



## TOWN OF MORAGA REGULAR MEETING

May 24, 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://youtube.com/@TownofMoraga335/streams>

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 Sos.

### ROLL CALL

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

Councilmembers absent: Vice Mayor Teresa Onoda

### 2. PLEDGE OF ALLEGIANCE

Marty McInturf 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: 5/5/23 (\$430,283.81)

6.3 Proclamation for National Gun Violence Awareness Day

6.4 Conduct a Public Hearing and Consider Adopting Resolution 33-2023 Accepting the Planning Commission's Recommendation to Approve a Grading Permit (GR-01-22) and Hillside Development Permit (HDP-01-22) for approximately 875 Cubic Yards of Earthwork on Predevelopment Average Slopes of 25% or Greater to Repair and Prevent Further Channel Erosion Along Moraga Creek on the Downstream End of an Existing Culvert Outfall Located Below Merrill Circle North and Finding the Project Exempt from Review under the California Environmental Quality Act ("CEQA") Guidelines Section 15333 (Class 33 – Small Habitat Restoration Projects)

**ACTION: It was M/S (Woehleke/Shapiro) to adopt Consent Agenda Items 6.1, 6.3 and 6.4. Passed: 4-0-1 Absent: Vice Mayor Onoda**

**B. Consideration of Consent Items Removed for Discussion**

6.2 Approve the Minutes for the Special and Regular Council Meetings on May 10, 2023

Item 6.2 was removed for discussion. There were no comments from the public.

**ACTION: It was M/S (Hillis/Woehleke) to adopt as amended Consent Agenda Item 6.2. Passed: 4-0-1 Absent: Vice Mayor Onoda**

**7. ADOPTION OF MEETING AGENDA**

**ACTION: It was M/S (Woehleke/Hillis) to adopt Meeting Agenda. Passed: 4-0-1 Absent: Vice Mayor Onoda**

**8. REPORTS**

**A. Town Manager**

None

**B. Mayor's and Councilmembers' Reports**

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

**9. PUBLIC HEARINGS**

**A. Master Fee Schedule**

Consider Adopting **Resolution 34-2023** Adopting the Town of Moraga's Updated Fiscal Year 2023/24 Master Fee Schedule

Director of Administrative Services Annie To provided the staff report and responded to Council's questions.

There were no comments from the public.

**ACTION: It was M/S (Hillis/Woehleke) to adopt Resolution 34-2023 Adopting the Town of Moraga's Updated Fiscal Year 2023/24 Master Fee Schedule. Passed: 4-0-1 Absent: Vice Mayor Onoda**

## 10. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

### A. California Building Code

Consider Introducing by Title Only and Waiving Further Reading of an Ordinance Repealing and Replacing Moraga Municipal Code (MMC) Chapter 15.04 “Buildings and Construction” of Title 15 and Adopting by Reference Certain Sections of Contra Costa County Ordinance No. 2022-35, which Adopts the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Green Building Standards Code, the 2022 California Electrical Code, the 2022 California Plumbing Code, the 2022 California Mechanical Code, and the 2022 California Existing Building Code (California Code of Regulation, Title 24 Parts 2, 2.5, 11, 3, 5, 4 and 10) and Making Certain Amendments Thereto and finding the Ordinance exempt from the California Environmental Quality Act (“CEQA”) pursuant to Sections 15061(b) (3) and 15378(b) (5) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations)

Planning Director Afshan Hamid introduced the item. Associate Planner Mio Mendez provided the staff report. They, along with Karen Deas, Principal Structural Engineer, Contra Costa County, responded to Council's questions.

Mayor Sos read a letter from David Bruzzone into the record.

**ACTION: It was M/S (Woehleke/Shapiro) to waive the first reading and introduce an Ordinance repealing and replacing Moraga Municipal Code (MMC) Chapter 15.04 “Building Codes” of title 15 and adopting by reference certain sections of Contra Costa County Ordinance No. 2022-35, which adopts the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Green Building Standards Code, the 2022 California Electrical Code, the 2022 California Plumbing Code, the 2022 California Mechanical Code, and the 2022 California Existing Building Code and making certain amendments thereto. Passed: 4-0-1 Absent: Vice Mayor Onoda**

## 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.

**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)(1)

The Town Council Recessed to Closed Session at 7:46 pm. There was no public comment.

**16. RETURN TO OPEN SESSION**

The Council returned to Open Session at 8:17 pm. Mayor Sos advised that there was no reportable action from the Closed Session.

**17. ADJOURNMENT**

**ACTION: It was M/S to adjourn the meeting at 8:18 p.m. Passed: 4-0-1 Absent: Vice Mayor Onoda**

Respectfully submitted by:

*for: Yasli Abou*  
Marty C. McInturf, Interim Town Clerk

Approved by the Town Council:

*Renata M. Sos*  
Renata M. Sos, Mayor