



TOWN OF MORAGA REGULAR MEETING

May 10, 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 Vice Mayor Teresa Onoda.

ROLL CALL

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

Councilmembers absent: Mayor Renata Sos

2. PLEDGE OF ALLEGIANCE

Planning Director Afshan Hamid led the Pledge of Allegiance.

3. SPECIAL ANNOUNCEMENTS

None.

4. PROCLAMATIONS AND PRESENTATIONS

John Muir Land Trust gifted the Town a framed Harvey Dedication poster.

5. PUBLIC COMMENTS AND SUGGESTIONS

The following members of the public spoke:

- Casey Weider and Board Members of the Moraga Chamber of Commerce
- Mike McCluer

6. ADOPTION OF CONSENT AGENDA

A. Acceptance of Consent Items

- 6.1 Receive Accounts Payable Claims for: 4/21/23 (\$128,753.26) and (\$1,493.62)
- 6.2 Approve the Minutes for the Special and Regular Council Meetings on April 26, 2023

- 6.3 Consider Adopting **Resolution 30-2023** Ordering Engineering Assistance to Prepare and File an Annual Engineer's Report for Fiscal Year 2023/24, Town of Moraga Street Lighting District 1979-1
- 6.4 Consider Adopting **Resolution 31-2023** Awarding a Consultant Services Agreement for Assessment District Engineering Services Related to the Fiscal Year 2023/24 Town of Moraga Street Lighting District No. 1979-1 to LCC Engineering & Surveying, Inc. for an Amount Not to Exceed \$20,200 and a 20% Contingency (\$4,040); and Authorizing the Town Manager to Execute the Agreement and Amendments
- 6.5 Consider Waiving the Second Reading and Adopting by Title Only an **Ordinance** amending Title 8 of the Municipal Code to create a Rural Residential zone, eliminate the Study District, make conforming changes, and amend the Moraga Zoning Map as it relates to the Bollinger Canyon Special Study Area

(CEQA: Final Environmental Impact Report for the Comprehensive Advanced Planning Initiative was certified by the Town Council on January 25, 2023 - State Clearinghouse No 2022020106)

Motion and second, Woehleke and Hillis, to approve the Consent Agenda Items 6.1, 6.2, 6.3 and 6.4, passed 4-0-1 with Mayor Sos absent.

B. Consideration of Consent Items Removed for Discussion

Item 6.5 was pulled for a roll call vote.

Motion and second, Woehleke and Shapiro, to approve Item 6.5, passed 4-0-1 by roll call vote with Mayor Sos absent.

7. ADOPTION OF MEETING AGENDA

Motion and second, Woehleke and Hillis, to adopt Meeting Agenda, passed 4-0-1 with Mayor Sos absent.

8. REPORTS

A. Town Manager

Mr. Mitnick stated that the Town will have performance measures and biennial budget document, and committed to getting the State and National budget awards.

B. Mayor's and Councilmembers' Reports

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

Councilmember Hillis gave remarks on encouraging legislation that MCE is suggesting which he signed on.

Vice Mayor Onoda announced that Moraga student Jazlyn Xiao won the 2023 Congressional Art Competition.

9. PUBLIC HEARINGS

None.

10. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

A. Biennial Budget

Consider Adopting Resolution 32-2023 Directing the Town Manager to Prepare a Proposed Biennial Budget on a recurring basis, commencing with the Fiscal Year 2023-2024 and Fiscal Year 2024-2025 Cycle

Director of Administrative Services Annie To provided the staff report. She and Town Manager Scott Mitnick responded to Council's questions.

There were no comments from the public.

Motion and second, Shapiro and Hillis, to adopt Resolution 32-2023 Directing the Town Manager to Prepare a Proposed Biennial Budget on a recurring basis, commencing with the Fiscal Year 2023-2024 and Fiscal Year 2024-2025 Cycle, passed 4-0-1 with Mayor Sos absent.

B. Five-Year Capital Improvement Program Budget

Proposed Draft Five-Year Capital Improvement Program Budget (FY 2023-24 through FY 2027-28)

Public Works Director Shawn Knapp provided the staff report and responded to Council's questions.

The first part of the report was about Hacienda Projects. Councilmember Hillis recused himself as the projects would be within his sphere of influence. He came back for the second part of the presentation which was all other Townwide Projects.

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

None.

14. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS

Mr. Mitnick gave updates on Town facilities and projects and mentioned future agenda items. He announced again the May 18 Community Meeting on the Housing Element, and that the Mobile Moraga App is for routine requests and to call 911 or the Police Department at (925) 284-5010 for true emergency.

Council recessed to Closed Session at 8:15 p.m.

Councilmember Hillis recused himself for the Closed Session.

15. RECESS TO CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

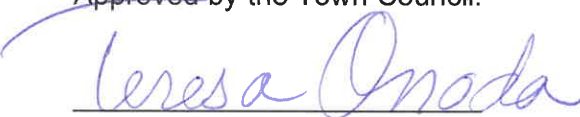
Significant exposure to litigation pursuant to Government Code section
54956.9(d)(2)(e)(5):
One Case - See Attachment A

16. ADJOURNMENT

Respectfully submitted by:



Yashin Abbas, Interim Town Clerk

Approved by the Town Council:


Teresa Onoda, Vice Mayor