

**TOWN OF MORAGA
TOWN COUNCIL REGULAR MEETING**

**October 14, 2015
MINUTES**

7:00 P.M. Regular Meeting

Joaquin Moraga Intermediate School Auditorium
1010 Camino Pablo, Moraga, California 94556

I. CALL TO ORDER

The regular meeting was called to order at 7:03 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

Councilmember Onoda led the Pledge of Allegiance.

III. SPECIAL ANNOUNCEMENTS

Mayor Wykle reported that the Town Council had met in Closed Session and there was no reportable action.

IV. PROCLAMATIONS AND PRESENTATIONS

- A. Swearing in of the New Moraga Youth Involvement Committee (MYIC) Members for 2015/16

Recreation and Facilities Coordinator Kimberly Nelson introduced the seven new members of the Moraga Youth Involvement Committee (MYIC) to be sworn in for the 2015/16 period.

Town Clerk Marty McInturf presented the Oath of Office to each new member of the MYIC.

The Town Council welcomed and congratulated the new members of the MYIC and recognized the MYIC for all of its hard work.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

- B. Update on Central Contra Costa Transit Authority (County Connection) by Al Dessayer

Al Dessayer, Moraga, reported that the Clipper Card system would be available and utilized on all County Connection buses on November 1 and Wi-Fi would also be available on County Connection buses within one year. He added that ridership had increased approximately two percent for the year; and he provided an update on the Lamorinda Transit Study with a PowerPoint presentation to be provided to the Lamorinda Councils in the near future. He also commented on feedback from a recent survey with the primary topic of concern the need for better coordination between local school schedules and County Connection to ensure that County Connection buses appeared when needed by its riders.

Vice Mayor Metcalf spoke to the efforts of the Lamorinda Program Management Committee (LPMC) which had sponsored the study to create more transit opportunities.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

The Town Council thanked Mr. Dessayer for his report.

V. PUBLIC COMMENTS AND SUGGESTIONS

Edy Schwartz, Moraga, presented samples of bumper stickers reading *Amour Moraga*, which had been printed by the City of Lafayette. Bumper stickers had also been manufactured for the cities of Orinda and Lafayette, with Lafayette having done the work at its own cost. She understood Lafayette had finished printing the bumper stickers although since the artwork was available and had a connection to the three Lamorinda communities, she hoped the Town would consider continuing the effort.

Diego Rios, Moraga, Associated Students President, Saint Mary's College (SMC), reported that he had run on a platform of ensuring a more cooperative relationship between the Town of Moraga and SMC students, and through a partnership with SMC had sent a survey to the SMC student body. He outlined the questions in the survey, particularly those related to the recent enactment of the Town's Unruly Party Ordinance, and expressed the willingness to share the results of the survey with the Town Council in order to start a conversation as to how SMC students could help build a better relationship with the Town. He had also worked alongside many local community members as part of several local events and sought the opportunity to make a presentation at the next Town and Gown meeting.

VI. ADOPTION OF CONSENT AGENDA

A. Approval of Consent Items

Councilmembers acknowledged receipt of a redline revision to Page 9 of the August 26, 2015 Town Council meeting minutes.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Arth/Onoda) to adopt Consent Agenda Items 1, 2, 3, 4 and 5, subject to the redline revision for Consent Agenda Item 3, as noted. Roll Call Vote: 5-0.
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| 1) | Accounts Payable Claims for: 9/02/15 (\$7,716.86);
9/04/15 (\$111.13); 9/04/15 (\$645,145.31);
9/18/15 (\$1,090,368.21); 9/18/15 (\$275.00);
9/18/15 (\$275.00); 10/02/15 (\$108.41);
10/02/15 (\$839,594.44) | Approved |
| 2) | Approve Minutes for the Special Town Council Meeting on
August 12, 2015 | Approved |
| 3) | Approve Minutes for the Special and Regular Town Council
Meetings on August 26, 2015, as amended | Approved |
| 4) | <u>Tree Preservation Ordinance 256</u>
Consider Waiving Second Reading and Adopting Ordinance
256 Amending Portions of Moraga Municipal Code Chapter
12.12 Tree Preservation to Correct References to Responsible
Town Personnel, Update the Costs of an Appeal And to Update
Provisions for Enforcement of Code Violations | Approved |
| 5) | <u>Permit Streamlining of Residential Rooftop Solar Systems
Ordinance 257</u>
Consider Waiving Second Reading and Adopting Ordinance
257 Adopting Contra Costa County Ordinance 2015-13 by
Reference and Adding Section 15.12: Solar Streamlining, to
Title 15, Buildings and Construction, of the Town of Moraga
Municipal Code, to Create Expedited Permitting Procedures
for Small Residential Rooftop Solar Systems | Approved |

B. Consideration of Consent Items Removed for Discussion

There were no items removed from the Consent Agenda.

Vice Mayor Metcalf made a motion, seconded by **Councilmember Arth** to adopt the Meeting Agenda, although **Councilmember Trotter** requested that the Town Council take a separate Roll Call vote on each Consent Agenda Item that involved an ordinance.

Assistant Town Attorney Karen Murphy understood that the first Roll Call vote had been for Consent Agenda Item 4, with another Roll Call vote required for Consent Agenda Item 5.

ACTION: It was M/S (Metcalf/Arth) to waive Second Reading and adopt Ordinance 257 Adopting Contra Costa County Ordinance 2015-13 by Reference and Adding Section 15.12: Solar Streamlining, to Title 15, Buildings and Construction, of the Town of Moraga Municipal Code, to Create Expedited Permitting Procedures For Small Residential Rooftop Solar Systems. Roll Call Vote: 5-0.

VII. ADOPTION OF MEETING AGENDA

By consensus, the Town Council modified the meeting agenda and moved Item A under XI. Ordinances, Resolutions and Requests for Action, to Item B under IX. Discussion Items.

PUBLIC COMMENTS OPENED

There were no comments from the public.

ACTION: It was M/S (Metcalf/Arth) to modify the meeting agenda and move Item A under XI. Ordinances, Resolutions and Requests for Action, to Item B under IX. Discussion Items. Vote: 5-0.

VIII. REPORTS

A. Mayor's and Councilmembers' Reports

Mayor Wykle – Reported that he had attended the Liaison Meeting on September 17; played in the Moraga Chamber of Commerce Golf Tournament on September 21; attended the RecycleSmart (formerly Central Contra Costa Solid Waste Authority (CCCSWA)) Board workshop on September 24; the League of California Cities Conference on September 30 to October 2 as the Town's voting delegate; and the Mayors' Conference in the City of Walnut Creek on October 8.

Vice Mayor Metcalf – Reported that he had attended the League of California Cities Conference on October 1; and then left for vacation.

Councilmember Arth – Reported that he had attended the California Association of Realtors reception at Scott's Seafood restaurant on September 17; the Swearing in Ceremony for new Moraga Police Officer Angela Likos on September 24; the Pear and Wine Festival on September 26; the Town and Gown meeting at SMC on September 29; and the League of California Cities Conference on October 1.

Councilmember Onoda – Reported that she had attended the Swearing in Ceremony for new Moraga Police Officer Angela Likos on September 24; the Pear and Wine Festival on September 26; the Town and Gown meeting at SMC on September 29; and trimmed pear trees on October 10.

Councilmember Trotter – Reported that he had attended a portion of the RecycleSmart workshop on September 24; and the Moraga Historical Society Luncheon to celebrate its 50th Anniversary on October 3.

B. Town Manager Update – Town Manager Jill Keimach reported that this was likely the last meeting to be held in the Joaquin Moraga Intermediate (JM) School Auditorium since the next Town Council meeting would be held in the new Council Chambers at 335 Rheem Boulevard. Improvements were expected to be complete by October 28 and a Ribbon Cutting and Grand Opening had been scheduled for that evening from 6:00 to 7:00 pm.

1. Introduction of New Administrative Services Director, Amy Cunningham

Ms. Keimach reported that the former Administrative Services Director had left the employ of the Town three months ago for the City of Oakland. The new Administrative Services Director, Amy Cunningham, had been selected as part of the interview panel consisting of Town staff and members of the Audit and Finance Committee (AFC). She described Ms. Cunningham's broad range of experience and welcomed her to the Town.

Administrative Services Director Amy Cunningham described her past experience with other cities, with experience in finance and administration, and stated she was pleased to have the opportunity to apply those skills in Moraga.

IX. DISCUSSION ITEMS

A. Saint Mary's College Intramural Field Requirements

Receive Update on Compliance with Noise and Lighting Conditions of Approval for Operation of Saint Mary's College Intramural Field after 9:00 P.M.

Planning Director Ellen Clark presented the staff report and asked that the Town Council receive the update on compliance with noise and lighting conditions of approval for the operation of the Saint Mary's College (SMC) Intramural Field after 9:00 P.M.

Leslie Davis, Leslie Davis Lighting Design, presented, in detail, the luminance study and results, as contained in Attachment B to the staff report. She reported of the five locations that had been measured there had been a minimum 32 percent reduction, with other location showing greater improvement.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

In response to Council, Ms. Keimach affirmed that Ms. Davis' luminance study had been posted on the Town's website.

Ms. Clark also affirmed that Ms. Davis' report was the final version and was available to anyone requesting a copy. In addition, anyone who had questions on the report could contact her and she would refer them to Ms. Davis for clarification.

Ms. Davis commented that there were some images in the report she had intended for her own records to match measured values to the images, although staff had indicated that including those images would clarify the information. The meter that had been used to take the measurements was high quality equipment borrowed from PG&E.

Ms. Keimach added that the Town Council had imposed a condition on the SMC Intramural Field Lights whereby a year from now a public meeting would be held to gather input as to whether any issues remained in the neighborhood.

Councilmember Arth reported that his residence was located on Joseph Drive and he found there had been a dramatic reduction in glare and appreciated the fact SMC had gone to the expense to achieve that reduction.

Councilmember Trotter clarified with Ms. Clark that since the modification of the lights, the only piece of correspondence received had been from a neighbor who had followed the issue in the past and who had made the observation that glare from the lights had significantly improved.

Ms. Clark also clarified that the upgraded lights had not been turned on since their installation other than for the purpose of adjustment and taking measurements.

As a resident of the Bluffs neighborhood, **Councilmember Trotter** stated that there had been a substantial reduction in glare leakage. He commended SMC for its efforts.

Ms. Clark added there were a number of conditions imposed on the project, as outlined in Attachment A to the staff report. SMC had provided documentation that it had implemented those items that had been ready at this time.

Councilmember Onoda also thanked SMC for working with the Town to ensure there was a measureable way to determine how things were working.

B. Saint Mary's College Shared Facility Use

Consider Resolution 86-2015 Approving and Authorizing the Town Manager to Execute the Memorandum of Understanding (MOU) Regarding Shared Facility Use with Saint Mary's College of California

Director of Parks and Recreation Jay Ingram presented the staff report to consider a resolution approving and authorizing the Town Manager to execute the Memorandum of Understanding (MOU) regarding shared facility use with Saint Mary's College (SMC). He asked that the Town Council approve the resolution.

Responding to the Council, Mr. Ingram affirmed there were some facilities that had not been included on SMC's list of facilities. The property at 335 Rheem Boulevard had been included on the list.

Ms. Murphy clarified the terms pursuant to Section 1.0 on Page 1 of the MOU Regarding Facility Use, whereby at any time during the five-year period of the agreement there could be termination of the agreement. She also clarified the annual renewal period pursuant to the terms of the agreement, whereby for the five-year term each year there was the possibility for termination prior to the one-year period. At the end of five years, there could be an extension of another five-year term with a mutual agreement.

Mr. Ingram acknowledged there had been discussions for a longer initial term. Discussions between the Town and SMC had started at 20 years but had ended up at five years with the Town desirous to continue with the 1991 agreement; however, SMC had not agreed since it was in the process of updating its Master Plan; expressed concern having enough facilities for the SMC population; and because the Moraga Parks and Recreation Department could grow exponentially because of the new additional uses at SMC. Staff had reassured SMC that would not happen. SMC had also been concerned for the practices for its sports programs which changed on a daily basis, and which could impact agreements for Town programs.

PUBLIC COMMENTS OPENED

Tim Farley, Director of Community and Government Relations, SMC, understood the Council's concerns with a five-year agreement. He spoke to the leadership changes at SMC over the last few years leading to the new attitude provided by the current SMC President; stated SMC's President wanted the agreement to be completed, although SMC was in the process of updating its Master Plan; and SMC wanted the agreement for a brief period of time, to be evaluated in five years. It was anticipated the Master Plan update would be completed by March or April 2016, and he expressed the willingness to forward a recommendation to the SMC President to consider a longer term.

Mr. Ingram clarified that the MOU was between the Town of Moraga and SMC. The 1991 agreement had spoken to community groups and organizations. The subject MOU only applied to the Moraga Town government and SMC.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Trotter/Metcalf) to adopt Resolution 86-2015 Approving and Authorizing the Town Manager to Execute the Memorandum of Understanding (MOU) Regarding Shared Facility Use with Saint Mary's College of California. Vote: 5-0.

X. PUBLIC HEARINGS

A. MOSO AND Non-MOSO Open Space Districts Ordinance 258

Consider Waiving Second Reading and Adopting Ordinance 258 Amending Section 8.52.110 – Conditional Uses, in Chapter 8.52 MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, of the Town of Moraga Municipal Code (MMC). *(CEQA Status: Exempt from CEQA pursuant to Section 15061 (b) (3): General Exemption)*

Planning Director Clark presented the staff report for consideration of waiving the second reading and adopting Ordinance 258 amending Section 8.52.110 – Conditional Uses, in Chapter 8.52 MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, of the MMC. The item had been introduced to the Town Council on September 9, 2015, at which time staff had confirmed the Planning Commission had reviewed and approved the language of the document. She clarified that the Planning Commission had not voted on the item and had expressed serious reservations about the approach taken in the suggested language. The Planning Commission had reviewed the information in the form provided to the Town Council and had provided input on the language. She asked that the Town Council approve Ordinance 258, as shown.

PUBLIC HEARING OPENED

Nina Vora, Moraga, who resided near the former Moraga Tennis and Swim Club (MTSC), asked the Town Council not to support the ordinance. She disagreed with concerns raised by the Council during prior deliberations that the property could become blighted without the ordinance; suggested there were other options available for the property; understood the property could be used as long as the footprint did not change; and while she recognized this was a good time to sell property, she understood Adventure Day Camp had stated it would not operate the facility as a non-profit. She believed that most neighbors would support the construction of four homes on the property since it would have less impact on the neighborhood. She suggested such development would increase property taxes and that new homes would benefit the Town. She added that Adventure Day Camp planned to lease, not purchase the property.

Donna Ward, Moraga, read into the record a written statement from resident Karen Mendonca urging the Town Council to reject the action before it stating that the Planning Commission had indicated the Zoning Text Amendment was unacceptable; the Planning Commission had not approved the Amendment; the Amendment did not include approved uses for MOSO and Non-MOSO Open Space; and clear and complete definitions of appropriate use should be established before the approval of an Amendment. She quoted comments made by the Mayor and Councilmember Trotter during the September 9, 2015 meeting on the topic; recommended clarification of clear and modified uses prior to approving any Amendment; expressed concern with the possible setting of a precedent; and urged the Town Council not to change the rules to enable one corporate entity to apply to operate a business on MOSO designated land.

If the action was approved, Ms. Ward suggested it should apply to all MOSO and Non-MOSO Open Space throughout the Town, although approval on the subject parcel of land would target one parcel in the neighborhood resulting in differential policy, which she found to be unethical. She urged the Town Council to reject the item.

Clay Serrahn, Moraga, referring to the minutes from the August 3, 2015 Planning Commission meeting, reported that he had attended the Commission meetings on this topic, at which time his comments and the comments from the majority of the Planning Commission substantiated a conclusion of non-support. He quoted some of the comments made by Councilmember Trotter during the meeting of September 9, 2015; noted the language purported to be from the Commission had not been discussed or been desirable by the majority of the Commission; asked the Town Council to evaluate and consider the recommendations and suggestions made by the Commission during its August 3 meeting; and that the Town Council take the time to consider incorporating the Commission's recommendations during its deliberations.

Andrew Baxter, Moraga, understood that three Councilmembers had voted in support of the request to move forward with the Ordinance during the September 9 Town Council meeting. He expressed concern with the potential increase in traffic along Larch Avenue; the environmental impacts; impacts on emergency vehicle access; the fact that Larch Avenue was a residential street with no sidewalks; the potential for safety hazards between pedestrians and vehicular traffic; fire hazards as a result of dry brush, urging the Moraga-Orinda Fire District (MOFD) to verify whether emergency vehicle access would be accommodated; and concern the action could set a precedent for MOSO land. He questioned how the Town Council could legally change MOSO and requested a written opinion from legal counsel on the issue.

Steve Huxley, Moraga, emphasized that Larch Avenue was a long, straight street with no stop signs until half way down causing the potential for safety hazards; questioned the adequacy of emergency personnel to access the MTSC property; and objected to allowing a use such as Adventure Day Camp in an established residential neighborhood. He suggested the SMC campus was a better location for Adventure Day Camp.

Edy Schwartz, Moraga, a former patron of the MTSC, commented that the use and number of cars to the site had occurred for some time and suggested buses could be considered to transport people to the site. She understood the Zoning Text Amendment would change from for-profit to a non-profit use with no change to the footprint or the recreational facility. She spoke to the efforts to keep people in Town to enjoy local services and increase the Town's sales tax base, and emphasized that a proven for-profit business wanted to come to the community and provide needed services to the larger community. The for-profit business was willing to occupy and improve a piece of land that had sat vacant for years, and had the resources and the will to upgrade the facility while not changing the imprint of the layout. She urged the Town Council to support the Zoning Text Amendment.

Christine Kuckuk, Moraga, Vice Chair of the Moraga Planning Commission, advised of the June 15 and August 3, 2015 Planning Commission deliberations on the Zoning Text Amendment, with the Planning Commission having considered alternative language but not having come up with a way to adequately revise the wording in any other manner. The primary issue had been regulation based on a form of business ownership of an applicant and how that was an inexact way to address impacts of land use. The Planning Commission had discussed potentially making a recommendation for approval of the proposed wording, with the condition that the Hillside and Ridgeline Steering Committee address the issue of finding a permanent way to regulate based on land use, and not a for-profit or non-profit business ownership. She noted the concern was that might not be implemented and the MMC change would stand in perpetuity. She added that several Planning Commissioners had been sympathetic to the Town's desires to accept and evaluate an application from a for-profit applicant and evaluate it under the Conditional Use Permit (CUP) process where it could be fully vetted and evaluated.

Ms. Kuckuk stated that the Planning Commission had expressed an unwillingness to make a recommendation to the Town Council to make a change to the MMC based on the form of

business ownership of an applicant, in that in order to make a recommendation for a permanent change to the Town's policy, it needed to be based on land use.

Linda Gong, Moraga, owner of the property located at 1161 Larch Avenue, thanked the Town Council for looking into the for-profit versus non-profit issue. She commented that they had respected the spirit of the MOSO initiative, there had never been any need or want to have anyone do something with the hillside property, and she described in detail the background and history of the MTSC which had been enjoyed by the community. She added that the MTSC facility was safe with plenty of access for emergency vehicles and continued to be owned by her and her husband. She found Adventure Day Camp to be a good recreational possibility that would fit into the neighborhood. While others had approached them as to the potential use of the property, they wanted something that would work for them and the neighbors and looked forward to the time Adventure Day Camp could apply to the Town, which would allow the opportunity for the neighbors to provide input on the merits of the application.

PUBLIC HEARING CLOSED

Vice Mayor Metcalf emphasized that the Town's processes tended to slow things down. He reiterated previous comments he had made during the meeting of September 9 as to whether the applicants were aware of what could be a long complex process. For the record, he was neither for nor against an application for Adventure Day Camp if an application was ever submitted for consideration. He clarified that the item before the Town Council was not about Adventure Day Camp nor any other specific use on the property. The issue was a Zoning Text Amendment to the MMC about MOSO property and not about the subject property itself. He suggested the complaints were about an application that did not exist, and therefore, missed the point. He suggested the Planning Commission had addressed the issue.

As a member of the Hillside and Ridgeline Steering Committee, **Vice Mayor Metcalf** stated the purpose of the committee was to address inconsistencies, contradictions, and incompleteness in the MMC. He did not suggest the matter be forwarded to the committee and suggested it could be addressed at the Town Council level. He noted that MOSO had been well intended, with the issue of non-profit added after MOSO had been passed, which he did not agree should have been included. He pointed out that Mulberry Pre-School, as an example, was on MOSO land and he understood it was a for-profit organization. He added that when, and if, Adventure Day Camp submitted an application it would have to go through the Town's processes, which he verified with staff would include California Environmental Quality Act (CEQA) review.

Councilmember Onoda agreed with the comments from the Vice Mayor and the Vice Chair of the Planning Commission. She was not comfortable discussing the issue of for-profit versus non-profit but suggested a non-profit allowed for a filter. She remained concerned with the land designation, suggested it could allow all kinds of things for non-profit, and possibilities on other MOSO land could be recreational such as motocross or gun ranges, as examples. She wanted assurance that the planning aspect of the issue was well defined, and noted the for-profit or non-profit designation made no difference in terms of the land use designation. She sought best practices for the land use designation to ensure clarity.

Councilmember Trotter suggested the language in the Zoning Text Amendment would address Councilmember Onoda's concern with the potential for other recreational facilities on MOSO land, such as motocross, since it was tied to a pre-existing pre-MOSO footprint. He emphasized the item was not an application for Adventure Day Camp and any such application would be required to go through the Town's normal CUP and CEQA review, allowing an opportunity to address impacts such as traffic and conditions to mitigate any impacts. Such an application would be required to go through the normal planning process to determine whether

the use was appropriate on the property and consistent with the Zoning Text Amendment. He made a motion to move the item, as shown, in the form provided in the staff report.

Councilmember Arth seconded the motion.

Mayor Wykle expressed concerns that the language in the Zoning Text Amendment was subjective; conditionally permitted recreational uses had not been defined; and that the issue should be discussed as part of the Hillside and Ridgeline Steering Committee effort.

Councilmember Onoda disagreed that the item needed to be reviewed by the Hillside and Ridgeline Steering Committee at this time, which had enough to address. While the language spoke to the same footprint, she sought a broader scope, not just project piecemeal but a clear vision to ensure clarity in the future.

Vice Mayor Metcalf referenced a statement made by a member of the public that the Town Council had already approved four homes on the property, which he clarified with staff was not a true statement. He asked staff to clarify the language with respect to the allowed uses.

Ms. Clark explained that the language was defined similarly to how it had been defined in the existing ordinance, which was not at all, other than for-profit versus non-profit. She identified the alternatives in the recommendation section of the staff report, which could be modified by the Town Council, as reflected in the October 14, 2015 staff report.

Councilmember Onoda suggested that Alternative 2, in the staff report, could be considered, eliminating the recommendation to direct staff to work with the Hillside and Ridgeline Steering Committee.

Ms. Clark affirmed such direction could be considered, with a second round of amendments to the language that would better define the uses to return to the Council.

Ms. Murphy added that could also address MOSO and Non-MOSO Open Space. She clarified that action would adopt the entire ordinance, including Section 2(E).

Ms. Keimach restated the original motion, which had not included the new direction to staff, with the Town Council now considering Alternative 2 as shown in the staff report.

On the original motion, **Councilmember Trotter** spoke to the language in Alternative 2 and noted the question was really a matter of timing in that the alternative included direction to staff to work with the Hillside and Ridgeline Steering Committee, which was not supported. He questioned whether a return to the Planning Commission should be deferred pending the completion of the work underway by the Hillside and Ridgeline Steering Committee, with better direction to the Planning Commission.

Councilmember Onoda suggested it was more than a timing issue in that the grading, hillsides, and ridgelines issues could make it a moot point.

Councilmember Trotter did not foresee future applications on MOSO lands that would test the concerns discussed. He questioned the desirability of attacking all problems at once, and recommended holding off for another year after the Hillside and Ridgeline Steering Committee had completed its work.

ACTION: It was M/S (Trotter/Arth) to waive the Second Reading and adopt Ordinance 258, in the form provided by staff, Amending Section 8.52.110 – Conditional Uses, in Chapter 8.52 MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, of the Town of Moraga Municipal Code; and direct staff following the completion of the work to be done by the Hillside and Ridgeline Steering Committee, to work with the Planning Commission on defining allowable recreational uses in MOSO and Non-MOSO Zoning Districts. Roll Call Vote: 4-1. Noes: Wykle.

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

A. Pedestrian-Bicycle Master Plan Update

Consider Status Report on the Pedestrian-Bicycle Master Plan Update and Wayfinding Plan

Assistant Planner Coleman Frick presented the staff report and provided a status report on the Pedestrian-Bicycle Master Plan Update and Wayfinding Plan. The existing conditions summary had been completed and the needs assessment phase was close to conclusion.

Niko Letunic, Eisen | Letunic, Lead Consultant, presented a PowerPoint presentation on the Pedestrian-Bicycle Master Plan Update and Wayfinding Plan with an overview of the plan to make walking and biking safer and easier; encourage more people to walk and bike; a realistic 10-year work plan of prioritized projects with a focus on on-street facilities; and recommendations to support implementation. Work completed to date included a survey of existing conditions, with a report having been posted for comment which had identified key destinations, the street network, traffic collisions for the period of 2005-2014, and collision hotspots. A needs assessment was also being prepared which would build on the existing conditions inventory, needs, concerns and challenging locations, ideas and suggestions of community members. Outreach activities as part of the needs assessment included an online survey, online pinnable map, community workshop held on September 29, a Group Bike Ride held on October 3, and a booth at the Pear and Wine Festival. Highlights from the survey were detailed, including the maps, with most comments related to the arterials. The outcome from the community workshop and the Group Bike Ride were also detailed. The next steps for the project included the completion of the existing conditions report and needs assessment, with an administrative draft plan to be submitted and reviewed by staff to include recommendations for projects. Based on the input from staff, a draft would be produced and submitted to the public for comment and thereafter to the Town Council for approval in the timeframe of April 2016.

Responding to Council, Mr. Letunic acknowledged a request for the Administrative Draft Plan to include outlines of projects that could be done in the short, immediate, and long term and define projects that were actionable which would be included in the plan. He clarified the statistics in the PowerPoint presentation regarding collisions which was a relatively small number over the period shown.

PUBLIC COMMENTS OPENED

Rachel Walls, Moraga, Los Perales Elementary School parent, supported an additional sidewalk on the dangerous curve at the top of Corliss Drive above Los Perales Elementary School. She was pleased that improving conditions near schools had been identified as a high priority in the project.

Rich Elder, Moraga, also supported an extended sidewalk on Corliss Drive into Sullivan Drive, emphasizing the dangerous hair pin curve, blind hill, and intersection at Warfield Drive, which distracted drivers from seeing pedestrians and which was a safety hazard to children and adults. He noted there had been a pedestrian fatality in that area.

Richard Harris, Moraga, echoed the comments from the previous speakers; commended the preparation of the report; and suggested addressing the hair pin curve was the most urgent and critical project.

Danielle Ginestro, Moraga, stated she would like the long-term plan to consider providing bicycle access to the Bollinger Canyon Road area. If that could not be included as part of the subject project, she understood there had been some discussion about grant opportunities for a roundabout in the same area or a crosswalk which would make the bicycle trail more accessible.

PUBLIC COMMENTS CLOSED

Councilmember Trotter thanked the consultant for the PowerPoint presentation and the update; referenced past crosswalk and sidewalk improvements near some Moraga schools; and understood the homeowners on Corliss Drive below Los Perales Elementary School did not actually own all of the front yards given the trend of using the right-of-way, which could continue past the schools with a wraparound to Sullivan Drive to Warfield Drive, and which could be evaluated as part of the project.

Councilmember Onoda agreed with the recommendation to consider improvements as part of the project for a future Safe Routes to Schools Grant.

Mr. Frick explained that to the extent the suggested improvements were in close proximity to a school, those types of improvements would be protected, although he had not yet gone through all of the survey comments received.

Councilmember Trotter encouraged staff to explore his recommendation.

Mayor Wykle thanked staff for the update.

Councilmember Trotter asked the Town Council to consider modifying the agenda by moving onto the Planned Development Process prior to considering the next item, Consolidation of ABAG Planning Department within MTC, given he would have to leave the meeting shortly.

By consensus the Town Council agreed.

B. Planned Development Process

Conduct Study Session on Potential Amendments to the Town of Moraga's Planned Development Regulations and Provide Direction to Staff

Planning Director Clark presented the staff report and introduced Contract Planner Ben Noble to present the potential amendments to Chapter 8.48 (Planned Development District) of the MMC, requesting direction as to whether the Planning Department should proceed with an effort to update and amend the Town's Planned Development (PD) regulations, and if so, the issues that should be addressed as part of this effort, and the preferred process to prepare the amendments.

Mr. Noble recommended that the Town Council proceed with a process to amend the Town's PD consistent with the approach described in the staff report. In response to the Council as to the recommended two-step process as detailed in the staff report, he explained that staff saw the process as a technical Zoning Ordinance Amendment, and did not see it as something that would benefit from broad public outreach, although Planning Commission meetings would be a venue for the public to weigh in and provide input.

Councilmember Arth sought more public outreach to avoid public complaints.

As outlined in the staff report, Ms. Clark could foresee Planning Commission study sessions and a more formal public hearing process. The intent of the amendments was to provide more clarity in the PD process. Early in the process, there had been a recommendation to go from a three- to a two-step process, with some suggesting the three-step process allowed a valuable opportunity to adjust details and provide conditions. There was value in streamlining and clarifying even if the number or steps did not change, although she acknowledged that very few cities employed a three-step process.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Councilmember Trotter emphasized the importance of the discussion as a policy discussion and not just a process. He suggested the three-part process had been part of the Town's DNA for decades and cited the City Ventures project as an example where the three-step process would be valuable. He had no interest in revisiting that issue for the purposes of discussion. In response to whether the Design Review Board (DRB) should be brought in early on an advisory basis, he cited the Rancho Laguna II, City Ventures, and Moraga Townhomes projects where the DRB had been brought in early, and where the developers had not appreciated being bounced back and forth between inconsistent comments from DRB members and members of the Planning Commission, requiring unnecessary meetings and increased costs. He suggested that the DRB not be involved at the Conceptual Development Plan (CDP) stage and that if a CDP considered by the Planning Commission was appealed to the Town Council, the Town Council would then decide whether the project should be referred to the DRB. He noted the staff report had shown the DRB involved in the Precise Development Plan (PDP) part of the process and not the CDP, which was precisely the right place for the DRB to be involved.

Councilmember Trotter spoke to the move to collapse, for decision making purposes, the CDP into the General Development Plan (GDP) and Tentative Map approvals, particularly in the case of the Camino Ricardo/SummerHill Homes project. He had heard from more than one source that process had been overwhelming for the Planning Commission, had involved a very long meeting, and because of that, mistakes had crept into the approval process. He suggested there were reasons to keep the approval processes separate. He did not want to see Planning Commissioners forced to go through such a process which did not serve the public interest.

Councilmember Trotter suggested those processes should be kept separate and not be agendized for a decision on the same evening; opportunities for public input should not be short-circuited; and the substantive three-step process should be retained. He recognized the need for public input and outreach, understood the concerns in the community with the pace of development, understood that previous Town Councils and Planning Commissions understood and appreciated the three-step process to allow all views to be considered.

Councilmember Onoda stated she had been a member of the Planning Commission at the time the Camino Ricardo/SummerHill Homes project had been considered and had collapsed more than one process resulting in a very late meeting, and found that had been done as part of past practices. She suggested the Planning Department was on the right track, understood the three-step process was important, and enough active people in Moraga understood the value of the three-step process, which also reflected the value of Moraga. She sought public input on continuing with the three-step process, and clarifying what those processes were.

Mayor Wykle agreed with the comments that public input and planning was very important, and clarified with staff that process related to new development with the need for clarity and streamlining.

Vice Mayor Metcalf noted if there was to be a complex process, it needed to be defined. While he applauded the staff effort so far, he wanted clarity on the questions outlined in the staff report. He reported the developer for Signature Homes had approached him and had been displeased with his experience being bounced between the DRB and the Planning Commission, with unclear and mixed direction. While he understood the need for public outreach, he expressed concern that oftentimes things were blown out of proportion, and sought clarity around the three-step process and control of public comment in a way that actually helped as opposed to hindering the process.

Ms. Clark reiterated the direction sought by staff for concurrence, at least initially, of the right set of questions to begin to develop a more detailed study.

Based on the comments, Mr. Noble understood the Council wished staff to proceed with a process that would consider the types of questions listed in the October 14 staff report and clarify the purpose of each step; requirements of the process to ensure clarity and consistency; and to prepare amendments to ensure that staff provided opportunity for public participation in a way that focused the conversation on the issue at hand and not the larger discussions of growth and development in Moraga.

In response to the staff recommendation for an update to the Subdivision Ordinance, Ms. Clark explained that staff had added that recommendation to inform the Town Council of the desire to conduct that work sooner rather than later. Based on discussions with the Public Works Department, the observation had been that there was a strong interface between the Subdivision, Final Map process, and associated conditions and the PD process. The Town's Subdivision Ordinance was out of date, and staff wanted the Town Council to be aware of the potential need for resources to make that work happen. She noted that the scope of approvals that came with each step of the PD process helped to define the appropriate conditions that should be attached to each step and how those should be modified when moving through the process.

Councilmember Onoda commented that of the list of eight questions contained in the staff report, questions one through four were most important since they clarified so much.

Councilmember Trotter left the meeting at 9:55 p.m.

Mayor Wykle declared a recess at 9:56 p.m. The Town Council meeting reconvened at 10:03 p.m. with Mayor Wykle, Vice Mayor Metcalf, and Councilmembers Arth and Onoda present.

Councilmember Onoda requested another modification to the meeting agenda to consider the item for Contra Costa County Community Choice Aggregation at this time.

By consensus, the Town Council agreed.

Mayor Wykle recused himself from the next item due to a potential conflict of interest since his company was an active contractor with PG&E. He stepped down from the dais at this time.

Vice Mayor Metcalf chaired the meeting at this time.

C. Contra Costa County Community Choice Aggregation

Consider Authorizing the Town Manager to request PG&E Share the Town's Electricity Load Data to Participate in a County Feasibility Study of Community Choice Aggregation; and Provide Direction to Staff on Next Steps to Allow for Voluntary Participation in Community Choice Aggregation by Residential and Non-Residential Energy Consumers

Town Manager Keimach presented the staff report for the consideration of authorizing the Town Manager to request PG&E share the Town's electricity load data to participate in a County Feasibility Study of Community Choice Aggregation, and provide direction to staff on next steps to allow for voluntary participation in Community Choice Aggregation by residential and non-residential energy consumers. She recommended that the Town Council accept the report, and by motion, direct the Town Manager to request PG&E share the Town's electricity load data to participate in a County Feasibility Study of Community Choice Aggregation, and further direct staff to research, investigate, and return to the Town Council with options to offer businesses and residents a choice of energy consumption through Community Choice Aggregation.

Carol Weed, member of the Contra Costa Clean Energy Alliance, provided an overview of the Community Choice Aggregation (CCA) program, with the County Board of Supervisors having recently voted to begin a study to include outreach to all cities, towns, and unincorporated areas of the County to assess interest for a Countywide CCA, and investigate the possibility of partnering with Alameda County and Marin Clean Energy (MCE), rather than just continuing with the Contra Costa County CCA. She detailed the background of the Contra Costa Clean Energy Alliance to bring the clean energy initiative to the County. She identified the various clean energy agencies in the State and Bay Area, and the progress of feasibility studies in various counties throughout the Bay Area. She suggested Contra Costa County was in a better position than any of the other counties to supply clean energy given that it had more wind, sun, underemployed workers, and brownfield sites than in any other county.

Ms. Weed added that brownfield sites had been designated by the State as hazardous waste not acceptable for many uses, with MCE having started building on a brownfield site in the City of Richmond, which was inspected regularly by the appropriate legislative body. She hoped the Town Council would approve the steps proposed in the staff report, proceed with the non-binding study which would not involve any outlay of Town funds, and include the ability for the Contra Costa Transportation Authority (CCTA) to bring more clean energy, jobs, and a steady income, which would keep government small and set up an independent, non-profit Joint Powers Agency (JPA), independent of the Board of Supervisors, the city, or any other legislative body, with representatives of each city to join the JPA.

Renee Zeimer, Moraga, commented that the opportunity for the Town to participate in a feasibility study afforded Moraga residents and businesses the opportunity for a choice on where they would receive their energy supply, and in terms of the Climate Action Plan (CAP) would be a simple, no cost way to reduce Greenhouse Gas Emissions (GHGs). She understood the City of Lafayette had submitted a Letter of Intent to partner with MCE, and the City of Walnut Creek was also exploring the possibility. She urged the Town Council to demonstrate its support by approving the staff recommendation.

Responding to the Council, Ms. Weed explained that MCE and Sonoma Clean Power had made it part of its mission statements to focus on more issues than just providing a larger percent of renewable energy in their energy mix by encouraging local development, and creating a local development for solar or for other developments, with the MCE having also done some biomass and other financial investments. She expected that Contra Costa County would make the same commitment as part of its mission statement to encourage more green jobs and more development in the County.

Ms. Keimach clarified that staff would ask PG&E to provide the energy load data in that the Town would not do that work. Staff would work with community partners, although Assistant Planner Frick had already gone to a CCA event to start looking at this issue.

Ms. Weed added that the County would be doing most of the work as part of its feasibility study and looking at MCE and other options. The County had already received direction from the Board of Supervisors on the feasibility study which included a lot of work Town staff would not be required to do since it would be done by the County.

Ms. Keimach also clarified that staff would be working with the County on the County feasibility study and suggested the good choice would be to seriously consider MCE, an established business. Moraga would see how it would fit into that work and discuss it with MCE itself.

Vice Mayor Metcalf expressed concern with the fact the Town of Moraga had minimum government and minimum staff resources. He applauded the effort, but questioned whether it could be done well given the minimum staff resources, to which Ms. Keimach suggested that from a management point of view it could be done, although it was a policy question for the Town Council. She suggested this project would meet some of the Town Council goals for additional climate action policies that the Town Council had previously accepted.

Vice Mayor Metcalf wanted to see how the County's efforts played out.

Ms. Keimach suggested that was why it would be beneficial to look at MCE's effort which already had a history and good energy rates. She would not recommend moving forward on this effort if the option was PG&E or paying so much more for another option. She noted that some of the data from MCE looked excellent, provided Moraga residents a choice, and did not ever require a financial commitment.

Ms. Weed commented that the League of California Cities had been involved in this effort, emphasized the effort to always watch the bottom line, and with an opportunity to save some money by going with MCE. She noted that the City of Richmond had been the first to sign on with MCE. She encouraged the Town of Moraga to contact the City of Richmond.

Councilmember Arth acknowledged the Town Manager's statement that staff could manage this effort and it involved minimal financial output. With that as the case, he could support the item as proposed.

PUBLIC COMMENTS OPENED

Ferenc Kovac, Moraga, clarified that the project was intended to benefit both the Town and its residents in terms of load consumption; a letter would be required to be submitted to PG&E to release the load data for the entire Town including residents, businesses, and the government for the purpose of the data being used for the calculation of the feasibility study; the load data to be collected would be part of the MCE feasibility study/membership analysis as to whether MCE would allow the Town of Moraga to join MCE; and simultaneously the load data could be submitted to the County to allow it to pursue a Countywide CCA analysis.

On the discussion of potential costs to the Town in the future, Ms. Keimach advised that the staff report had detailed that the County could conduct a feasibility study and decide to spread the costs to all members, although historically that had not been done.

PUBLIC COMMENTS CLOSED

Councilmember Onoda agreed with Councilmember Arth to move forward with the agenda item, although she would like to piggyback with either the City of Lafayette or the City of Walnut Creek. She liked the idea of opening the possibilities to go with CCA but use the resources already developed for the past five years and see the market rate for local citizens. She recommended that the data information be collected from PG&E with a Letter of Intent with MCE pending the conclusion of the County effort.

Councilmember Arth clarified he was not suggesting moving forward with MCE now but proceed with the agenda item.

ACTION: It was M/S (Arth/Onoda) to authorize the Town Manager to Request PG&E Share the Town's Electricity Load Data to Participate in a County Feasibility Study of Community Choice Aggregation; and Provide Direction to Staff to Research, Investigate, and Return to the Town Council with Options to Offer Businesses and Residents a Choice of Energy Consumption through Community Choice Aggregation. Vote: 3-1-1. Absent: Trotter. Abstain: Wykle.

Mayor Wykle returned to the dais at this time.

D. Consolidation of ABAG Planning Department within MTC

Consider Authorizing Letter to Metropolitan Transportation Commission (MTC) Regarding Proposed Consolidation of the Association of Bay Area Governments (ABAG) Planning Department within MTC

Town Manager Keimach presented the staff report for consideration of authorizing a letter to the (MTC) regarding proposed consolidation of the (ABAG) Planning Department within MTC. She recommended that the Town Council send a letter similar to what had been included as Attachment A to the staff report, opposing the merger of planning departments as currently proposed, urging MTC and ABAG to seek an unbiased objective third party analysis of a merger, and requesting that MTC honor its previous funding commitment to ABAG until a full merger had been accomplished.

Mayor Wykle provided further information on the issue as part of the discussions during the latest Mayors' Conference held in the City of Walnut Creek, when a resolution had been adopted by the group, although he had abstained since he had not had the opportunity to discuss the issue with the Town Council. He agreed, as part of the approved resolution, that MTC should restore funding to ABAG for Fiscal Year 2015/16 in the full amount set forth in the revised Planning Agreement framework approved by MTC at its June 25, 2014 meeting; and that MTC and ABAG staff be instructed by their respective Boards to immediately begin open and transparent discussions on restructuring their relationship. He disagreed that MTC and ABAG should retain a third party organizational development consultant given his reservations in telling people how to run their business.

Vice Mayor Metcalf understood that Congressman Mark DeSaulnier had recommended the creation of another agency to supervise the two; the CCTA had disagreed, and the recommendation had died.

Ms. Keimach understood that a Bill was still pending that would eliminate both ABAG and MTC and create one organization with directly elected Boards.

Vice Mayor Metcalf suggested the recommendation for MTC and ABAG to retain a third party organizational development consultant was a good idea given the conflicts with those involved; problems with Plan Bay Area; and while a reorganization would be a benefit there were too many people involved and nothing would be done unless an outside party provided assistance.

PUBLIC COMMENTS OPENED

Ferenc Kovac, Moraga, clarified that the Executive Director of MTC reported to Senator Nancy Pelosi, and formally to the MTC Board comprised of the largest cities in the Bay Area.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Wykle/Onoda) to Extend the Town Council Meeting to 11:15 P.M. Vote: 4-0-1. Absent: Trotter.

Councilmember Arth clarified with the Town Manager that approximately eighty percent of the 100 jurisdictions in the Bay Area would be submitting similar letters. He offered a motion to approve the staff recommendation to submit the letter, as proposed.

Vice Mayor Metcalf seconded the motion.

Councilmember Onoda recommended a revision to the third sentence of the first paragraph of the letter, to read:

The Council urges MTC and ABAG to first hire an independent, unbiased third party to analyze and provide recommendations to accomplish a full merger that meets the goals specified below and, until a full merger is fully implemented, honor the Commission's previous funding commitments to ABAG as approved in June 2014.

As the maker of the motion, **Councilmember Arth** accepted the amendment, as did **Vice Mayor Metcalf** as the second.

While a third party would likely be required to get the work done, **Mayor Wykle** suggested it was not Moraga's business to tell another agency how to merge. He also expressed concern with any repercussions from the MTC Executive Director once the letter had been received.

Vice Mayor Metcalf pointed out that Moraga was not the only jurisdiction submitting a letter recommending a third party consultant.

Ms. Keimach added that the details in the letter had been fact checked.

ACTION: It was M/S (Arth/Metcalf) to Send a Letter included in Attachment A to the staff report dated October 14, 2015, Opposing the Merger of Planning Departments as Currently Proposed, and Urge MTC and ABAG to Seek an Unbiased Objective Third Party Analysis of a Merger, and Requesting MTC Honor its Previous Funding Commitment to ABAG Until a Full Merger is Accomplished, as amended. Vote: 4-0-1. Absent: Trotter.

E. Town Council Meeting Location Ordinance

Consider Waiving the First Reading and Introducing an Ordinance Amending Chapter 2.04, Section 2.04.020, Place of the Regular Town Council Meetings, of the Town of Moraga Municipal Code

Town Manager Keimach reported that this was the last meeting in the JM School Auditorium. The MMC specifically outlined a location for Town Council meetings, and staff proposed to change the location from JM School Auditorium to 335 Rheem Boulevard. During the recess, Councilmember Trotter had spoken with the Assistant Town Attorney and proposed an amendment to allow more flexibility when a location was changed, which would not require the cancellation of a regular meeting, scheduling of a special meeting, and limiting what could be done at the special meeting. She clarified that the capacity at 335 Rheem Boulevard would

depend on the arrangement of chairs and the capacity at JM was 179 people. Addressing parking issues, she reported that Rheem Boulevard was in the process of being restriped, and the work might be done before October 28. She had spoken to the property owner of the building between the Town's building and 335 Rheem Boulevard who supported parking on his property, and the Town was working on a use agreement to limit liability during the evening. She was unsure of the total number of available parking spaces, although there were 20 parking spaces on the street; 20 spaces in the parking lot, some of which were used by police vehicles; and approximately ten parking spaces on the adjacent property.

Ms. Murphy requested modification to Attachment A to the staff report dated October 14, 2015, proposed ordinance amending Chapter 2.04, Place of Regular Town Council Meetings, Section 1, Section 2.04.020 – Place of regular meetings, on Page 1, to read:

The regular meeting of the Town Council shall be held at the Council Chambers and Community Meeting Room, 335 Rheem Boulevard, Moraga, California, or such other location that may be designated in the meeting notice when a change in location is necessary due to anticipated attendance, maintenance or other reason.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Arth/Onoda) to waive the First Reading and Introduce an Ordinance Amending Chapter 2.04, Section 2.04.020, Place of the Regular Town Council Meetings, of the Town of Moraga Municipal Code, as amended. Roll Call Vote: 4-0-1. Absent: Trotter.

Ms. Keimach affirmed the consensus of the Town Council to place the item on the Consent Agenda when brought back for a second reading.

F. CalPERS Employee Share Ordinance 259

Consider Waiving Second Reading and Adopting Ordinance 259 Authorizing an Amendment to the Contract Between the Town Council of the Town of Moraga and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to Provide Section 20516 (1% employee cost sharing) Applicable to Section 21362 (2% @ 50) for Local Safety Members and Section 20516 (1% Employee Cost Sharing) Applicable to Section 21354 (2% @ 55) for Local Miscellaneous Members

Town Manager Keimach asked that the Town Council approve the second reading of the ordinance as outlined in the staff report.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Metcalf/Arth) to waive Second Reading and adopt Ordinance 259 Authorizing an Amendment to the Contract Between the Town Council of the Town of Moraga and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to Provide Section 20516 (1% employee cost sharing) Applicable to Section 21362 (2% @ 50) for Local Safety Members and Section 20516 (1% Employee Cost Sharing) Applicable to Section 21354 (2% @ 55) for Local Miscellaneous Members. Roll Call Vote: 4-0-1. Absent: Trotter

XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Ms. Keimach reported that staff would bring a request for additional funding for Harris and Associates Paving Contract during the Town Council meeting of October 28, with the funds to be used for the restriping of 335 Rheem Boulevard and additional costs associated with trying to find rubberized asphalt.

XIII. COMMUNICATIONS

There were no communications.

XIV. ADJOURNMENT

ACTION: It was M/S (Arth/Onoda) to adjourn the meeting at 11:11 P.M. Vote: 4-0-1. Absent: Trotter.

Respectfully submitted by:


Marty C. McInturf, Town Clerk

Approved by the Town Council:


Roger N. Wykle, Mayor