



TOWN OF MORAGA REGULAR MEETING

April 12, 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 6:32 p.m. by Mayor Renata Sos.

ROLL CALL

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

Councilmembers absent: Vice Mayor Teresa Onoda

Mayor Renata Sos welcomed the new Town Manager, Scott Mitnick.

2. PLEDGE OF ALLEGIANCE

Scott Mitnick led the Pledge of Allegiance.

3. SPECIAL ANNOUNCEMENTS

None.

4. PROCLAMATIONS AND PRESENTATIONS

None.

5. PUBLIC COMMENTS AND SUGGESTIONS

The following members of the public spoke:

Hannah Mattioda of Moraga Chamber of Commerce

6. ADOPTION OF CONSENT AGENDA

A. Acceptance of Consent Items

6.1 Receive Accounts Payable Claims for: 3/24/23 (\$353,997.56)

- 6.2 Approve the Minutes for the Special Council Meeting on March 15, 2023
- 6.3 Approve the Minutes for the Special Council Meeting on March 22, 2023 (Commissions and Committees Interviews)
- 6.4 Approve the Minutes for the Regular Council Meeting on March 22, 2023
- 6.5 Proclamation Honoring Cathy Chang as 2023 Moraga Citizen of the Year
- 6.6 Fair Housing Month Proclamation
- 6.7 Waive the Second Reading and Adopt by Title Only an Ordinance adding Chapter 8.210, Rheem Park Area Objective Design Standards, to Title 8 of the Moraga Municipal Code for Commercial, Office, Mixed-Use and Multi-Family Residential Development within the Rheem Park Area (CEQA: The Rheem Park Area Design Standards were considered as part of the Comprehensive Advanced Planning Initiative Final Environmental Impact Report (FEIR) certified by the Town Council on January 25, 2023. No further CEQA analysis is required for adoption of the Rheem Park Design Standards.)
- 6.8 Adopt Resolution 21-2023 Awarding a Construction Agreement to GradeTech (Castro Valley, CA) as the Lowest Responsible and Responsive Bidder in the Total Amount Not to Exceed \$302,825; Authorizing a 10% Construction Contingency of \$30,283 for a Total Amount Not to Exceed \$333,108 for the Commons Park Picnic Area Renovation Project (CIP 19-302); Appropriating a transfer out in the amount of \$95,108 from Fund 790 – Park Development Impact Fees to Fund 700 (CIP 19-302) for the Project; Authorizing the Town Manager to Execute the Construction Agreement and Authorizing the Town Engineer to Execute Contract Change Orders for up to 10% of the Agreement Amount; and finding Project Categorically Exempt Pursuant to Section 15301 and 15304 of the California Environmental Quality Act Guidelines
- 6.9 Adopt Resolution 22-2023 Authorizing reducing by \$177,803.65 the Bridgeway Civil Constructors, Inc. (Bridgeway) construction contract retention for the Canyon Road Bridge Replacement Project (CIP 14-101); Approving a Fifth Amendment to Construction Management Services Contract with Harris and Associates, Inc. (Concord) for the Canyon Road Bridge Replacement Project in an Amount of \$74,781 for a Total Amount Not to Exceed \$1,257,945; and Authorizing the Town Manager to Execute the Harris Fifth Amendment and to Issue \$177,803.65 to Bridgeway for Retention Reduction (CEQA Status: Previously Adopted Initial Study/Mitigated Negative Declaration)
- 6.10 Adopt Resolution 23-2023 Authorizing the Transfer of Public Safety Impact Fee Funds for the Purchase of Video Surveillance Systems and Other Equipment for the Moraga Police Department

Motion and second, Woehleke and Hillis, to approve the Consent Agenda, passed 4-0-1 with Vice Mayor Onoda absent.

B. Consideration of Consent Items Removed for Discussion

None.

7. ADOPTION OF MEETING AGENDA

Motion and second, Shapiro and Hillis, to adopt Meeting Agenda, passed 4-0-1 with Vice Mayor Onoda absent.

8. REPORTS

A. Town Manager Update

Mr. Mitnick gave remarks on being appointed as the new Town Manager. He announced: the Community Meeting regarding the Housing Ordinance will be on May 18 from 6:00 to 7:30 p.m; Parks and Recreation Summer Program registration will start on April 15; and the sculpture "Measure of Man" outside the Council Chamber is on loan from the City of Orinda.

B. Mayor's and Councilmembers' Reports

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

Councilmember Woehleke reported that he registered for the Lamorinda Zero Waste Challenge. Mayor Sos reported that Moraga was in the lead.

Councilmember Woehleke would like to see more firewise neighborhoods in Moraga.

Mayor Sos announced that Bart will be doing track maintenance for five weekends and will affect the schedule between Orinda and Rockridge and to check their website.

9. PUBLIC HEARINGS

A. Inclusionary Zoning In-Lieu Fees

Consider Adopting a Resolution Approving and Adopting an Affordable Housing In Lieu Fee in Accordance with the Town's Affordable Housing Ordinance

CEQA: The adoption of the in-lieu fee is exempt under the California Environmental Quality Act Guidelines 15061(b)(3).

Planning Director Afshan Hamid introduced the item and her team, David Doezema of Keyser Marston Associates, Inc., and Barry Miller of Barry Miller Consulting. Mr. Doezema presented the report. They responded to Council's questions.

The following members of the public sent a letter:

Dave Bruzzone

Council discussion followed.

Motion and second, Shapiro and Woehleke, to adopt Resolution 24-2023 Approving and Adopting an In Lieu Fee in accordance with the Town's Affordable Housing Requirements, passed 4-0-1 with Vice Mayor Onoda absent.

10. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

A. California Building Code Update

Study Session requesting input and feedback on Modifications to the 2022 California Building Code Adopted by Contra Costa County
(CEQA Determination: Exempt Pursuant to CEQA Guidelines Section 15
15061[b][3] - General Rule Exemption)

Planning Director Afshan Hamid introduced the item. Associate Planner Mio Mendez provided the staff report. They responded to Council's questions. Contra Costa County Building Department's Senior Planner – Energy Efficiency Programs, Demian Hardman, provided clarification.

The following members of the public spoke/sent a letter:

Ellen Beans
Dave Bruzzone

Council discussion followed and provided input and feedback. No action was taken.

Councilmember Hillis left the meeting at this time.

B. Capital Asset Replacement Program Update

Consider Capital Asset Replacement Five-Year Plan and Provide Input to Staff on Recommended Projects to Assist in the Development of the Five-Year Capital Improvement Program (CIP)

Parks and Recreation Director Mackenzie Brady provided the staff report and Public Works Director Shawn Knapp presented. They responded to Council's questions.

There were no comments from the public.

Council discussion followed and provided input and feedback. No action was taken.

11. DISCUSSION ITEMS

None.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

There were no Council requests for future agenda items.

13. COMMUNICATIONS

14. ADJOURNMENT

Mayor Sos adjourned the meeting at 8:46 p.m.

Respectfully submitted by:



Yashin Abbas, Interim Town Clerk

Approved by the Town Council:



Renata M. Sos, Mayor