



TOWN OF MORAGA REGULAR MEETING

January 25, 2023
MINUTES

6:30 p.m.

The following are minutes of the actions taken by the Town of Moraga Town Council.
A full video recording of the meeting is available on the Town's website at:
<https://livestream.com/moraga>

Council Chambers
335 Rheem Boulevard, Moraga, California 94556

1. CALL TO ORDER

The regular meeting was called to order at 6:30 p.m. by Mayor Renata Sos.

ROLL CALL

Councilmembers present: Mayor Renata Sos, Vice Mayor Teresa Onoda, Councilmembers Kerry Hillis, David Shapiro, and Steve Woehleke

Councilmembers absent: None

2. PLEDGE OF ALLEGIANCE

Councilmember Kerry Hillis led the Pledge of Allegiance.

3. SPECIAL ANNOUNCEMENTS

None.

4. PROCLAMATIONS AND PRESENTATIONS

None.

5. PUBLIC COMMENTS AND SUGGESTIONS

There were no comments from the public.

6. ADOPTION OF CONSENT AGENDA

A. Acceptance of Consent Items

6.1 Receive Accounts Payable Claims for: 1/12/23 (\$648,312.22)

6.2 Approve Minutes for the Special and Regular Council Meetings on October 12, 2022

6.3 Approve Minutes for the Regular Council Meeting on October 26, 2022

6.4 Approve Minutes for the Special Council Meeting on November 4, 2022

- 6.5 Approve Minutes for the Regular Council Meeting on November 9, 2022
- 6.6 Approve Minutes for the Special Council Meeting on November 16, 2022
- 6.7 Approve Minutes for the Regular Council Meeting on January 11, 2023
- 6.8 Confirm Appointment of Town Council Representatives to Committees and Boards for 2023
- 6.9 Consider **Resolution 06-2023** Designating Alternates to Serve as Standby Officers to Allow the Town Council to Reconstitute Itself in the Event of Emergency-caused Vacancies and Provide Continuity of Government and Rescinding Resolution 1-2022
- 6.10 Consider **Resolution 05-2023** Awarding a Professional Services Agreement for Engineering Services for National Pollutant Discharge Elimination System (NPDES) Permit Implementation Assistance to Kennedy & Associates (Walnut Creek, CA) for an amount up to \$70,000 and approving a 15% Contingency of \$10,500 for a Total Amount Not to Exceed \$80,500 for Each Year of the Contract for a Term of Three (3) Years with an Option to Extend for up to Two (2) Additional Years, Contingent on Available Annual Budget Appropriations; and Authorizing the Interim Town Manager to Execute the Agreement and finding Award of Agreement Categorically Exempt from Review under California Environmental Quality Act (CEQA)
- 6.11 Consider **Resolution 07-2023** Accepting Improvements for the Moraga Road and Hacienda Drainage Project (CIP 21-206) as Completed by Kerex Engineering, Inc. (Martinez, CA) and Authorizing the Interim Town Manager to Execute the Certificate of Completion and the Town Engineer to Record the Resolution and Certification of Completion with the Contra Costa County Recorder's Office (CEQA Status: Categorically Exempt)

Motion and second, Woehleke and Onoda, to approve Consent Agenda items 6.1, 6.7, 6.8 and 6.10, passed unanimously.

Motion and second, Onoda and Woehleke, to approve Consent Agenda items 6.2, 6.3, 6.4, 6.5 and 6.6, passed 4-0-1 with Councilmember Hillis abstaining.

B. Consideration of Consent Items Removed for Discussion

Items 6.9 and 6.11 were pulled for discussion.

Motion and second, Woehleke and Hillis, to approve item 6.9 as amended, passed unanimously.

Motion and second, Onoda and Woehleke, to approve item 6.11, passed 4-0-1 with Councilmember Hillis recusing himself from this item as the project is within his sphere of influence.

7. ADOPTION OF MEETING AGENDA

Motion and second, Woehleke and Onoda, to adopt Meeting Agenda, passed unanimously.

8. REPORTS

A. Town Manager Update

None.

B. Mayor's and Councilmembers' Reports

The Mayor and Councilmembers provided updates on meetings they attended, and events and activities in Moraga.

Councilmember Woehleke announced that CAL FIRE updated their fire hazard severity zones map and was on their website, and that Saint Mary's College also rolled out their new website which should be more user-friendly.

Mayor Sos announced that all public legislative bodies will be meeting live starting in March. The citizen advisory boards and committees to various public agencies are also required to meet in person, which may discourage citizen participation in civic affairs. The Central Contra Costa Transit Authority (County Connection) is working with transit agencies to help with citizen engagement.

Mayor Sos reported that the Town Council met with the recruiter for the Town Manager in closed session on January 18, 2023 to engage in a vetting process. On January 28, 2023, the Town Council will interview candidates in closed session. She thanked the stakeholders and everyone that provided input on what the Town Council needs to be looking for in a Town Manager.

9. PUBLIC HEARINGS

- A. Conduct a Public Hearing and Consider Waiving the Second Reading and Adopting an Ordinance of the Town Council of the Town of Moraga to Adopt by Reference Division 48, "Emergency Medical Services" of the Contra Costa County Code Pertaining to Emergency Medical Services and Ambulances, Repealing Portions of Ordinance No. 137 pertaining to Division 48 and finding the Ordinance Exempt from CEQA Pursuant to Section 15061(b)(3)

Mayor Sos introduced the item. Police Chief Jon King provided the staff report and responded to Council's questions.

There were no comments from the public.

Motion and second, Woehleke and Onoda, to waive the Second Reading and Adopt Ordinance 305 of the Town Council of the Town of Moraga to Adopt by Reference Division 48, "Emergency Medical Services" of the Contra Costa County Code Pertaining to Emergency Medical Services and Ambulances, Repealing Portions of Ordinance No. 137 pertaining to Division 48 and finding the Ordinance Exempt from CEQA Pursuant to Section 15061(b)(3)), passed unanimously by roll call vote.

- B. Conduct a public hearing and consider: (a) certifying the Final Environmental Impact Report for the Comprehensive Advanced Planning Initiative and adopting a Mitigation Monitoring and Reporting Program, CEQA Findings, and a Statement of Overriding Considerations for the Housing Element Update and related actions; (b) adopting the 2023-2031 Town of Moraga Housing Element, including findings of substantial compliance; (c) amending the Moraga General Plan, including internal consistency amendments and Circulation and Safety Element Amendments required by State law; (d) waiving the first reading and introducing by Title only an ordinance amending Title 8 of the Municipal Code as it relates to zoning in the Moraga Center Specific Plan area; (e) waiving the first reading and introducing by Title only an ordinance amending Title 8 of the Municipal Code as it relates to zoning in the Rheem Park area

Mayor Sos introduced the item. Planning Director Afshan Hamid introduced her team: Barry Miller of Barry Miller Consulting; Darcy Kremin, Director of Environmental Planning, Rincon Consultants; Stephanie Hagar, Principal, BAE Urban Economics; Town Attorney Karen Murphy; and Town Manager Brian Dolan. Director Hamid provided the staff report and Mr. Miller provided the presentation. They responded to Council's questions. Mr. Dolan and Ms. Murphy provided additional information and clarification.

The following members of the public spoke:

Michael Gurtlev
Adam Williams
Kristen Williams
Dave Bruzzone
Haley Amiri
Rita Keeperman

Council discussion followed.

The approval of the Comprehensive Advanced Planning Initiative and the adoption of the 2023-2031 Moraga Housing Element will (a) certify the Final Environmental Impact Report for the Comprehensive Advanced Planning Initiative and adopt a Mitigation Monitoring and Reporting Program, CEQA Findings, and a Statement of Overriding Considerations for the Housing Element Update and related actions; (b) adopt the 2023-2031 Town of Moraga Housing Element, including findings of substantial compliance; (c) amend the Moraga General Plan, including internal consistency amendments and Circulation and Safety Element Amendments required by State law; (d) waive the first reading and introduce by Title only an ordinance amending Title 8 of the Municipal Code as it relates to zoning in the Moraga Center Specific Plan area; (e) waive the first reading and introduce by Title only an ordinance amending Title 8 of the Municipal Code as it relates to zoning in the Rheem Park area.

Motion and second, Onoda and Woehleke, to adopt Resolution 08-2023 (Final Environmental Impact Report), passed unanimously.

Motion and second, Onoda and Hillis, to adopt Resolution 09-2023 (Adoption of Housing Element), passed unanimously.

Motion and second, Onoda and Woehleke, to adopt Resolution 10-2023 (General Plan Amendments), passed unanimously.

Motion and second, Onoda and Hillis, to waive the first reading and introduce by Title only an Ordinance amending Title 8 of the Municipal Code as it relates to zoning in the Moraga Center Specific Plan area, passed unanimously.

Motion and second, Onoda and Hillis, to waive the first reading and introduce by Title only an Ordinance amending Title 8 of the Municipal Code as it relates to zoning in the Rheem Park area, passed unanimously.

10. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

None.

11. DISCUSSION ITEMS

There were no Discussion items.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

There were no Council requests for future agenda items.

13. COMMUNICATIONS

- A. Letter to Mark D. Robeson in appreciation for arranging the donation from the Burton D. Morgan Foundation that will fund improvements to the disc golf course at the Moraga Commons Park

14. ADJOURNMENT

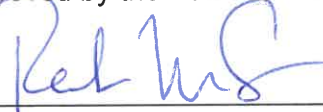
Mayor Sos adjourned the meeting at 8:01 p.m.

Respectfully submitted by:



Yashin Abbas, Interim Town Clerk

Approved by the Town Council:



Renata M. Sos, Mayor

