

**TOWN OF MORAGA
TOWN COUNCIL REGULAR MEETING**

**December 9, 2015
MINUTES**

7:00 P.M. Regular Meeting

Council Chambers and Community Meeting Room
335 Rheem Boulevard, Moraga, California 94556

I. CALL TO ORDER

The regular meeting was called to order at 7:04 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
*Councilmember Onoda arrived at 7:16 P.M.

Councilmembers absent: None

II. PLEDGE OF ALLEGIANCE

Vice Mayor Metcalf led the Pledge of Allegiance.

III. SPECIAL ANNOUNCEMENTS

There were no special announcements.

IV. PROCLAMATIONS AND PRESENTATIONS

- A. Presentation on Lamorinda Transit Service Plan for Lamorinda Program Management Committee (LPMC) by Nelson\Nygaard Consulting Associates, Inc.

Planning Director Ellen Clark introduced Richard Weiner and Terra Curtis with Nelson\Nygaard Consulting Associates, Inc. to make a presentation on a study funded by the local Lamorinda Program Management Committee (LPMC) in partnership with County Connection to look at transit service options in the Lamorinda area.

Terra Curtis, Transportation Planner, Nelson\Nygaard Consulting Associates, Inc., presented a PowerPoint on the Lamorinda Alternative Service Plan and stated the firm had been charged with re-evaluating the existing transportation service in the Lamorinda area, and to develop alternatives. The effort had been supported by the LPMC and its Technical Advisory Committee (TAC) comprised of the three cities and the County Connection. Work had commenced in the fall with an inventory of the services in the area; public input on preferences and existing travel patterns; and feedback from the LPMC and TAC to develop specific ideas that had been taken back to the public a second time for prioritization and refinement to develop a final plan. The existing options had been evaluated with a mix of services available through the Bay Area Rapid Transit (BART) system and others, including Link, a Paratransit system with the County Connection, the Lamorinda Spirit Van, Senior Help Line volunteer Driver Program, and Transportation Network Companies (TNC) such as Lift and Über. There had been no specific

focus on bicycle and pedestrian transportation in the area other than discussions with the public about school transportation.

Ms. Curtis identified the County Connection routes and services in the Lamorinda area; the prioritized concepts of commuter alternatives, mid-day trips, and school trips; the prioritized strategies for commutes to include the Moraga-Orinda BART shuttle, school trips, expansion of the School Bus Program, program coordination and community trips, taxi subsidy program; and all components had been reviewed and accepted by the LPMC. The next steps include informational items to be presented to the Moraga, Lafayette, and Orinda Councils and to the County Connection Board. A potential ballot measure and other funding sources would also be considered in the future.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Vice Mayor Metcalf reiterated that the LPMC was comprised of the three Lamorinda cities and the County Connection. He served on the LPMC as the representative from the Town of Moraga. He asked County Connection's Planning Director to provide input on the discussion.

Anne Muzzini, Director of Planning, County Connection, stated there was no new revenue funding source although sales tax revenue had been slowly increasing since 2009. The County Connection was working to create a cushion for other significant shortfalls but was not expanding service in any part of the service area. She saw nothing new regarding potential revenue funding sources other than locally generated funds, although she suggested it would be good to have the plan in place with any new sales tax measure.

V. PUBLIC COMMENTS AND SUGGESTIONS

There were no comments from the public.

VI. ADOPTION OF CONSENT AGENDA

A. Approval of Consent Items

Consent Item 2 was removed from the Consent Agenda.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Arth/Metcalf) to adopt Consent Agenda Items 1, 3, 4, and 5. Vote: 5-0.

- | | | |
|----|---|----------------|
| 1) | Accounts Payable Claims for: 11/13/15 (\$173,521.09);
11/25/15 (\$172,426.42) | Approved |
| 2) | <i>Approve Minutes for the Regular Town Council Meeting on
October 28, 2015</i> | <i>Removed</i> |

- 3) ICMA-RC Defined Contribution Plan Approved
 Consider Resolution 95-2015 Adopting an Amended and Restated Defined Contribution Plan Agreement with ICMA-RC for Town of Moraga Employees
- 4) Commons Park Sand Volleyball Court Project Approved
 Consider Resolution 96-2015 Authorizing the Town Manager to Award a Construction Contract to Integra Construction Services, Inc. (Pleasanton) in the Amount of \$133,422 for the Commons Park Sand Volleyball Court Renovation Project (CIP 16-302), Execute Contract Change Orders up to 15% of the Contract Amount, and Appropriate \$67,635.30 from Fund 100 – One Time Developer Fees (Palos Colorados) to Fund the Project Shortfall
- 5) Land Surveying Agreement with Contra Costa County Approved
 Consider Resolution 97-2015 Authorizing the Town Manager to Execute an Amendment to the Land Surveying Services Agreement with Contra Costa County to Add Real Property Services in a Form Approved by the Town Manager and Attorney

B. Consideration of Consent Items Removed for Discussion

1. Approve Minutes for the Town Council Regular Meeting on October 28, 2015

Councilmember Trotter advised that redline changes had been made to Pages 6, 10, 11, and 12 of the October 28, 2015 Town Council meeting minutes, and copies had been provided to the Council and to the public. He asked that the Council approve the minutes, as modified.

ACTION: It was M/S (Trotter/Onoda) to approve the Minutes for the Town Council Regular Meeting on October 28, 2015, subject to the redline changes provided to the Town Council. Vote: 5-0.

VII. ADOPTION OF MEETING AGENDA

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

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

VIII. REPORTS

A. Mayor's and Councilmembers' Reports

Mayor Wykle – Reported that he had attended the Audit and Finance Committee (AFC) meeting on December 7.

Vice Mayor Metcalf – No report.

Councilmember Arth – Reported that he had attended the Active Shooter Training on November 25; a Chamber of Commerce Board of Directors meeting on December 2; the Holiday Tree Lighting Ceremony on December 3; and the AFC meeting on December 7.

Councilmember Onoda – Reported that she had attended the Holiday Tree Lighting Ceremony on December 3, expressing her appreciation for the efforts of the Moraga Youth Involvement Committee (MYIC) during the event; a Moraga Center Specific Plan (MCSP) Implementation Steering Committee meeting on November 19; and had met with Town Planning staff and the consultants Opticos on December 3.

Councilmember Trotter – Reported that he had attended a MCSP Implementation Steering Committee meeting on November 19; a Finance Committee meeting for Recycle Smart on December 2; met with Councilmember Onoda, Town Planning staff, and the consultants Opticos on December 3; and the Mayors' Conference in the City of Concord on December 3.

- B.** Town Manager Update – Town Manager Jill Keimach expressed her appreciation to Moraga Movers who had donated \$5,000 to the Town with an anticipated additional \$5,000 donation in January, and commended Councilmember Arth for initiating the effort to focus on new gateway signs into Moraga. The Town Council would be asked to accept the donation during the Town Council meeting on January 13, 2016. She also announced that the Buy-a-Bulb Program for the holiday tree had commenced with funds to be used to light the holiday tree in 2016; information was available on the Town's website; and the Saint Mary's College (SMC) President's Party had been scheduled for Friday, December 11, with Parks and Recreation Department staff partnering with SMC for the first Parents Night Out. In addition, she updated the Town Council on recent police activity in the Town and expressed her appreciation to the professionalism of the Moraga Police Department for its handling of the situation.

IX. INFORMATIONAL ITEMS

There were no informational items.

X. DISCUSSION ITEMS

There were no discussion items.

XI. PUBLIC HEARINGS

There were no public hearings.

XII. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

A. Classifying Use of Measure K Funds

Consider Resolution 98-2015 Classifying Measure K Sales Tax Revenue as a Major Fund as Defined in Governmental Accounting Standards Board Statement No. 54

Administrative Services Director Amy Cunningham presented the staff report for consideration of a resolution classifying Measure K sales tax revenue as a major fund as defined in

Governmental Accounting Standards Board (GASB) Statement No. 54, and asked that the Town Council adopt the resolution as provided in Attachment A to the staff report.

Vice Mayor Metcalf supported the item although he noted that Measure K had been put forward as a general tax with Town Council discretion, with the funds to be used for pavement repairs and storm drain work. He asked the Town Attorney whether there was any conflict in the resolution.

Assistant Town Attorney Karen Murphy explained that staff had reviewed the resolution. She identified the last WHEREAS clause in the resolution which discussed the use of the funds for street and infrastructure related repairs as the intended use. The resolution could be amended by the Town Council at any time to designate another use. The use for street and infrastructure repairs was consistent with the sales tax while the operative provisions of the resolution had designated it as a major fund for accounting purposes. At any time, the Town Council may designate the use of the funds for something else consistent with the nature of the general sales tax.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Councilmember Onoda found the item to be important for transparency purposes.

ACTION: It was M/S (Arth/Metcalf) to adopt Resolution 98-2015 Classifying Measure K Sales Tax Revenue as a Major Fund as Defined in Governmental Accounting Standards Board Statement No. 54. Vote: 5-0.

B. Parking License Agreement with BrightStar Care

Consider Authorizing the Town Manager to Execute a License Agreement with BrightStar Care to Accept Liability for Public Parking at 333 Rheem Boulevard during Evening Public Meetings in the Council Chambers at 335 Rheem Boulevard

Town Manager Keimach presented the staff report to authorize the Town Manager to execute a license agreement with BrightStar Care to accept liability for public parking at 333 Rheem Boulevard during evening public meetings in the Council Chambers at 335 Rheem Boulevard. She asked that the Town Council adopt the resolution, as shown in Attachment A.

Responding to Council, Ms. Keimach clarified there were approximately ten parking spaces and one Americans with Disabilities Act (ADA) parking space available for use. She also affirmed, as written in the resolution, that the parking area would be available on the dates of any publicly noticed meeting, and could also include the ability for the Chamber of Commerce to hold a meeting in the Council Chambers.

Ms. Murphy affirmed that the resolution had been drafted to address any meeting the public would be invited to attend where additional parking may be needed. For a non-public meeting use of the lot, there were provisions in the license agreement regarding breach of contract that could be raised and the property owner could send a notice to the Town. At that point, it would be an issue of a private party parking in the lot taking on the liability and the Town would not be liable for that use not provided for in the agreement. The Town would provide information on when that parking would be available.

Ms. Keimach advised that the license agreement was intended to cover publicly noticed Town meetings although that had not been identified in the license agreement. She explained that the Moraga-Orinda Fire District (MOFD), as an example, which held publicly noticed meetings would be allowed to hold a meeting in the Council Chambers.

Ms. Murphy explained that the license agreement would cover any publicly noticed meeting although she was unsure of the arrangement if the MOFD were to use the Council Chambers which could involve a use agreement that would address any liability for parking. She did not recommend any changes to the resolution.

Ms. Keimach added that any time a Town facility was rented there would be a rental agreement, which could be incorporated specifically into the rental of the Council Chambers.

Ms. Murphy clarified the intent had been that anyone using the Council Chambers would agree to take on any liability associated with that use including the parking.

PUBLIC COMMENTS OPENED

Jeanette Fritzky suggested the license agreement be modified to clarify only Town-related publicly noticed meetings, with the use of the facility to be addressed through use agreements to prevent any issues in the future.

PUBLIC COMMENTS CLOSED

Ms. Murphy defined a publicly noticed meeting as a meeting publicly noticed by the Town or a public agency for a public meeting, which could be specified in more detail. She emphasized that anyone using the facility would also agree to indemnify the Town for any claims arising out of that use, and if the Town Council approved the item, incorporate the terms of the license agreement to the extent any users of the facility parked in the BrightStar Care parking lot.

Ms. Keimach affirmed she had spoken with Orion Academy located across the street from the Town Offices, to discuss a similar agreement. Orion Academy had initially expressed some interest although they were waiting to make a decision based on the outcome of the subject agreement.

Councilmember Trotter requested an amendment to the first sentence of the second paragraph under Agreement, as shown on Page 1 of the License Agreement, pursuant to Attachment A, as follows:

2. *License. Licensor hereby grants to Town, and Town hereby accepts from Licensor the non-exclusive right, privilege, and permission for the Town and its assigns and invitees, including the public, to use the Parking Area to attend any publicly noticed meeting, which begins at 7 p.m. or later, at the Council Chambers between the time 30 minutes before the posted meeting time to 30 minutes after the end of the meeting for parking purposes, and for no other purpose.*

In response to the Vice Mayor, Ms. Murphy affirmed the resolution could be amended to include broader language and include any public agency, not just the Town. She noted the timing in the license agreement had been requested by BrightStar Care and she was uncertain whether it could be changed. BrightStar Care's intent had been to allow the parking for public meetings.

Vice Mayor Metcalf requested the language in the license agreement be broadened to allow the MOFD, MSD, or the Chamber of Commerce the ability to use the Council Chambers.

Ms. Murphy stated the language could be broadened, with staff to work with BrightStar Care and their attorney to come up with new language. She understood there was Council consensus to move forward with BrightStar Care with parking in general for meetings, even if they were not in agreement with such a change.

Councilmember Onoda noted it was generous of BrightStar Care to be willing to share the use of their parking lot, and even if BrightStar Care did not agree to amend the agreement as Council suggested, she supported the license agreement as proposed.

In response to the Mayor, Ms. Keimach clarified the majority of the BrightStar Care parking lot was within the Town's right-of-way, which was likely the arrangement when the property had been County land and the Town had accepted it. Because it was Town property, even if the agreement was not in place, the Town would likely be involved in any claim.

Ms. Keimach asked for a motion including, direction to the Town Manager, to execute the license agreement with direction to attempt to expand the limitation.

ACTION: It was M/S (Trotter/Onoda) to authorize the Town Manager and Town Attorney to Enter into the Proposed License Agreement with Zaza LLC, (BrightStar Care), in the Form Provided by Staff and the Town Attorney; with Modification to the Second Paragraph Under Agreement, as Shown on Page 1 of the License Agreement, Pursuant to Attachment A, as Follows:

License. Licenser hereby grants to Town, and Town hereby accepts from Licenser the non-exclusive right, privilege, and permission or the Town and its assigns and invitees, including the public, to use the Parking Area to attend any publicly noticed meeting, which begins at 7 p.m. or later, at the Council Chambers between the time 30 minutes before the posted meeting time to 30 minutes after the end of the meeting for parking purposes, and for no other purpose;

And with Direction to the Town Attorney to Determine Whether There Could be any Broadening of the Sorts of Public Meetings that Could Fall Under the Scope of the License Agreement. Vote: 5-0.

C. Audited Financial Reports for FY 2014/15

Review and File the Audited Financial Reports for the Year Ended June 30, 2015 Including:

1. Comprehensive Annual Financial Report
2. Memorandum on Internal Control
3. 2014/15 Appropriation Limit Calculation

Administrative Services Director Cunningham presented the staff report and asked the Town Council to review and file the Audited Financial Reports for the Year Ended June 30, 2015; including the Comprehensive Annual Financial Report, Memorandum on Internal Control, and 2014/15 Appropriation Limit Calculation.

Katherine Yuen, Maze & Associates Accountancy Corporation, presented the audit results to the Town Council and advised that the field audit had been completed in October 2015, and the Town had received a clean opinion on the financial statements. As of June 30, 2015, the Town had reported a \$3.6 million pension liability on the Statement of Net Position. She thanked

Town staff for the speedy cooperation for the audit, guidance by the AFC, and Town Councilmembers.

Ms. Yuen clarified the industry standards for the General Fund balance and stated that the numbers reported on the financial statement were accurate. There was no requirement that an entity should maintain a specific level of General Fund balance, although there had been guidance issued by the Governmental Financial Office Association (GFOA), which she detailed at this time. The assigned, total assigned, and unassigned fund balances of the General Fund had been combined, totaling about \$3.3 million dollars, as compared to the expenditure of the General Fund at \$6.8 million dollars, reaching 49 percent, a sign of the health of the organization.

Providing further clarification for the Vice Mayor, Ms. Cunningham and Ms. Keimach explained that the name of the former Administrative Services Director had been identified on the audited financial reports given that the audit represented the reporting period when the former Administrative Services Director had been in the employ of the Town, with that individual's name having been identified at the direction of the auditors; a statement on Page 6 under the second paragraph of Form of Government of the transmittal letter with regard to the appointment of the Mayor by the Town Council could be revised to reflect the position was elected by the Town Council; a statement under a chart as shown on Page ix of the transmittal letter could be modified to reflect the Town received an average of 5.31 cents in distribution of property tax dollars; and the major initiatives listed on Pages xiii and xiv of the transmittal letter had not included Rancho Laguna II or the Palos Colorados projects because staff had only listed those projects that had been approved in the reporting time period. Rancho Laguna II had been approved in 2010, although construction had started in 2015. A statement could be added to address Rancho Laguna II, although staff would not recommend that Palos Colorados be added to the list of major initiatives. Also, Page xvi of the transmittal letter could be modified to reflect that the Remodel of the Town Council Chambers and Community Meeting Room also served as a Field Operations Center (FOC).

Clarifying the figures shown on Page 15 of the Town of Moraga Management Discussion and Analysis, Table 7, Cost of Services Provided by Contra Costa County, specifically for Police Dispatch, staff identified the prior two years' credit for the police radio project, a credit the Town had been able to use to temporarily reduce costs for the two-year period. For FY 14/15 The Town was back at the cost point it would have ordinarily been paying without the credit.

Chief of Police Robert Priebe explained that the funds had been generated through prior payments made to Contra Costa County for dispatch services. For years the monies had been placed into a fund for replacement radios and the East Bay Regional Communications System Authority (EBRCSA) system. He had been unaware of that fact, and when the Town Council had approved the EBRCSA it had approved the use of other funds to purchase the equipment required for the Town to be part of the EBRCSA. Once an increase had occurred, a new means of formula for the costs had been adopted, and the costs had gone from \$100,000 to much less, and the Town had been able to draw down on the funds.

Vice Mayor Metcalf requested a footnote be added to Page 15 of the Management Discussion and Analysis to clarify why an increase of 73 percent had been shown for Police Dispatch Services.

Mayor Wykle noted that there was a footnote on page 15 referencing credits applied in Fiscal Years 2013/2014 and 2014/2015 to contract Police Dispatch costs.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Vice Mayor Metcalf clarified with Ms. Yuen that the \$3.6 million unfunded liability was the Town's share of the overall California Public Employees Retirement System (CalPERS) unfunded liability and the Town was liable for the \$3.6 million. CalPERS was the plan administrator of the trust although it was not CalPERS money. The money would be protected if CalPERS discontinued its operations.

Ms. Yuen described it as a snapshot of unfunded liability based on the assumptions during the time of the valuation, and based on the promise the Town had made to current and former employee retirees if economic conditions remained as estimated, that there would be a \$3.6 million liability that would be required to be funded as of June 30.

Mayor Wykle reported that the AFC had unanimously agreed to bring the subject of the unfunded liability back to the Town Council for discussion at a future meeting.

In response to Councilmember Arth, Ms. Yuen clarified that the Town did not owe CalPERS money. Pursuant to the financial statements with assets in the trust fund, CalPERS was administering the funds out of the trust to pay current retiree benefits, and the Town was not paying an interest rate or expense to CalPERS. If the Town paid more than the actual required contribution it would reduce future obligations, although the discount rate of 7.5 percent would remain. She suggested the Town contact CalPERS to clarify the potential savings.

Ms. Keimach advised that the discussion was beyond the Comprehensive Annual Financial Report (CAFR) agenda item. A discussion on unfunded liability would be placed on a future agenda item.

Councilmember Onoda found the items that had been recommended in the report including two people on the wire transfer to be a good idea.

ACTION: It was M/S (Trotter/Arth) to file the Audited Financial Reports for the Year Ended June 30, 2015 including the Comprehensive Annual Financial Report, the Memorandum on Internal Control, and the 2014/15 Appropriation Limit Calculation, as amended. Vote: 5-0.

Councilmember Trotter requested that bound copies of the final reports be provided to the Town Council.

Ms. Cunningham expected to have the documents finalized in the next few weeks.

D. Small Farm Animals Ordinance

Consider Waiving the Second Reading and Adopting Ordinance 261 Amending Chapter 8.92 (Animals) and Section 8.04.020 (Definitions) of Title 8, Planning and Zoning, of the Town of Moraga Municipal Code and Directing Staff to Report Back to the Town Council for Review of the Ordinance Within One Year of the Effective Date of the Ordinance. *(CEQA Status: Exempt from CEQA pursuant to Section 15061 (b) (3): General Rule Exemption)*

Associate Planner Brian Horn presented the staff report and asked that the Town Council consider waiving the second reading and adopting Ordinance 261 Amending Chapter 8.92 (Animals) and Section 8.04.020 (Definitions) of Title 8, Planning and Zoning, of the Town of

Moraga Municipal Code (MMC) and directing staff to report back to the Town Council for review of the ordinance within one year of the effective date of the ordinance.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Vice Mayor Metcalf restated comments he had made during the prior Town Council meeting on November 18, 2015, at which time he had opposed the ordinance given his concerns whether or not chicken coops were built to the latest technologies to address issues such as odors, with no standards having been established, and with the enforcement burden placed on the Police Department. For those reasons, he would abstain from voting on the item.

Mayor Wykle reported that although he had been absent from the meeting when the ordinance had been discussed, he supported the ordinance as proposed.

ACTION: It was M/S (Trotter/Arth) to waive the Second Reading and Adopt Ordinance 261 Amending Chapter 8.92 (Animals) and Section 8.04.020 (Definitions) of Title 8, Planning and Zoning, of the Town of Moraga Municipal Code and Directing Staff to Report Back to the Town Council for Review of the Ordinance Within One Year of the Effective Date of the Ordinance. Roll Call Vote: 4-0-1. Abstain: Metcalf.

E. 2015 Year in Review by Mayor Roger Wykle Mayor Roger Wykle's Year in Review, 2015

Mayor Wykle presented a PowerPoint for the Year in Review 2015, identified the Town Council Goals for 2015, and the Town Council actions and improvements for the year. Those improvements included an update to the Loud or Unruly Parties Ordinance; employment of body cameras in the Moraga Police Department; Police partnerships and camera training; sustainable administration included a balanced operating budget and negotiation of employee cost sharing for CalPERS; recognition of excellence in financial reporting; welcoming new Administrative Services Director Amy Cunningham; the passage of Measure K resulted in 55 percent of the Town roads now in good condition; adoption of a Storm Drain Master Plan; Moraga Library restroom improvements; Commons Park ADA Pathway Improvements; Rancho Laguna Path project; sprinkler repair at the Pavilion; and development of the new Council Chambers and Community Meeting Room including live streaming capabilities for meetings televised on local public access.

Planning for the future included the Livable Moraga Road Project; Moraga Walk and Bike Plan; continued Hillside and Ridgeline Steering Committee efforts; and approval of new developments including Rancho Laguna II, Camino Ricardo, and Via Moraga Subdivisions.

Partnerships included the pharmaceutical drop-off sites; establishment of the Town and SMC Shared Facilities Agreement; and a new electronic community information sign. Enhanced environment included Greenhouse Calls Summer Youth Involvement Program; passage of the Small Farm Animals Ordinance; update of the Construction and Demolition Debris and Recycling Ordinance; streamlined review of solar projects; adoption of a Tree Preservation Ordinance; limitation of PG&E tree removal; consideration of alternate energy sources; street light energy savings; reduction in water consumption; and the use of recycled tire material through Measure K resulting in the savings of trees into the landfill.

Additional projects completed in 2015 included addressing the lighting improvements at SMC Intramural Playing Fields; negotiation of all five employee agreements; design of two roundabouts at St. Mary's Road; completion of grant applications yet to be awarded; new Public Art Policy; and the preparation of the Lamorinda Transit Service Plan. Activities in 2015 included the Special Olympics hosted by the Moraga Police Department; Moraga Police Officer collection of items taken to the Lake County communities devastated by fire; MOFD support of local child fighting cancer to visit Disneyland; Pear and Wine Festival; and the Second Annual Family Camp Out. Other achievements included the calculation of Town development fees; research of marijuana dispensaries; completion of the Council Chambers and Community Meeting Room; work with SMC on parking mitigations; court decision on the referendum for the Moraga Town Center project on Moraga Way; and the development of options for Homebased Winery Businesses.

Mayor Wykle commended Town staff and the Moraga Police Department for all the hard work over the past year.

PUBLIC COMMENTS OPENED

Brother Dominic Berardelli, Saint Mary's College, spoke on behalf of SMC President Donahue and reported that this was finals week and the SMC campus should be quiet after that time. He commended Mayor Wykle for his tenure as Mayor, and stated that the Town and SMC had experienced a closer relationship, a sense of cooperation, and a growing trust. He also expressed his appreciation to the Town for its efforts to ensure the completion of the new SMC Joseph Alioto Recreation Center, which had been dedicated in March 2015. He updated the Town Council on the status of the improvements to the Intramural Field Lights pursuant to Town Council's direction in May 2015, which resulted in substantially reduced light glare to the adjacent neighbors, and with the students allowed to enjoy the fields until 10:00 p.m. on selected nights. In October, SMC had signed a Memorandum of Understanding (MOU) with the Town to extend the shared use of facilities. He welcomed everyone to attend the SMC President's Christmas Party scheduled for Friday, December 11, which included a Parents Night Out program. He also reported that SMC had submitted a Draft Campus Master Plan with final approval anticipated in the spring. He expressed his hope the relationship with the Town would continue with the incoming Mayor, and he congratulated and offered best wishes to the incoming Mayor.

Supervisor Candace Andersen, representing District 2, also expressed her appreciation to Mayor Wykle for his tenure over the past year; commended the Town on the completion of the new Council Chambers and Community Meeting Room and EOC; and the Town's 2015 accomplishments as outlined in the Mayor's presentation. She presented a resolution to Mayor Wykle in recognition of his service and pledged her continued support to the Town of Moraga in future endeavors.

PUBLIC COMMENTS CLOSED

Councilmembers offered their appreciation to Mayor Wykle for his service to the Town, commended his achievements, control of Town Council meetings, and his professionalism, kindness, and respect for others.

Ms. Keimach concurred with the comments and emphasized it had been a pleasure working with Mayor Wykle. She presented a memory plaque in recognition of his tenure as Mayor.

Vice Mayor Metcalf also presented a plaque to Mayor Wykle in recognition of his service to the Town.

Mayor Wykle again thanked Town staff, the Town Council, his family, and the public for its interest in the Town. He thanked everyone for the recognition.

F. Town Council Reorganization

Town Council Reorganization – Nomination and Election of Mayor and Vice Mayor

1. Recognition of Outgoing Mayor
2. Nominations and Election of Mayor
3. Nominations and Election of Vice Mayor
4. Remarks by New Mayor and Vice Mayor
5. Remarks by Councilmembers

ACTION: It was M/S (Trotter/Arth) to nominate Michael Metcalf as the Mayor. There being no further nominations, *Michael Metcalf* was elected Mayor of the Town of Moraga. Vote: 5-0.

Mayor Wykle handed the gavel to newly-elected **Mayor Michael Metcalf**.

Mayor Metcalf thanked everyone for their confidence in electing him Mayor for 2016. He identified his goals for 2016 to include:

- Community Preference Survey;
- Continue to exercise fiscal discipline;
- Sustainable funding strategies to maintain the Town's assets and infrastructure;
- Develop a conceptual design, operating plan, and financial strategy for the Hacienda;
- Reopen discussions with the Moraga School District (MSD) on recreational facilities;
- Work with property owners and community developers to implement the vision of the Moraga Center Specific Plan (MCSP);
- Continue to work with the community and the Town's Hillside and Ridgeline Steering Subcommittee to amend the General Plan and other regulations to reduce ambiguity on the hillsides and ridgelines;
- Install street lights where needed within the Moraga Center and Rheem Valley Shopping Center areas including outside the Council Chambers;
- Work with the East Bay Regional Park District (EBRPD) to enhance the inter-connectiveness and public awareness of the trail system; and
- Complete design of the intersection improvements/roundabouts in partnership with the SMC Master Plan and finalize a financing plan.

Mayor Metcalf asked that the goals be placed on the Town's website for public review prior to discussion during the Town Council Goal Setting Workshop on January 21, 2016.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Onoda/Wykle) to nominate Dave Trotter as the Vice Mayor. There being no further nominations, Dave Trotter was elected Vice Mayor of the Town of Moraga. Vote: 5-0.

Vice Mayor Trotter expressed support for the goals proposed by the Mayor but asked that the goals recommending amendments to the General Plan to clean up the regulations for hillsides and ridgelines and to continue the work to implement the MSCP be amended not to *continue* but to *complete* those efforts in calendar year 2016.

Councilmember Wykle also liked the goals and looked forward to the discussions during the Town Council Goal Setting Session.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

XIII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Ms. Keimach clarified that the Town had over \$3.6 million in unfunded pension, which CalPERS had assigned to the Town of Moraga as its "pool" allocation, with the question before the Council whether to pay it off, and at what percentage if any to pay it off, with that discussion to be brought back to the Town Council at a future meeting. Staff would also solicit feedback from CalPERS on that issue. She expected the matter would be brought back for Town Council consideration in the spring.

Ms. Keimach invited the public to join Town staff in celebrating the Town Council reorganization after the completion of the meeting.

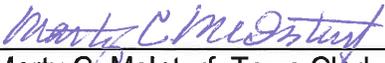
XIV. COMMUNICATIONS

There were no communications.

XV. ADJOURNMENT

ACTION: It was M/S (Arth)/Trotter) to adjourn the meeting at 9:20 P.M. Vote: 5-0.

Respectfully submitted by:


Marty C. McInturf, Town Clerk

Approved by the Town Council:


Michael Metcalf, Mayor