



## TOWN OF MORAGA REGULAR MEETING

June 14, 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 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 Hillis led the Pledge of Allegiance.

### 3. SPECIAL ANNOUNCEMENTS

None.

### 4. PROCLAMATIONS AND PRESENTATIONS

A. Proclamation Recognizing June 2023 as Pride Month

The Mayor shared a letter.

The following members of the public spoke:

Justine Parmelee

B. Proclamation Recognizing the 19<sup>th</sup> of June as Juneteenth in the Town of Moraga

### 5. PUBLIC COMMENTS AND SUGGESTIONS

The following members of the public spoke:

Gian Panetta  
Mark Hoogs

Mike McCluer  
Ricky Juster  
Bob Stice  
John Raskin

## 6. ADOPTION OF CONSENT AGENDA

### A. Acceptance of Consent Items

- 6.1 Receive Accounts Payable Claims for: 5/19/23 (\$581,869.99) and 6/2/23 (\$156,360.35)
- 6.2 Approve the Minutes for the Regular Council Meeting on May 24, 2023
- 6.3 Authorize, By Motion, the Art in Public Spaces Committee and Staff to Initiate the Survey for Selecting Mural Theme and Keywords for the Wall Outside the Public Works Corp Yard/Town Chambers
- 6.4 Authorize, By Motion, Town Council Amending the Art in Public Spaces Committee Charter to Increase Number of Members from Six (6) to Seven (7)
- 6.5 Adopt **Resolution 35-2023** Amending the Town of Moraga Electronic Communications Policy to Add Planning Commissioners to the List of those Receiving an Official Town Email Account
- 6.6 Receive and Accept Annual Review of Camino Ricardo (Harvest Court - Subdivision 9321) Development Agreement Determining Good Faith Compliance by the Developer with the Terms of the Agreement
- 6.7 Review and Accept the Local Sales Tax Oversight Committee's Independent Report to the Town Council for Fiscal Year 2021/22 Regarding the Revenue and Expenditures of the Measure K Transactions and Use Tax
- 6.8 Adopt **Resolution 36-2023** Establishing the Town of Moraga's FY 2023/24 List of Streets to be Funded in Part or Solely with FY 2023/24 Road Maintenance and Rehabilitation Account (RMRA) Revenues as Required by Senate Bill 1, the Road Repair and Accountability Act of 2017

**Motion and second, Woehleke and Onoda, to approve the Consent Agenda Items 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, and 6.8, passed unanimously.**

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

Item 6.7 was pulled for discussion. The Council thanked the Local Sales Tax Oversight Committee for their work regarding Measure K funds.

**Motion and second, Sos and Onoda, to approve Item 6.7, passed unanimously.**

## 7. ADOPTION OF MEETING AGENDA

Council agreed to hear the items in the following order: Ordinances, Resolutions and Requests for Action Items 10.A, 10.C, 10.D, 10.B and then Public Hearing Item 9.A.

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

## 8. REPORTS

### A. Town Manager

Mr. Mitnick announced that the Summer Concert Series has started, taking place on Thursday nights until August 3. Hacienda Nights will start on June 20<sup>th</sup>, and he talked about the 4<sup>th</sup> of July celebration and encouraged the public to donate to the fireworks event.

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

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

Councilmember Woehleke talked about the road repair program.

Vice Mayor Onoda announced the Chamber events for the local businesses.

Mayor Sos talked about Move-Out Day at St. Mary's College, that Recycle Smart put out donation bins to help with sorting unwanted used items from garbage. She encouraged the community to support the 4<sup>th</sup> of July fireworks event.

## 10. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

### A. Town Facilities Energy Generation Study Presentation

Receive the Town Facilities Energy Generation Study Presentation and Provide Direction to Staff

Founder and Executive Director Craig Lewis of Clean Coalition provided a presentation. He and Public Works Director Shawn Knapp responded to Council's questions.

There were no comments from the public.

The Town Council received Clean Coalition's presentation on the updated analysis results for the Moraga Facilities Energy Generation Study and provided staff with feedback.

**The Council took a brief recess at this time.**

**The Council reconvened the meeting at 8:50 p.m.**

### C. Proposed Operating and Capital Improvement Program Budget

Consider Proposed Biennial FY 2023/24 and 2024/25 Operating and Capital Improvement Program Budget Including Updates to the Five-Year Financial Plan and Provide Direction to Staff

The report was divided into two parts. The first part was a discussion of the budget items related to the Hacienda where Councilmember Kerry Hillis recused himself as the location is within his sphere of influence. Town Manager Scott Mitnick provided additional information.

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

The following members of the public spoke:

Mike McCluer  
Gian Panetta

The Town Council provided direction to staff to be incorporated in the final Biennial FY 2023-24 and FY 2024-25 Operating and Capital Improvement Program Budget and implementation resolutions for Town Council action on June 28, 2023.

**The Town Council Protocols state that Council meetings shall automatically be adjourned at 10:30 p.m. but may be extended. The Council agreed to extend the meeting.**

**Motion and second, Onoda and Woehleke, to extend the meeting to 10:45 p.m., passed unanimously.**

**D. Moraga Street Lighting Assessment District**

Consider Resolution 37-2023 Approving Engineer's Report for the Town of Moraga Street Lighting Assessment District 1979-1 for Fiscal Year 2023/24; and Consider Resolution 38-2023 Declaring the Town of Moraga's Intention to Levy and Collect Assessments Under Assessment District No. 1979-1, Town of Moraga Street Lighting in Fiscal Year 2023/24 and Setting a Public Hearing Date of June 24, 2023

There were no comments from the public.

**Motion and second, Woehleke and Onoda, to Adopt Resolution 37-2023 Approving Engineer's Report for the Town of Moraga Street Lighting Assessment District 1979-1 for Fiscal Year 2023/24; and Adopt Resolution 38-2023 Declaring the Town of Moraga's Intention to Levy and Collect Assessments Under Assessment District No. 1979-1, Town of Moraga Street Lighting in Fiscal Year 2023/24 and Setting a Public Hearing of June 28, 2023, passed unanimously.**

**B. Housing Element Spring 2023 Community Outreach Update**

Receive the Informational Report on the Housing Element Spring 2023 Community Outreach, "makemoragahome.org" Website Updates and HCD Status on the Housing Element

Planning Director Afshan Hamid provided the staff report and responded to Council's questions.

The following members of the public spoke:

Richie Cruz

The Town Council accepted the informational report and provided guidance to Staff. This feedback will assist in the preliminary preparation of Phase II of the Comprehensive Advanced Planning initiative.

**9. PUBLIC HEARINGS**

**A. California Building Code for 2022**

Consider Waiving the Second Reading and Adopting 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 provided the staff report and responded to Council's questions.

There were no comments from the public.

**Motion and second, Onoda and Hillis, to waive the Second Reading and Adopt Ordinance 310 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), passed unanimously.**

#### **11. DISCUSSION ITEMS**

None.

#### **12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

There were no Council requests for future agenda items.

#### **13. COMMUNICATIONS**

- A. Letter from Mayor Sos to the Moraga Community Foundation Thanking them for the \$13,000 Donation to the Moraga Commons Park Picnic Area Renovation
- B. Letter from Mayor Sos to the Kiwanis Foundation Thanking them for the \$5,000 Donation to the Moraga Commons Park Picnic Area Renovation

#### **14. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS**

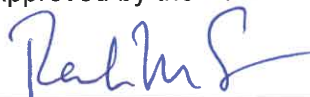
#### **15. ADJOURNMENT**

The meeting adjourned at 10:40 p.m.

Respectfully submitted by:

  
\_\_\_\_\_  
Yashin Abbas, Interim Town Clerk

Approved by the Town Council:

  
\_\_\_\_\_  
Renata M. Sos, Mayor

