted that whether the parkland would be private or publicly owned would be open for discussion.

She added that currently there were no publicly owned properties that would be suitable for such use, nor would the Town likely have the money to acquire such property. The idea for the goal was to identify private property that could ultimately transfer to public ownership over time.

Mr. Carman suggested that if the Goal moved forward, he would like to see the Town develop an additional community park to relieve some of the pressures on the existing park system as opposed to the development of small pocket parks. He suggested a community-sized park between five and six acres in size and pointed out that great communities built up around parks such as Central Park in New York, and the large parks in San Francisco.

Ms. Keimach explained that the Camino Ricardo project had included a Development Agreement (DA), which had required a park. Staff could return with different options for Council consideration to address the Goal.

Ms. Schwartz commented that the passive park for the Camino Ricardo project was an excellent example of why there needed to be new and improved communications to the public. She referenced discussions with a local organization which had been unaware of the park, and explained that had the organization been so informed it would have provided a different perspective on that park component.

#### **The following spoke to Goal #10: (Renumbered to Goal #11)**

**Councilmember Arth** reported that the Audit and Finance Committee (AFC) had struggled with this goal and had recognized the Town Council's desire to see more structure on sustainable procedures to fund long-term and ongoing maintenance needs of Town facilities, parks, and infrastructure.

Mr. Carman referenced the many volunteer and local organization efforts to maintain the Town's parks and facilities. He recommended that the Town consider more volunteer days beyond *Moraga Beautiful* to improve the Town's parks, facilities, and infrastructure.

Cheng Liao, Moraga, provided correspondence to the Town Council dated January 22, 2015, which he read into the record. He asked that the Town Council consider a long-term solution for Rancho Laguna Park. Having approached the Town Council in December 2014, he had requested that the Town Council consider the many complaints about off-leash dogs at Rancho Laguna Park. He cited specific incidents where off-leash dogs had posed a safety hazard to park patrons and asked the Town Council to revisit the issue and make Rancho Laguna Park available for the enjoyment of all citizens.

#### **The following spoke to Goal #11: (Renumbered to Goal #12)**

**Mayor Wykle** reported that the Town Council had received a report on the status of the Livable Moraga Road Project alternatives on January 20, 2015, and there had been Town Council consensus to consider more outreach to commuters on the different alternatives.

**Councilmember Trotter** asked that the Goal be revised to read:

*Receive additional public input and consider Livable Moraga Road Project to create bicycle/pedestrian pathways between commercial centers and public parks consistent with Transportation for Livable Communities Grant and AB1358.*

**Mayor Wykle** accepted the revision to the Goal.

Ms. Clark added that the traffic consultant had conducted additional traffic counts at three intersections; Rheem Boulevard, Corliss Drive, and St. Mary's Road, and had reviewed traffic counts and studies along Moraga Road including cumulative long-range traffic conditions.

**The following spoke to Goal #12: (Renumbered to Goal #13)**

Ms. Clark advised that the Town would need to seek outside funds to fund the effort for the development of a Rheem Center Specific Plan, which involved multiple property owners.

**Vice Mayor Metcalf** expressed concern with the logistics of attempting to achieve the Goal. He asked whether the Town Council wanted to proceed with this effort.

**Councilmember Trotter** provided the background of the attempts to develop a Rheem Center Specific Plan, with a discussion regarding whether the effort could be done without the Town having to bear the expense of a Specific Plan process, and his understanding the work could be done with some change to General Plan policies dealing specifically with the Rheem Center, which would be less costly and easier than the process the Town had taken for the MCSP.

**Mayor Wykle** stated that as a member of the Planning Commission, the Commission had supported such an effort, although no progress had been made. His intent had been to highlight the Goal in the hopes that something would be done to address the need for a Specific Plan for the Rheem Center, as required by the General Plan.

**Councilmember Onoda** agreed that the Goal should be included on the list of goals for 2015 with hope that something could be accomplished.

Suzanne Jones, unincorporated Contra Costa County, stated she was not certain of the best way to deal with the Rheem Center, although she believed the community wished to see something happen there. She commented on the work of ad hoc committees over the years to develop a vision for the Rheem Center, discussions on a centralized location for wine growers, and new recreational facilities and where they could be placed as economic drivers for the commercial districts. She urged consideration of a Specific Plan for the Rheem Center.

Mr. Walwark suggested that the Goal was an example of why it was difficult to communicate to the voters since many were unaware of the definition of a Specific Plan. As a former member of the Central Contra Costa Solid Waste Authority (CCCSWA), he had developed a list of acronyms to better educate the public and found communication in this regard to be the real challenge.

Mr. Captain asked the status of the plans for the Painted Rock property particularly given the recent passing of Roger Poynts, the property owner.

**Mayor Wykle** advised that the Painted Rock property was outside the Rheem Center Area, and outside the dialogue for a potential Specific Plan for the Rheem Center.

**Councilmember Trotter** was optimistic there would be good public dialogue and communication with respect to this topic. He asked that the Goal be revised to read:

*Consider outreach to property owners and development of General Plan Amendments to revitalize the Rheem Center Specific Plan Area.*

**Mayor Wykle** accepted the revision to the Goal.

**The following spoke to Goal #13: (Renumbered to Goal #14)**

**Vice Mayor Metcalf** spoke to the January 20, 2015 Joint MSD and Town Council meeting and discussions about a community-wide survey. He detailed the background of the Measure K campaign efforts, which had included the formation of focus groups, and a professional consultant who had prepared a survey after which a statistically valid telephone survey had been conducted.

He identified the outcome of each of the surveys, and based on those outcomes, expressed concern that too much weight had been placed on telephone surveys. He recommended that focus groups also be considered in addition to surveys, although he acknowledged that could be a lengthy and costly process. While he supported the Goal, he urged caution.

Ms. Schwartz echoed the Vice Mayor's comments. She referenced a survey that had been conducted in the past asking the community whether it would vote for some type of tax increase. The input indicated that if the tax increase stayed in Town, it might be supported. She suggested sending out the information through a variety of methods before a survey was conducted, and emphasized the importance of educating the population prior to any survey.

Ms. Jones recommended that the list of items to be surveyed be revised to include asking the community what it wanted in terms of growth. She also recommended that the Rheem Shopping Center be included in any survey in terms of what the community wanted to see given that the Town Council's priorities might be different from the community's priorities.

Mr. Carman supported a statistically valid survey. He commented that he had conducted his own survey prior to the passage of Measure K, had telephoned more than a thousand people in the Town, and had found there was support for the measure. He suggested the Town would see a positive result that was reflective of the community's opinion.

Mr. Walwark also spoke to the Measure K campaign, which had involved a great deal of work and effort on behalf of the Measure K Committee. He did not want to see past unsuccessful survey efforts repeated. He emphasized the need for the public to be informed where the money would originate to address the community needs.

**Councilmember Trotter** asked that the Goal be revised to read:

*Conduct statistically valid focused groups and surveys (similar to initial Measure K survey) to determine the public's priorities with respect to additional police officer(s), the ongoing repair/maintenance of Town facilities, the construction of new parks and recreational facilities, and sports fields, and the acquisition of Open Space as required by the General Plan, as well as other Town initiatives.*

**Mayor Wykle** recommended a further modification to the Goal to read:

*Develop and execute a strategy (similar to initial Measure K process) to determine the public's priorities with respect to additional police officer(s), the ongoing repair/maintenance of Town facilities, the construction of new parks and recreational facilities, and sports fields, and the acquisition of Open Space as required by the General Plan, as well as other Town initiatives.*

**Vice Mayor Metcalf** noted that the Town Council had not reached consensus during the joint MSD and Town Council meeting held on January 20, 2015 as to the importance of a gymnasium and sports fields. He disagreed with the inclusion of language "and sports fields" in the Goal at this time.

**Councilmember Onoda** emphasized her desire for a statistically valid survey.

**The following spoke to Goal #14: (Renumbered to Goal #15)**

**Vice Mayor Metcalf** detailed the background of the Revenue Enhancement Committee (REC) whose purpose was to develop options for revenue enhancement measure opportunities for infrastructure, economic development, and general revenue measures.

He identified some of the measures taken by the Town to enhance its revenues, and some of the measures that had been identified which were easy to do and would have a big impact, such as a hotel tax. He recommended that the Town Council pursue a hotel tax in 2016 and in the next election cycle.

**Councilmember Trotter** concurred with the Vice Mayor's recommendation.

Mr. Captain asked the Vice Mayor to clarify whether he supported quality of life growth or growth in population, to which **Vice Mayor Metcalf** explained there were many restrictions on growth in the Town, particularly gateway traffic outside of Moraga. He noted the purpose of the MSCP was for infill development which would cater to the needs of those living in Moraga, including SMC students, faculty, and seniors. He suggested that much of the commercial development in Town could be vastly improved by changing the way the shopping centers operated.

**Councilmember Onoda** agreed with the Vice Mayor's comments.

**Councilmember Trotter** recommended the Goal be revised to read:

*Review the Revenue Enhancement Committee Report and select the next set of recommendations to enhance revenue to the Town, including consideration in 2015 of enactment of a Transient Occupancy Tax (TOT).*

Ms. Keimach noted the Council had discussed step one: identify the needs and desires of the Town and what Town residents were willing to pay for; then through the REC reports consider revenue measures to fund what the community says it wants the Town to pay for. Based on Councilmember Trotter's recommendation, there might have to be two surveys in 2015.

**Councilmember Trotter** suggested that a survey was not needed for consideration of a Transient Occupancy Tax

**Vice Mayor Metcalf** noted that a Transient Occupancy Tax would not impact Town residents. He did not see that a survey was needed for that consideration.

**Councilmember Trotter** recommended a further modification to the Goal as follows:

*Review the Revenue Enhancement Committee Report and select the next set of recommendations to enhance revenue to the Town, including early consideration of enactment of a Transient Occupancy Tax.*

**Mayor Wykle** accepted the revision to the Goal.

**Vice Mayor Metcalf** asked that another goal be added to the list of goals to include the Hacienda as related to the community center element of recreational needs in the Town, as identified by the Joint Ad Hoc Facilities Planning Subcommittee, which should be done in 2015.

Ms. Keimach pointed out that had been identified in her PowerPoint presentation on the list of continuing existing efforts.

By consensus, the Town Council added the following goal as an additional Town Council Goal for 2015: *Develop a conceptual design for a sustainable community-oriented Hacienda.*

**Vice Mayor Metcalf** emphasized that there had been no consensus yet on what should be done with the Hacienda other than many ideas that required further study.

**Councilmember Trotter** asked that staff draft language that would address the planning process to be added after Goal #5, with the goals to be re-numbered accordingly.

**Councilmember Arth** asked that an additional goal be added to address the concerns with off-leash dogs at Rancho Laguna Park which would allow the community to determine whether the off-leash dog park should continue.

Responding to Council, Chief of Police Robert Priebe reported that he had not received a statistically significant number of complaints about off-leash dogs at Rancho Laguna Park. The policy of the Moraga Police Department with an off-leash dog in the park (and no one other than the dog owner present) was for the officer to weigh the balance between violations of the ordinance versus the fiscal reality of sending an officer to court. No citations had been issued for off-leash dogs at Rancho Laguna Park, although warnings had been issued. Compliance was not an issue. Periodically the Police Department received complaints about off-leash dogs and by the time the officers arrived at the park the matter had typically resolved. He acknowledged the Public Works Department had received complaints about the condition of the grass.

**Councilmember Onoda** commented that as a parent and as a safety issue, she preferred to see children fenced off in the playground area.

**Councilmember Arth** noted the issue had been raised in the past and he would like Moraga citizens to be able to weigh in on the subject.

**Councilmember Trotter** did not support an additional goal addressing off-leash dogs at Rancho Laguna Park. He emphasized that the Town Council had spent a great deal of time on that issue two years prior in the summer of 2012. The Town Council had decided to rescind an ordinance and not spend money to divide the park. He did not want to refight that issue.

**Mayor Wykle** agreed.

Mr. Captain suggested that the number of goals represented a 10-year plan as opposed to a one-year objective.

Ms. Keimach advised that staff would prioritize the goals as much as possible.

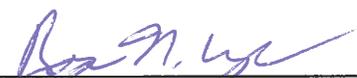
## VII. ADJOURNMENT

**ACTION: It was M/S (Trotter/Arth) to adjourn the meeting at 8:54 P.M. Vote: 5-0.**

Respectfully submitted by:

  
Marty C. McInturf, Town Clerk

Approved by the Town Council:

  
Roger N. Wykle, Mayor