



Town of Moraga
Fiscal Year 2021-22

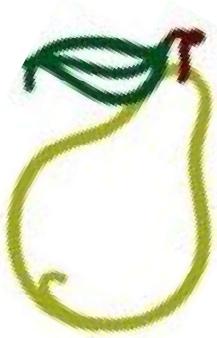


Master Fee Schedule

(Effective July 11, 2021)

moraga.ca.us



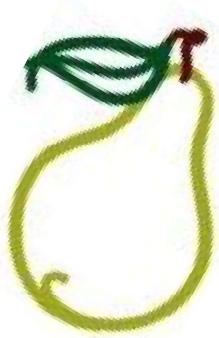


**TOWN OF
MORAGA**



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**TOWN OF
MORAGA**

TOWN OF MORAGA
GENERAL GOVERNMENT



Description	FY 2021-22 Fee	Unit
Consultant Services		Cost + 25%
Hourly Rates for Staff Services:		
Town Manager		
Town Clerk	\$261	Hour
Senior Administrative Assistant	\$139	Hour
Administrative Assistant	\$96	Hour
Intern	\$72	Hour
Planning Department:	\$52	Hour
Planning Director	\$204	Hour
Senior Planner	\$143	Hour
Associate Planner	\$119	Hour
Assistant Planner	\$103	Hour
Police Department:		
Police Lieutenant	\$174	Hour
Police Corporal	\$120	Hour
Police Officer	\$116	Hour
Public Works Department (2 Hour Minimum for Emergency Services):		
Public Works Director	\$214	Hour
Senior Civil Engineer	\$163	Hour
Associate (Civil) Engineer	\$136	Hour
Public Works/Parks Maintenance Manager	\$126	Hour
Assistant (Civil) Engineer	\$124	Hour
Maintenance Team Leader	\$101	Hour
Engineering Technician / Inspector	\$97	Hour
Senior Maintenance Worker	\$87	Hour
Maintenance Worker	\$75	Hour
Service fee for credit card transactions processed by the Town	4% of total credit card transaction amount	
Administrative Citation (MMC Chapter 1.28)		
Administrative Citation		
First Violation	\$100	
Second Violation of the same Ordinance within one year	\$200	
Each Additional Violation of the same Ordinance within one year	\$500	
Appeal of Hearing Officer's Decision - to Town Council	\$500	Application Fee
Late payment (of Administrative Citation)	10% of citation	
Checks		
Returned Check (NSF) Fee	\$25	Each
Stop Payment / Re-issue	\$25	Each
Documents		
Adopted Budget (printed copy)	\$25	Each
Certified True Copy	\$11	Each
Comprehensive Annual Financial Report / Basic Financial Statements (printed copy)	\$25	Each
Mailing of Documents	\$3	Each
Notary Services		
Notice of Intent to File an Initiative	\$10	Each
Appeal Application - Hearing Officer	\$200	Each
Nuisance Abatement (MMC Chapter 7.16)		
Appeal Application - Hearing Officer	\$250	Application Fee

**TOWN OF MORAGA
GENERAL GOVERNMENT**



Description	FY 2021-22 Fee	Unit
Appeal of Hearing Officer's Decision - to Town Council	\$500 plus Planning or other fees	Application Fee
Photocopies		
8-1/2 x 11" - Black and White	\$0.20	Page
8-1/2 x 11" - Color	\$0.50	Page
11 x 17" or 8-1/2 x 14" - Black and White	\$0.50	Page
11 x 17" or 8-1/2 x 14" - Color	\$1.00	Page
Plan-size sheets - Black and White	\$4.00	Sheet
Plan-size sheets - Color	\$4.50	Sheet
Public Meetings		
Town Council Agenda - U.S. Mail	\$100	Year

**TOWN OF MORAGA
PARKS & RECREATION**



Description	FY 2021-22 Fee	Unit		
All rentals require Certificate of Insurance listing the Town as additionally insured. Nonprofit organizations must show the tax ID number.				
General Event Fees				
Nonrefundable Application Fee -- April 1 to October 31	\$250	Event		
Damage Deposit	\$750	Deposit		
Date Change Fee	Change < 6 mo \$550 Change ≥ 6 mo \$300			
Additional Hours added to Hacienda and/or Pavilion events	\$220	Hour		
Cancellation Fee	More than 6 Months from Event: 25% of rental fee. 3 - 6 Months from Event: 50% of rental fee. Less than 3 Months from the Event: 100% of rental fee.			
Hacienda Event Fees: April 1 to October 31				
Resident: Friday/Saturday/Sunday	Fri \$1,400 Sat \$2,100 Sun \$1,500	Event		
Non-Resident: Friday/Saturday/Sunday	Fri \$1,800 Sat \$2,700 Sun \$2,000	Event		
Pavilion Event Fees: April 1 to October 31				
Resident: Friday/Saturday/Sunday	Fri \$1,300 Sat \$1,900 Sun \$1,400	Event		
Non-Resident: Friday/Saturday/Sunday	Fri \$1,600 Sat \$2,400 Sun \$1,800	Event		
Ceremony Fee (with rental of Pavilion only)	\$350	Event		
Hacienda and Pavilion Event Fees: April 1 to October 31				
Resident: Friday/Saturday/Sunday	Fri \$1,800 Sat \$2,900 Sun \$2,100	Event		
Non-Resident: Friday/Saturday/Sunday	Fri \$2,200 Sat \$3,700 Sun \$2,600	Event		
Town Employees	\$350/event (Nov 1 to February 28) Resident rate (April 1 to Oct 31)	Event		
Moraga Park Rentals				
Cancellation Fee	\$35	Event		
Refundable Damage Deposit	Equal to the rental fee			
Reserved Park Picnic Area:				
Reservations are required for groups of 10 or more. Deposit equal to the event fee is required at the time of payment. Groups greater than 400 for park picnic area rentals require a special fee on a case-by-case basis.				
Facility Maintenance impact fee (non-refundable)	\$150	groups over 100		
Nonprofit	\$110	Event		

TOWN OF MORAGA
PARKS & RECREATION



Description	FY 2021-22 Fee	Unit
Resident	\$135	Event
Non-Resident	\$220	Event
Commercial	\$265	Event
Grass Areas:		
Reservations are required for groups of 10 or more.		
Groups greater than 70 will be charged a non-refundable facility maintenance impact fee.		
Groups > 70 are also required to reserve accompanying Reserved Park Picnic Area (fees listed above) in addition to Grass Area.		
Facility Maintenance impact fee (non-refundable)	\$150	groups over 100
Nonprofit	\$30	Hour
Private	\$40	Hour
Commercial	\$50	Hour
Bocce Ball, Volleyball, Basketball, Skatepark, Disc Golf:		
Nonprofit	\$30	Hour
Private	\$40	Hour
Commercial	\$50	Hour
Bocce Ball Set Rental	\$30	Hour
Bocce Ball Set Rental Deposit	\$100	Set
Moraga Commons Bandshell		
Reservations are required for groups of 10 or more and for commercial uses.		
Refundable Use Deposit	\$350	Use
Amplification Surcharge	\$350	Use
Facility Attendant	\$40/hour (2-hour minimum)	
Facility Maintenance Impact Fee (non-refundable)	\$150	groups over 100
Hourly Rental Rates		
Nonprofit	\$40	Hour
Private	\$50	Hour
Commercial	\$70	Hour
Room Rentals		
All fees will be based on an hourly rate with a 2 hour minimum. Deposits are due at the time of booking.		
Fees for La Sala/Casita are applicable year round, Sunday through Saturday.		
All fees apply Monday-Sunday, November 1 - March 31 and Monday-Thursday, April 1 - October 31.		
Deposits:		
Rooms Rentals	\$100 (Mon-Thur); \$450 (Fri-Sun)	Deposit
Photography	\$100	Deposit
Kitchen	\$300	Deposit
Cancellation Fee	\$35	Room
Facility Attendant: Required for all rentals except 1) library rentals to non-profit/homeowners in good standing and 2) Hacienda rentals during regular business hours (Mon-Fri 8am -5pm)		
\$40/hour (2-hour minimum)		

**TOWN OF MORAGA
PARKS & RECREATION**



Description	FY 2021-22 Fee	Unit
Mosaic, Dance, Garden Conference, Fireside, Hacienda Patio, Library Community:		
Nonprofit	\$25	Hour
Private	\$40	Hour
Commercial	\$70	Hour
Hacienda Kitchen:		
Nonprofit	\$30	Hour
Private	\$30	Hour
Commercial	\$30	Hour
Hacienda - entire (excluding the kitchen):		
Nonprofit	\$80	Hour
Private	\$140	Hour
Commercial	\$180	Hour
La Sala/Casita:		
Nonprofit	\$35	Hour
Private	\$50	Hour
Commercial	\$85	Hour
Pavilion:		
Nonprofit	\$50	Hour
Private	\$105	Hour
Commercial	\$145	Hour
Town Council Chambers and Community Meeting Room:		
Government	\$40	Hour
Non-Profit	\$75	Hour
Private	\$110	Hour
Commercial	\$150	Hour
Refundable Use Deposit	\$1,000	Use
Photography Fee:		
Nonprofit	\$65	Hour
Private	\$80	Hour
Commercial	\$150	Hour
Electronic Community Information Sign/Temporary Banner Permit		
Nonprofit/Private/Commercial	\$100	Week
Bricks		
Brick:		
Nonprofit	\$140	Brick
Private	\$175	Brick
Commercial	\$200	Brick
VIP Section:		
Nonprofit	\$235	Brick
Private	\$350	Brick
Commercial	\$465	Brick
Booth Fee: 4th of July and Pear & Wine Festival		
Nonprofit	\$70	Event
Private/Commercial	\$110	Event
Moraga School District and Saint Mary's College		
Town and District and Town and College executed a Shared Facility Use Agreement, eliminating rental fees for specific facilities to both parties.		



Description	FY 2021-22 Fee	Unit
Moraga Park Foundation / Chamber of Commerce / Moraga Orinda Fire District	Varies. Facility fees waived for Board of Director meetings and community events hosted at the Hacienda, Moraga Commons Park, Community Meeting Rooms/Town Council Chambers, or the Electronic Community Information Sign. The organization will pay current hourly rate for the cost of a facility attendant.	
Recreation Class Fees		
Fees for classes/activities/programs shall be charged at the rates published three times per year in the department brochure that describes schedule of events, and will include the following:		
Administration Fee	\$4	Class
Processing fee for dropping a class/activity/program	\$11	Class

**TOWN OF MORAGA
PLANNING DEPARTMENT**



Description	FY 2021-22 Fee	Unit
CD (compact disc) Copy of Meetings or Electronic Documents (e.g., General/Specific Plan)	\$5	Each
GIS Services	Cost of Service*	
Staff Consulting Services	Cost of Service* - \$1,000 deposit	
Accessory Dwelling Unit (Formerly Secondary Living Unit)	Cost of Service* - \$1,800 deposit	
Address Change of Site / Property Located in Moraga	\$550	Flat Fee
Building Permit Surcharge	50% of County Permit Fee	
Building Permit Plan Check	\$215	Flat Fee
Building Permit Revision Plan Check	\$105	Flat Fee
Certificate of Compliance	Cost of Service* - \$2,500 deposit	
Condominium Conversion	Cost of Service* - \$5,000 deposit	
Design Review		
Design Review Board:		
Minor DRB Project (including but not limited to residential additions under 1,000 square feet, decks, accessory buildings and structures; minor commercial façade changes)	Cost of Service* - \$3,500 deposit	
Major Project (including but not limited to new residential or non-residential building construction, residential additions over 1,000 square feet, major modifications to non-residential buildings and sites)	Cost of Service* - \$5,000 deposit	
Administrative Design Review:		
Minor Exterior Modifications, No Change in Building Envelope, that does not otherwise require Design Review Board (DRB) approval	\$550	Flat Fee
Buildings and additions <250 sq ft and accessory structures <500 sq ft that do not otherwise require DRB or PC approval	\$1,100	Flat Fee
Buildings and additions >251 sq ft and accessory structures >501 sq ft that do not otherwise require DRB or PC approval or have special issues such as drainage easements	\$2,200	Flat Fee
Additions Requiring Engineering Review:		
Additional fee applicable to Design Review Board and Administrative Design Review projects	Cost of Service* - \$1,000 deposit per issue	
Appeals:		
Appeal by Applicant of Planning Commission, Design Review Board or Town Manager Decision (Note: Applicant must cover full cost to process appeal)	Cost of Service* - \$3,000 deposit	
Appeal by Private Party (other than Applicant) of Planning Commission, Design Review Board, or Town Manager Decision (Note: Appellant must cover full cost to process appeal)	Cost of Service* - \$1,000 deposit	
Appeal of Planning Director or Zoning Administrator Decision (Note: Applicant must cover full cost to process appeal)	Cost of Service* - \$500 deposit	
Appeal of Town Manager Decision regarding Tree Removal Permit	\$165	Flat Fee
Environmental		
Initial Study/Negative Declaration or Mitigated Negative Declaration	Cost of Service* - deposit equal to 50% of contract cost (staff, legal and other administrative costs to be billed against deposit)	
Environmental Impact Report	Cost of Service* - deposit equal to 50% of contract cost (staff, legal and other administrative costs to be billed against deposit)	
Notice of Exemption	\$275	Flat Fee
Fence Permit (Public Hearing not required)	\$330	Flat Fee

**TOWN OF MORAGA
PLANNING DEPARTMENT**



Description	FY 2021-22 Fee	Unit
Film Permit (for filming in public right-of-way or on Town Property)		
Excludes encroachment permit fee, Police Services, and Facility Rental Fees, if required	\$1,100	Day
General Plan Amendment	Cost of Service* - \$10,000 deposit	
GIS Mapping "New Lot" Fee	\$292	Per Lot
Grading Approval (Planning):		
Design Review Administrator: Grading projects on slopes less than 20% and less than 200 cubic yards	Cost of Service* - \$1,500 deposit	
Design Review Board (DRB): Grading on slopes greater than or equal to 20% or on predevelopment average slopes less than 25% and equal to or greater than 200 cubic yards	Cost of Service* - \$3,000 deposit	
Planning Commission/ Town Council: Projects including landslide repair or slope stabilization on predevelopment average slopes greater than or equal to 25%	Cost of Service* - \$9,600 deposit	
Historic Landmark Nomination Application	Cost of Service* - \$3,000 deposit	
Hillside Development Permit:		
Zoning or Design Review Administrator	\$1,650	Flat Fee
Design Review Board or Planning Commission	Cost of Service* - \$3,000 deposit	
Town Council	Cost of Service* - \$9,600 deposit	
Land Use Permit:		
Conditional Use Permit (Planning Commission)	Cost of Service* - \$3,500 deposit	
Permitted Use, Subject to Findings (Zoning Administrator Approval)	Cost of Service* - \$2,000 deposit	
Use Permit Amendment, including Modification to Conditions of Approval	Cost of Service* - \$2,000 deposit	
Landscape Maintenance Agreement	Cost of Service* - \$2,000 deposit	
Lot Line Adjustment	Cost of Service* - \$4,000 deposit	
Planned Development Application:		
Minor PD - less than 10 acres and 5 units:		
Conceptual Development Plan	Cost of Service* - \$12,000 deposit	
General Development Plan	Cost of Service* - \$12,000 deposit	
Precise Development Plan	Cost of Service* - \$12,000 deposit	
Major PD - 10+ acres or 5+ units:		
Conceptual Development Plan	Cost of Service* - \$17,000 deposit	
General Development Plan	Cost of Service* - \$17,000 deposit	
Precise Development Plan	Cost of Service* - \$17,000 deposit	
Pre-Application Meeting	Cost of Service* - deposit in full	
Reconsideration	Cost of Service* - \$2,000 deposit	
ReRoof Permit / Solar Permit	\$127	Flat Fee
Rezoning or Zoning Text Amendment	Cost of Service* - \$10,000 deposit	
Senate Bill (SB) 330 Preliminary Application	Cost of Service* - \$2,000 deposit	
Senate Bill (SB) 35 Streamlined Ministerial Development Review	Cost of Service* - \$5,000 deposit	
Short Term Events:		
Short Term Promotional / Special Event Permit	\$275	Flat Fee
Administrative Temporary Uses	Cost of Service* - \$1,800 deposit	
Conditional Temporary Uses	Cost of Service* - \$3,500 deposit	
Sign Applications		
Sign (Design Review Administrator or Zoning Administrator)	\$385	Flat Fee
Sign (Design Review Board or Town Council)	Cost of Service* - \$1,500 deposit	
Sign (with approved Master Sign Program)	\$215	Flat Fee

**TOWN OF MORAGA
PLANNING DEPARTMENT**



Description	FY 2021-22 Fee	Unit		
Temporary Sign Permit	\$165	Flat Fee		
Small Cell Wireless	Cost of Service* - \$3,000 Deposit			
Specific Plan Fee: Applies to developments in the Moraga Center Specific Plan. Fee is charged at time of building permit issuance. Fee is based on the number of peak hour and peak direction trips				
Residential:				
Saint Mary's Housing	\$695	Unit		
Workforce Housing (12-20/ac)	\$721	Unit		
Senior Housing (12-20/ac)	\$412	Unit		
Single Family (3-6 DUA)	\$1,185	Unit		
Compact Single Family (10-12/ac)	\$721	Unit		
Non-Residential	\$2,575	Peak hr. trip		
Study Session - New Construction				
With Planning Commission	Cost of Service* - \$3,000 deposit			
Study Session - Existing Single Family Residence				
With Design Review Board	Cost of Service* - \$1,500 deposit			
With Planning Commission	Cost of Service* - \$1,500 deposit			
Subdivision Improvement Agreement				
Subdivision Major (5+ Lots) / Tentative Map				
Subdivision Minor (3-4 Lots) / Parcel Map				
Extension of Previously approved Major or Minor Subdivision Map				
Tree Removal				
Tree Removal Permit	\$250	Per Tree		
Tree Removal Fine	\$1,000	Per Tree		
Variance (Planning Commission)	Cost of Service* - \$3,500 deposit			
Variance (Zoning Administrator)	Cost of Service* - \$2,000 deposit			
Verification of Conditions of Approval	\$125/condition (paving, landscaping, colors, etc)			
Waste Management Plan Fee	Included with \$195 from Building Permit Plan Check			
Waste Management Plan Penalty	\$1,000 or 1% of construction cost, whichever is less			
Zoning Administrator Action – No Hearing	Cost of Service* - \$2,000 deposit			
Zoning Conformance Letter - Request for Written Verification	\$550	Flat Fee		

*** Cost of Service Fees:** The cost for each application, except those which have a fixed fee as provided above, shall be the actual cost incurred by the Town based upon the time spent by staff, work performed by consultants and legal counsel for the Town, materials and other related incidental expenses such as printing, mailing and CEQA filing fees. The initial deposit specified for the application is based upon the average cost of previous applications; therefore, it may not be sufficient to cover the actual cost incurred in processing a particular project.

The initial deposit shall be the sum of the required deposits for all applications.

If, after work has commenced, it is determined by the Town that the costs will exceed the original deposit, then the applicant shall be billed for the excess amount and an additional deposit shall be made based on an estimate by the staff on the amount of work remaining to complete the processing of the project. If the cost is less than the deposit, the excess of the deposit over the cost shall be refunded to the applicant 60 days after the close of the project. No processing by the Town shall occur unless all deposits called for above have been made by the applicant.

Advanced Planning Fee: A 10% Advanced Planning Surcharge is incorporated into Planning's Hourly Rates for Staff Services and all Flat Fees to fund State required Housing Element and General Plan updates, as well as other advanced planning initiatives such as Zoning Ordinance updates, Specific Plans, Design Guidelines and other Town-wide advanced planning initiatives.

**TOWN OF MORAGA
PLANNING DEPARTMENT**



Description	FY 2021-22 Fee	Unit
Deposits for projects where the resources required exceed those available in the Planning Department: When it is determined by the Planning Director that resources or technical skills beyond the capability of the resident staff are required to evaluate an application, the staff shall secure an estimate for the cost for such services by outside consultants. Time for Planning Department staff to manage such contracts shall be billed at the hourly rates stated above.		
Refunds: If an application is withdrawn before the Town does substantial work on it, and before any required notice is published or posted, a minimum of \$50 time and materials will be charged from the deposit or fee and the remaining balance will be refunded to the applicant.		
Government Code Section 65104 authorizes the Town to charge fees to support the work of the Planning Department provided that the fees do not exceed the reasonable cost of providing the service for which the fee is charged.		

**TOWN OF MORAGA
POLICE DEPARTMENT**



Description	FY 2021-22 Fee	Unit	
Accident Reports	\$15	Each	
Background Check (Local)	\$26	Each	
Citation Sign-Off	No Charge		
Non-Resident	\$26	Each	
False Alarm Fee	\$50	Each	
Fingerprinting - Standard			
Resident	\$41	Set	
Non-Resident	\$51	Set	
Additional Card	\$5	Each	
Fingerprinting - Live Scan			
Resident	\$41 + DOJ Fees	Set	
Non-Resident	\$51 + DOJ Fees	Set	
Juvenile Diversion Program	\$125	Incident	
Loss Verification			
Resident	\$23	Each	
Non-Resident	\$33	Each	
Parking Violations (California Vehicle Code, Section 40203.5)			
Moraga Municipal Code			
10.08.020	No Parking/Restricted Zone	\$45	Violation
10.08.030(a)	Within Divisional Island	\$45	Violation
10.08.030(b)	Within Crosswalk	\$45	Violation
10.08.030(c)	Red Curb	\$45	Violation
10.08.030(d)	Posted No Parking	\$45	Violation
10.08.030(e)	Causes Hazard	\$45	Violation
10.08.030(f)	Area with 24 hour notice	\$45	Violation
All other municipal, county or park district ordinance violations		\$45	Violation
Vehicle Code			
5200 VC	No Front License Plate	\$45	Violation
5201 VC	Position of License Plate	\$45	Violation
5204 VC	Tabs Not Displayed	\$45	Violation
21113(a) VC	Parking on Public Grounds	\$45	Violation
21211(b) VC	Parked in Bicycle Lane	\$45	Violation
22500.1 VC	Fire Lane	\$45	Violation
22500(a) VC	Blocking Intersection	\$45	Violation
22500(b) VC	Blocking Crosswalk	\$45	Violation
22500(c) VC	Parking Adjacent to Safety Zone	\$45	Violation
22500(d) VC	Parking w/in 15' of fire station driveway	\$45	Violation
22500(e) VC	Blocking driveway	\$45	Violation
22500(f) VC	Blocking sidewalk	\$45	Violation
22500(g) VC	Blocking excavation	\$45	Violation
22500(h) VC	Double Parking	\$45	Violation
22500(i) VC	Parking in Posted Bus Zone	\$250	Violation
22500(j) VC	Parking in tube or tunnel	\$45	Violation
22500(k) VC	Parking on Bridge	\$45	Violation
22500(l) VC	Blocking Wheelchair Access	\$285	Violation
22502(a) VC	Curb Parking - right wheel >18" away	\$45	Violation
22507.8 VC	Handicapped Parking	\$285	Violation
22514 VC	Blocking Fire Hydrant	\$45	Violation

**TOWN OF MORAGA
POLICE DEPARTMENT**



Description	FY 2021-22 Fee	Unit
22522 VC Blocking Handicapped Ramp	\$285	Violation
All other Vehicle Code violations	\$45	Violation
Permits		
ABC Permit Process	\$20	Each
Peddler-Solicitor Permit		
Permit	\$50	Each
Fingerprinting - Live Scan	\$41 + DOJ Fees	Each
Oversize Vehicle Parking Permit	\$20	Each
Firearms Sale-Police Permit	\$100 + Livescan Fees	Each
Photos		
CD/Audio tape	\$5	Each
DVD/Video tape	\$15	Each
Police Reports	\$25	Each
Police Services - Billable/Reimbursable		
Police Vehicle	\$150	Flat Rate
Repossession Release (CA Government Code 41612)		
Vehicle ID Verification:		
At Police Dept	\$41	Each
At Residence	\$51	Each
Vehicle - Release of Impounded/Stored Vehicles		

DOJ: Department of Justice Fee Structure

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2021-22 Fee	Unit
Public Works Equipment Rentals:		
Standard Type 1 Barricade (with Flashing Beacon)	\$1.13/day; 2 day minimum	Each
Type 3 Barricade (for 2 lane road closure a minimum of 3 are required)	\$2.62/day; 2 day minimum	Each
28-inch Traffic Cone	\$0.68/day; 2 day minimum	Each
Rental Deposit	Rental Fee multiplied by 20 (used to purchase replacement equipment that is damaged during rental or returned to renter if no damage)	
Drop off & Pickup of Rental Equipment	Cost of Service* \$150 (minimum 2 hours @ \$75/hour)	
Setup of Traffic Control Equipment	Cost of Service* \$150 (minimum 2 hours @ \$75/hour)	
Rental Fees	Cost + 25% (An equivalent rental rate for Purchased Equipment based on life cycle costs will be charged)	Hour
General Engineering Permits Fees:		
Permit Administrative Fee - collected on all applications	\$248	Application
Work outside permit hours (<i>normal permit hours are 8 AM to 5 PM</i>). <i>This Overtime Rate (1.5 * regular rate) for after hours work and Overtime Rate (2 * regular rate) on Holidays. Staff called into work outside normal schedule receive minimum 30 minutes travel pay each way.</i>	Cost of Service* \$496 (minimum 4 hours @ \$124/hour)	Day
Investigation of Work Without a Permit or Without Inspection	An investigation fee shall be charged equal to two times the amount of all permit fees required by this ordinance, with a minimum of \$500. The fee is additive to the permit fees.	
Encroachment Applications:		
Concrete Permit Fee (sidewalk, driveway, curb & gutter, ditches, etc.)	Cost of Service* \$372 (minimum 3 hours @ \$124/hour)	
Excavation Permit Fee (Street Cut)	Cost of Service* \$496 (minimum 4 hours @ \$124/hour)	
Excavation Permit Fee (Street Cut) - Deposit Required for projects greater than 15 days.	Cost of Service* \$3,500 deposit	
Street Storage Permit Fee (<i>1 space is defined as 16 foot by 8 foot for type large sized container</i>)	\$62	Space per Day
Drainage Easement Permit Fee	Cost of Service* \$372 (minimum 3 hours for initial research @ \$124/hour) plus \$2,000 deposit	
Revocable Encroachment Agreement	\$1,500 + \$336/year	Application
Signalized Intersection Encroachment Bond	\$10,000 Bond	Application

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2021-22 Fee	Unit
Excavation Bond (Street Cut)	Deposit amount equal to the calculation of the excavation area multiplied by the unit price for pavement restoration and adjusted by the latest California Department of Transportation cost database plus 25% for administration as a warranty bond returned after 1 year if the trench does not develop any wearing surface or major defects	Bond
Transportation Applications:		
Traffic Control Review	Cost of Service* \$124/hour; minimum 1/2 hour	
Hauling Permit	Project proponent shall correct, or pay for, the "haul incurred" damage, as determined by the Town Engineer or Public Works staff, in accordance with Resolution 2-83.	Case-by-Case
Oversize Loads Permit (Annual)	\$90	Per Vehicle
Curb Painting Review	Cost of Service* \$248 (minimum 2 hours @ \$124/hour)	
Grading Applications:		
Erosion Control Plan Review & Inspection:		
Between April 15 and October 15	Fee: \$136/hour of potential erosion creating activities; plus Cash Bond: \$1,000	
Between October 16 and April 14:		
50 cubic yards or less	Fee: \$5,000; plus Cash Bond: \$2,500 ⁽¹⁾	
51 - 500 cubic yards	Fee: \$6,400; plus Cash Bond: \$2,500 ⁽¹⁾	
501 - 1000 cubic yards	Fee: \$8,475; plus Cash Bond: \$5,000 ⁽¹⁾	
1,001 - 10, 000 cubic yards	Fee: \$11,800; plus Cash Bond: \$10,000 ⁽¹⁾	
10,001 - 100,000 cubic yards	Fee: \$17,700; plus Cash Bond: \$20,000 ⁽¹⁾	
> 100,000 cubic yards	Fee: \$22,600; plus Cash Bond: \$40,000 ⁽¹⁾	
(1) or the amount of the erosion control measures as implemented, whichever is greater.		
Grading Plan Review Fees:		
50 cubic yards or less	Cost of Service*; \$2,000 deposit	
51 - 200 cubic yards	Cost of Service*; \$2,500 deposit	
201-1,000 cubic yards	Cost of Service*; \$3,000 deposit	
1,001 - 10,000 cubic yards	Cost of Service*; \$3,500 deposit	
10,001 - 100,000 cubic yards	Cost of Service*; \$7,500 deposit	
> 100,000 cubic yards	Cost of Service*; \$17,500 deposit	
Geotechnical Review		
Plan Revision After Approval		
	\$136	Sheet

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2021-22 Fee	Unit
Grading Inspection Fees:		
50 cubic yards or less	\$925	Flat Fee
51 - 1,000 cubic yards	\$1,000 + \$100/50 cubic yards	
1,001 - 10, 000 cubic yards	\$2,625 + \$100/100 cubic yards	
10,001 - 100,000 cubic yards	\$3,875 + \$100/150 cubic yards	
> 100,000 cubic yards	\$28,575 + \$100/250 cubic yards	
Grading Permit Surcharge	50% of County permit fee	
Geotechnical Inspection	Cost of Service* plus 25%	
Work Extends Beyond One Year	Cost of Service*; \$2,500 deposit	
Work Extends Beyond Two Years	Cost of Service*; \$5,000 deposit	
Annual Storm Water BMP Inspections and Reporting	Cost of Service* \$136/hour; minimum 1 hour	Installation
Land Development Applications:		
Site Improvements (Plan Review):		
Public Improvements (including public off-site improvements):		
<\$250,000	Cost of Service* Deposit: 2.5% or \$2,500 minimum	
\$250,001 - \$1,000,000	Cost of Service* Deposit: 2.25%	
>\$1,000,000	Cost of Service* Deposit: 2.5%	
Private Improvements		
Landscape Improvements (Public or Private)		
Plan Revisions After Approval		
	\$136	Hour
Site Improvements (Inspection):		
Public Improvements (including public off-site improvements):		
<\$50,000	Cost of Service* Deposit: 8.0% of construction cost	
\$50,001 - 150,000	Cost of Service* Deposit: 6.0% of construction cost	
\$150,001 - 300,000	Cost of Service* Deposit: 5.0% of construction cost	
\$300,001 - 500,000	Cost of Service* Deposit: 4.0% of construction cost	
>\$500,000	Cost of Service* Deposit: 3.0% of construction cost	
Private Improvements:		
<\$50,000	Cost of Service* Deposit: 5.0% of construction cost	
\$50,001 - 150,000	Cost of Service* Deposit: 4.0% of construction cost	
\$150,001 - 300,000	Cost of Service* Deposit: 3.0% of construction cost	
\$300,001 - 500,000	Cost of Service* Deposit: 2.0% of construction cost	

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2021-22 Fee	Unit
>\$500,000	Cost of Service* Deposit: 1.0% of construction cost	
Landscape Improvements (Public or Private)	Cost of Service* Deposit: 8.0% of construction cost	
GIS Conversion of Improvement Plan As-Builts and Final or Parcel Map	Cost of Service* \$136/hour; minimum 1 hour	
Performance Bond	99% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
Performance Cash Bond	1% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Cash Bond
Payment Security Bond	50% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
Warranty Bond	15% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
Map Checking:		
Final Map Review (5 or more parcels, or condominiums)	Cost of Service* Deposit: \$1,500 + \$50/lot or \$7,000 minimum	
Parcel Map Review (4 or fewer parcels)	Cost of Service*; \$3,000 deposit	
Lot Line Adjustment	Cost of Service* \$136/hour; minimum 4 hours	
County Land Surveyor Services	Cost of Service*	
Certificate of Correction	Cost of Service*; \$1,500 deposit	
Subdivision Monument Checking Fee	\$179	Each
Base Map Revision (Subdivisions)	\$90	Lot
Project Closeout:		
Warranty inspection and bond release for Subdivisions	\$544 plus \$136 per lot or unit, whichever is greater	
Warranty inspection and bond release for Single Lot	\$544	Flat Fee
Subdivision Improvement Agreement and Development Agreement	Cost of Service*	
Extension Processing	\$272 Fee per extension plus hourly staff time	
Other Services:		
Condition of Approval Compliance Review (no improvement plans)		
Drainage or Storm Water Control Plan Review (no improvement plans)	Cost of Service* \$136/hour; minimum 2 hours	
Street Vacation Request	Cost of Service*; \$3,000 deposit	
Letter of Map Revision / Amendment	Cost of Service*; \$1,500 deposit	
Easements/Dedication/Vacations (Utilities & Emergency Vehicles)	Cost of Service*; \$3,000 deposit	



Description	FY 2021-22 Fee	Unit
Planning Application Reviews (Administered through Planning Department):		
Planning Department fees vary depending upon the process required. See Planning Department fees section.		
Planning Applications with Deposit	Actual Staff Time	
Sign Ordinance Violations	\$40	Per Violation

*** Cost of Service:** The cost for each application, except those which have a fixed fee as provided above, shall be the actual cost incurred by the Town based upon the time spent by staff, work performed by consultants and legal counsel for the Town, materials and other related incidental expenses such as printing and mailing. The initial deposit for the application is determined by the Engineering Director based upon the complexity of the application; therefore, it may not be sufficient to cover the actual cost incurred in processing a particular project.

The initial deposit shall be the sum of the required deposits for all applications.

Insufficient Deposit Funds: If, after work has commenced, 50% of original deposit has been depleted, then the applicant will deposit additional funds based on a revised estimate by the staff on the amount of work remaining to complete the processing of the project. If the cost is less than the deposit, the excess of the deposit over the cost shall be refunded to the applicant 60 days after the close of the project. No processing or inspection work by the Town shall occur unless all deposits called for above have been made by the applicant.

Deposits for projects where the resources required exceed those available in the Public Works/Engineering Department: When it is determined by the Public Works Director that resources or technical skills beyond the capability of the resident staff are required to evaluate an application, the staff shall secure an estimate for the cost for such services by outside consultants. The deposit shall then be the cost of such services plus 25% for management costs.

Refunds: If an application is withdrawn before the Town does substantial work on it, and before any required notice is published or posted, a minimum of \$50 time and materials will be charged from the deposit or fee and the remaining balance will be refunded to the applicant.



**TOWN OF
MORAGA**

DEVELOPMENT FEES
For Reference Purposes Only



Description	FY 2021-22 Fee	Unit
Development Impact Fees - Originally Effective July 11, 2016 (per Municipal Code 17.04.030 & Resolution 42-2016)		
Residential Development		
Single Family Detached		
General Government Impact Fee	\$7,710	Dwelling Unit
Public Safety Impact Fee	\$851	Dwelling Unit
Park Development Impact Fee	\$9,581	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$18,142	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Single Family Attached/Townhouse b		
General Government Impact Fee	\$7,710	Dwelling Unit
Public Safety Impact Fee	\$851	Dwelling Unit
Park Development Impact Fee	\$9,581	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$18,142	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Multi-Family/Mixed Use c		
General Government Impact Fee	\$4,989	Dwelling Unit
Public Safety Impact Fee	\$550	Dwelling Unit
Park Development Impact Fee	\$6,200	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$11,739	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Senior Housing		
General Government Impact Fee	\$3,855	Dwelling Unit
Public Safety Impact Fee	\$425	Dwelling Unit
Park Development Impact Fee	\$4,791	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$9,071	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Miscellaneous (Residential) a		
General Government Impact Fee	\$2,268	Resident
Public Safety Impact Fee	\$250	Resident
Park Development Impact Fee	\$2,818	Resident
Total Development Impact Fee (w/o Storm Drain Fee)	\$5,336	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Non-Residential Development		
Retail/Entertainment		
General Government Impact Fee	\$1,191	per 1,000 SF
Public Safety Impact Fee	\$278	per 1,000 SF
Total Development Impact Fee (w/o Storm Drain Fee)	\$1,469	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Office		
General Government Impact Fee	\$1,785	per 1,000 SF
Public Safety Impact Fee	\$416	per 1,000 SF
Total Development Impact Fee (w/o Storm Drain Fee)	\$2,201	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
B&B/Hotel		
General Government Impact Fee	\$99	per 1,000 SF

DEVELOPMENT FEES
For Reference Purposes Only



Description	FY 2021-22 Fee	Unit
Public Safety Impact Fee	\$23	per 1,000 SF
Total Development Impact Fee (w/o Storm Drain Fee)	\$122	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface
Miscellaneous (Non-Residential) a		
General Government Impact Fee	\$535	Person
Public Safety Impact Fee	\$125	Person
Total Development Impact Fee (w/o Storm Drain Fee)	\$660	
Storm Drain Impact Fee	\$419	per 1,000 SF of Impervious Surface

Note: Storm Drainage Fee for the Miscellaneous (Residential) and Miscellaneous (Non-Residential) categories is determined based on the impervious surface increased by new development. Calculated fees for other categories presented in this table are the fee per unit or per sq. ft. of new development.

a The Miscellaneous (Residential and Non-Residential) categories are designed to represent a broad variety of potential land uses and will provide flexibility in how fees may be calculated for new development that does not fall within one of the typical land use categories. Miscellaneous (Residential) category includes group quarters, such as assisted living and congregate care, and on-campus student housing. Miscellaneous (Non-Residential) includes light industrial and institutional uses such as medical, educational, religious and other community not-for-profit uses. The fees for the miscellaneous categories would be calculated based on the actual projected increase in resident population, non-resident population, or impervious surface, multiplied by the stated fee shown in the table. For miscellaneous residential land uses, the number of residents will be based on the number of dwelling units, rooms or beds, as appropriate. For miscellaneous non-residential land uses, the number of persons will be based on project gross square footage, divided by employees per square foot (or other metric as appropriate) for similar uses, based on industry standards and/or comparable studies. The number of residents or persons, as applicable, shall be estimated by the applicant and verified by the Planning Director. Net increase in impervious surface shall be based on calculations provided by the applicant's licensed civil engineer, based on project plans, and verified by the Planning Director.

b In the Town's existing development impact fee program, the "Single Family Attached/Townhouse" land use is not specified, and the "Duplex" land use is combined with "Multi-Family" use. Going forward, the "Duplex" land uses are included within this new land use category.

c As further described in Chapter II, Section A3, the Town proposes to adopt a maximum size standard for "Multi-Family/Mixed Use." Multi-family housing is defined to include housing developments where 1,500 square feet is the maximum size for any housing unit within a multi-family development and the maximum weighted average bedroom size for all units within the development is 2.0 bedrooms or fewer. (This two-bedroom unit standard is used because a three-person household can occupy this size unit according to the State of California.) Any multi-family projects that exceed these maximums would be defined as part of the Single Family Attached/Townhouse category, as they would have the potential to have much larger household sizes. As Senior Housing units typically restrict occupancy to senior individuals and limit household size, they are considered multi-family housing omitted from this limitation. Secondary units will be considered multi-family units unless they exceed 1,500 square feet in size or have more than two bedrooms.

Fees In-Lieu of Parkland Development (per Municipal Code 8.140)

Single Family Detached	\$13,933	Dwelling Unit
Single Family Attached/Townhouse a	\$13,933	Dwelling Unit
Multi-Family/Mixed Use b	\$9,016	Dwelling Unit
Senior Housing	\$6,967	Dwelling Unit
Miscellaneous (Residential)	\$4,098	Resident

a Duplex land uses and other attached residential uses not otherwise classified as Single Family Detached, or Multi Family per Footnote b, below, are included within the "Single Family Attached" land use category.

b Multi-family housing is defined to include housing developments where 1,500 square feet is the maximum size for any housing unit within a multi-family development and the maximum weighted average bedroom size for all units within the development is 2.0 bedrooms or fewer. (This two-bedroom unit standard is used because a three-person household can occupy this size unit according to the State of California.) Any multi-family projects that exceed these maximums would be defined as part of the Single Family Attached/Townhouse category, as they would have the potential to have much larger household sizes. As Senior Housing units typically restrict occupancy to senior individuals and limit household size, they are considered multi-family housing omitted from this limitation. Per MMC Section 8.140.060 only a principal residential structure should be charged this fee and not an ADU.

DEVELOPMENT FEES
For Reference Purposes Only



Description	FY 2021-22 Fee	Unit
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Lamorinda Fee and Finance Authority (LFFA) - subject to change annually on January 1 (Resolution 10-2016)

Development projects within the Town of Moraga are also subject to the following development fees of the Lamorinda Fee and Finance Authority. Calendar year 2021 Fees are as per Resolution 76-18, City of Orinda

Single-Family	\$8,472.08	Dwelling Unit
Multi-Family 1	\$5,930.10	Dwelling Unit
Multi-Family (TOD) 2	\$3,143.36	Dwelling Unit
Commercial	\$9.06	per Square Foot
Other	\$932.42	Daily Trip

1 Multi-family also includes new second units constructed on parcels with existing single-family homes

2 TOD - Transit Oriented Development

Note: The local share for the Town of Moraga is 50% of the rate. Additionally, the Town of Moraga receives a regional share of the pool at a rate of 16.5%.



**TOWN OF
MORAGA**

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the matter of:

Adopting the Town of Moraga's)
Updated Fiscal Year 2021/22 Master)
Fee Schedule, Effective July 11, 2021)

Resolution No. 20 - 2021

WHEREAS, Government Code Sections 65104, 65909.5, and 66014 allow the Town to establish fees to offset the Town's costs in processing permits, licenses, subdivision maps and entitlements, and other services; and

WHEREAS, the Town of Moraga provides certain services to its residents and those doing business in the Town; and

WHEREAS, the cost of such services and documents are appropriately charged to the recipient of those services; and

WHEREAS, the amount of such charges must be adjusted from time to time to reflect the true costs of such documents and services; and

WHEREAS, the Town staff has researched and analyzed the costs for services provided and determined the appropriateness of the charges relative to the costs for the services; and

WHEREAS, the fees do not exceed the reasonable cost of providing the services; and

WHEREAS, the Town Council has provided an opportunity for public comment and input at a regularly scheduled public meeting as required by Government Code Section 66016; and

WHEREAS, Attachment C of the staff report to this Resolution outlines the respective fees for services in a format that presents the current and proposed fees; and

WHEREAS, for ease of reference, Attachment D of the staff report to this Resolution also includes development impact fees that were previously adopted and that automatically increase annually on July 1 in accordance with the Moraga Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Moraga:

1. Hereby finds with respect to the fees listed in Attachment B of the staff report to this Resolution, except for the development impact fees, that there is a reasonable relationship between the amount of the fee and the estimated reasonable cost of providing the type of service for which the fee is imposed; the allocation of the cost to each fee payor bears a fair and reasonable relationship to the fee payor's burdens on, and the benefits received from, the Town; and the fees do not exceed the reasonable cost of providing the service for which the fee is charged; and hereby adopts and authorizes such fees as listed in Attachment B; and

2. Hereby incorporates the previously adopted development impact fees, with the previously approved automatic escalator, in the Master Fee Schedule for ease of reference and without modifying or amending such fees or the underlying fee approvals in any manner; and

BE IT FURTHER RESOLVED that the updated Master Fee Schedule will become effective July 11, 2021, 60 days after the adoption of this resolution.

PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on May 12, 2021 by the following vote:

AYES: Mayor McCluer, Vice Mayor Woehleke, Councilmembers Onoda, Sos and Stromberg
NOES: None
ABSTAIN: None
ABSENT: None



Mike McCluer, Mayor

Attest:



Marty C. McInturf, Town Clerk

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Adopting the 2015 Lamorinda)
Development Mitigation Fee Program)
Nexus Study and Impact Fees, and)
Approving the First Amendment to the)
Joint Exercise of Powers Agreement by)
and Among the City of Lafayette, the City)
of Orinda, and the Town of Moraga)
Relating to the Lamorinda Fee and)
Financing Authority)

Resolution No. 10 - 2016

WHEREAS, on June 8, 1998, the City of Lafayette, City of Orinda, and Town of Moraga, each referred to as a "City," and collectively as the "Cities," entered into the Joint Exercise of Powers Agreement by and among the City of Lafayette, the City of Orinda, and the Town of Moraga Relating to the Lamorinda Fee and Financing Authority (LFFA) (the "Original JPA"); and

WHEREAS, the purpose of the Original JPA is to establish a development fee program within Lamorinda, in accordance with the requirements of the voter-approved Measure C (and the subsequent Measure J) sales tax program, which require each County sub-region, including Lamorinda, to "establish a development mitigation program to ensure that new growth is paying its share of the costs associated with such growth," and to coordinate planning and implementation of the Program within a single public agency; and

WHEREAS, the Original JPA included a program to implement the Development Mitigation Fee Program, as well as an Expenditure Plan; and

WHEREAS, the Cities are currently in the process of updating the fee program and Expenditure Plan and desire to amend the Original JPA to include provisions regarding the updated fee and expenditure plan; and

WHEREAS, DKS Associates, on behalf of the LFFA has prepared the Nexus Study for the Lamorinda Development Mitigation Fee Program ("2015 Nexus Study"), included as Attachment B of the February 10, 2016 Town Council Staff Report and incorporated herein by reference, that provides an evaluation of the need for the Lamorinda Development Impact Fee and establishes the nexus between the imposition of such impact fees and the estimated reasonable cost of providing the improvements for which the fees are charged; and

WHEREAS, Government Code section 66001 requires that, in any action establishing a fee as a condition of approval of a development project, a local agency shall:

- (1) Identify the purpose of the fee.
- (2) Identify the use to which the fee is to be put.
- (3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
- (4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
- (5) Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed; and

WHEREAS, on January 20, 2016 the Lamorinda Fee and Finance Authority unanimously recommended adoption of the 2015 Nexus Study and the First Amendment to the Joint Exercise of Powers Agreement by the Cities; and

WHEREAS, in accordance with Government Code Section 66016, the AB 1600 Studies were made available for public review and comment 10 days prior to this meeting;

WHEREAS, the AB 1600 Studies substantiate the need for the proposed impact fees;

WHEREAS, the Town Council wishes to adopt these proposed impact fees in accordance with the calculations and recommendations contained in the AB 1600 Studies and accompanying reports;

WHEREAS, in compliance with the Mitigation Fee Act (Government Code section 66000 et seq.), the Town Council held a noticed public meeting on the proposed establishment of the impact fees on February 10, 2016 to solicit public input on the proposed impact fees;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Moraga hereby takes the following actions:

Section 1. Adoption of 2015 Nexus Study and Fees

A. Findings.

1. The Town Council finds and determines that the 2015 Nexus Study complies with California Government Code section 66001, and as to each of the proposed impact fees to be imposed on new development:

- (a) Identifies the purpose of the fee;

- (b) Identifies the use to which the fee will be put;
- (c) Shows a reasonable relationship between the use of the fee and the type of development projects on which the fee is imposed;
- (d) Demonstrates a reasonable relationship between the need for the public facilities and the type of development projects on which the fee is imposed; and
- (e) Demonstrates a reasonable relationship between the amount of the fee and the cost of the public facilities or portion of the public facilities attributable to the development on which the fee is imposed.

2. The Town Council further finds that:

- (a) the fees imposed by this resolution are to fund the highway and arterial improvements, transit projects, and pedestrian and bicycle improvements of regional and subregional significance as set forth Attachment 2-A of the First Amendment to the Joint Exercise of Powers Agreement;
- (b) The Town Council has considered the specific public facilities and cost estimates identified in the 2015 Nexus Study, and hereby approves such public facilities and cost estimates and further finds that the cost estimates serve as a reasonable basis for calculating and imposing the development impact fees for such public facilities;
- (c) there is a reasonable relationship between the proposed uses for the fees imposed by this resolution and the types of development upon which the fees are imposed in that the developments will generate additional traffic on thoroughfares in the Lamorinda area, thus creating a need to expand, extend or improve existing thoroughfares and other transportation facilities or construct new ones to mitigate adverse traffic and infrastructure impacts otherwise resulting from those developments;
- (d) the fees will be used to pay for the administration, planning, environmental documentation, design, right of way acquisition and construction of the improvements described in the First Amendment to the Joint Exercise of Powers Agreement, and the fees will be used solely for eligible improvements approved by the parties to the Joint Exercise of Power Agreement; and
- (e) the nexus findings, in conformity with Government Code section 66000, et seq., contained in the 2015 Nexus Study, dated December 2015, prepared for LFFA by DKS Associates, Inc., which

is on file with the Town Clerk, are incorporated in this resolution by reference.

3. The Town Council further finds that the public facilities and fee methodology identified in the 2015 Nexus Study are consistent with the Town's General Plan and, in particular, those policies that require new development to mitigate its share of the impacts to Town infrastructure and to be fiscally neutral.

4. The Town Council further finds that adoption of the 2015 Nexus Study and the establishment and/or increase in development impact fees are not subject to the California Environmental Quality Act in that they are not a "project." Pursuant to CEQA Guidelines section 15378(b)(4), the creation of government funding mechanisms which do not involve any commitment to any specific project which may cause a significant effect on the environment, is not defined as a "project" under CEQA.

B. Fees for Uses Consistent with 2015 Nexus Study

The Town Council hereby determines and requires that the fees imposed pursuant to this Resolution shall be used solely to finance the public facilities described or identified in the 2015 Nexus Study and as allowed under the Mitigation Fee Act (Government Code section 66000 et seq.) including, but not limited to, reimbursing the Town for the costs associated with the implementation and administration of the Lamorinda Development Mitigation Fee Program.

C. Adoption of 2015 Nexus Study.

The 2015 Nexus Study is hereby adopted.

D. Amount of Fee.

The Town Council hereby approves and adopts the development impact fees as set forth in Exhibit A to this Resolution, attached hereto and incorporated herein by reference. The development impact fees set forth in Exhibit A are consistent with the 2015 Nexus Study, and shall be modified in accordance with the Joint Exercise of Powers Agreement by and Among the City of Lafayette, the City of Orinda, and the Town of Moraga Relating to the Lamorinda Fee and Financing Authority (JPA) and such amendments to the JPA that are adopted. Such fee modifications include, but are not limited to, the automatic annual increase of the fee by the amount of the increase in the ENR Construction Cost Index for the San Francisco Bay area for the period ending September 30 of if the preceding fiscal year over the year-earlier amount.

Section 2. Approval of the First Amendment to the Joint Exercise of Powers Agreement

The Town Council hereby approves the First Amendment to the Joint Exercise of Powers Agreement by and Among the City of Lafayette, the City of Orinda, and the Town of Moraga Relating to the Lamorinda Fee and Financing Authority (the "First

Amendment") as set forth in Exhibit B to this Resolution, subject to minor clarifications or modifications that may be approved by the Interim Town Manager and Town Attorney, and authorizes the Mayor to execute the First Amendment on behalf of the Town of Moraga.

Section 3. Severability.

If any action, subsection, sentence, clause or phrase of this Resolution, or any attachments hereto, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution or other fees levied by this Resolution that can be given effect without the invalid provisions or application of fees.

Section 4. Effective Date.

Pursuant to the Original JPA, the fees shall not be effective unless and until all three parties to the Original JPA adopt the fee. Pursuant to Government Code section 66017(a), the fees identified in Exhibit A shall take effect 60 days following the adoption of the fee and execution of the First Amendment by the Town of Moraga, City of Lafayette, and City of Orinda, with the 60 day period commencing with the date of adoption by whichever city is the last to adopt the fee.

PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on February 10, 2016 by the following vote:

AYES: Mayor Metcalf, Councilmembers Arth, Onoda and Wykle
NOES: None
ABSTAIN: None
ABSENT: Vice Mayor Trotter



Michael Metcalf, Mayor

Attest:



Marty C. McInturf, Town Clerk

Exhibit A

Lamorinda Development Mitigation Fee Program

Fee Schedule

Land Use	Units	Fee Rates
Single-Family	Dwelling Units	\$7,269
Multi-Family ¹		\$5,088
Multi-Family (TOD) ²		\$2,697
Commercial	1,000 Sq Ft	\$7.78
Other	Daily Trips	\$800

¹ Multi-family also includes new second units constructed on parcels with existing single-family homes

² TOD – Transit Oriented Development

Distribution of Fee Revenue

Jurisdiction	Local Share (Setaside)	Share of Regional Pool
Lafayette	50.0%	55.0%
Moraga	50.0%	16.5%
Orinda	50.0%	28.5%
		100.0%