



**TOWN OF MORAGA
REGULAR MEETING AGENDA**

**TOWN COUNCIL
WEDNESDAY, AUGUST 24, 2022**

6:30 p.m.

TELECONFERENCED MEETING LOCATION ONLY

*** COVID-19 NOTICE ***

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 54953 (AS AMENDED BY AB 361) WHICH AUTHORIZES TELECONFERENCED MEETINGS UNDER THE BROWN ACT DURING CERTAIN PROCLAIMED STATES OF EMERGENCY. THE GOVERNOR OF CALIFORNIA PROCLAIMED A STATE OF EMERGENCY RELATED TO COVID-19 ON MARCH 4, 2020. THIS TELECONFERENCED MEETING IS NECESSARY SO THAT THE CITY CAN CONDUCT ESSENTIAL BUSINESS AND IS PERMITTED UNDER GOVERNMENT CODE 54953 IN ORDER TO PROTECT PUBLIC HEALTH AND SAFETY OF ATTENDEES.

Consistent with Government Code Section 54953, this meeting will be held via teleconference only, and will not be physically open to the public. Town Councilmembers and staff will teleconference into the meeting by audio and/or video. The meeting will be conducted via Zoom Webinar.

Observe the Meeting: To maximize public safety while maintaining transparency and public access, members of the public may observe the meeting by watching or listening to the meeting through: <https://livestream.com/moraga>.

Participate in the Meeting by Providing Public Comment:

- **During the Meeting:** Members of the public may participate by providing public comment during the meeting by joining the Zoom webinar at: <https://us02web.zoom.us/j/89382674102> or telephone: Dial US: +1 669 900 6833 and enter Webinar ID: 893 8267 4102. Live verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the “raise hand” feature (for those joining by phone, press *9 to “raise hand”) during the public comment period for the agenda item you wish to address. The Mayor will call on people to speak by name provided or last 4 digits of phone number for dial-in attendees.
- **Before the Meeting:** Members of the public may also provide public comment by sending comments to the Clerk via email at townclerk@moraga.ca.us. Comments received before 4:30 p.m. on the day of the meeting will be provided in their entirety to the Council prior to the meeting and will be a part of the record but will not be read verbally at the meeting. It is recommended that you also add all Councilmembers to your email to the Clerk. Go to the Town Council webpage and click [Email the entire Town Council](#).
- **For more information, visit moraga.ca.us/Public-Participation on the Town’s website.** Any member of the public who needs accommodations should email the Town Clerk at townclerk@moraga.ca.us or call 925-888-7022 who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the Town’s procedure for resolving reasonable accommodation requests.

Note: The format of this meeting may be altered or the meeting may be cancelled if needed. You may check on the status of the meeting by visiting the Town's website at www.moraga.ca.us for any updates.

1. CALL TO ORDER

ROLL CALL:

Mayor Woehleke and Vice Mayor Sos
Councilmembers: Makker, McCluer and Onoda

2. PLEDGE OF ALLEGIANCE

3. SPECIAL ANNOUNCEMENTS

4. PROCLAMATIONS AND PRESENTATIONS

A. [Proclamation Declaring August 31, 2022 as International Overdose Awareness Day](#)

5. PUBLIC COMMENTS AND SUGGESTIONS – Time reserved for those in the audience who wish to address the Town Council on items which are not on the agenda. The audience should be aware that the Council cannot discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on a future agenda. Note: Public input will also be taken during each agenda item. Public Comment may be made on the Consent Agenda.

6. ADOPTION OF CONSENT AGENDA

- A.** Acceptance of Consent Items
- B.** Consideration of Consent Items Removed for Discussion

7. ADOPTION OF MEETING AGENDA

8. REPORTS

- A.** Town Manager Update
- B.** Mayor's and Councilmembers' Reports

Mayor Woehleke
Vice Mayor Sos
Councilmember Makker
Councilmember McCluer
Councilmember Onoda

9. PUBLIC HEARINGS

10. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

A. [Inclusionary Housing](#)

Discuss Inclusionary Zoning Options and Provide Direction to Staff

[PowerPoint Presentation](#)

[Correspondence Received After the Agenda was Published](#)

B. [League of California Cities Voting Delegate](#)

Provide Direction to Voting Delegate and Alternate Regarding Amendment to Cal Cities Bylaws at the League of California Cities Annual Meeting in Long Beach, CA on September 9, 2022 for the Purpose of Voting

11. DISCUSSION ITEMS

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

13. COMMUNICATIONS

A. [Letter of Support for SB 884 \(McGuire\) Expedited Underground Program](#)

14. ADJOURNMENT

Notices of Town Council Meetings are posted at 2100 Donald Drive, The Moraga Commons, 329 Rheem Blvd and the Moraga Library. Copies of the Agenda packets can be viewed prior to the meeting at the Town Offices, 329 Rheem Blvd, Second Floor. NOTICE: If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the public hearing. Judging review of any Town administrative decision may be had only if petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environment determination may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision. The Town of Moraga will provide special assistance for disabled citizens upon at least 72 hours advance notice to the Town Manager's office (925-888-7022). If you need sign assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

**CONSENT AGENDA
WEDNESDAY, AUGUST 24, 2022**

	<u>ITEMS</u>	<u>TOWN MANAGER'S RECOMMENDATION</u>
6.1	Receive <u>Accounts Payable</u> Claims for: 7/1/22 (\$335,246.46); 7/15/22 (\$272,143.14); 7/15/22 (\$1,268,516.35); 7/29/22 (\$391,273.79); 8/12/22 (\$440,148.52)	Approve
6.2	Approve <u>Minutes</u> for the Special Joint Council and Planning Commission Meeting on May 4, 2022	Approve
6.3	Approve <u>Minutes</u> for the Special and Regular Council Meetings on May 11, 2022	Approve
6.4	Approve <u>Minutes</u> for the Special and Regular Council Meetings on May 25, 2022	Approve
6.5	<u>Continuing the Local Emergency</u> Consider Resolution ____ - 2022 Renewing and Continuing the Local Emergency Relating to COVID-19 as Proclaimed by the Director of Emergency Services on March 17, 2020 and Ratified by Town Council on March 23, 2020	Approve
6.6	<u>Continued Use of Teleconferenced Meetings</u> Consider Resolution ____ - 2022 Approving the Continued Use of Teleconferencing for the Meetings of Town Council and all Committees and Commissions Pursuant to the Provisions of Assembly Bill 361	Approve
6.7	<u>Conflict of Interest Amendment</u> Consider Resolution ____ - 2022 Amending the Town of Moraga's Conflict of Interest Code and Rescinding Resolution 1-2013	Approve
6.8	<u>Legal Services Agreement with Sher Edling</u> Consider Resolution ____ - 2022 Approving Legal Services Agreement with Sher Edling LLP to Represent the Town of Moraga on a Contingency Fee Basis in Litigation Relating to Polychlorinated Biphenyls (PCB) Contamination; and Authorizing the Town Manager to Execute the Agreement	Approve
6.9	<u>Hacienda ADA Pathway Improvements</u> Consider Resolution ____ - 2022 Accepting Improvements for the Hacienda Americans with Disabilities Act (ADA) Pathway Expansion Project (CIP 19-104) as Completed by Top Line Engineers, Inc. (Hayward, CA) and Authorizing the Town Engineer to Record the Resolution with the Contra Costa County Recorder's Office (<i>CEQA Status: Categorically Exempt</i>)	Approve

- 6.10 **2022 Pavement Project Construction Contract** **Approve**
 Consider Resolution _____ - 2022 Awarding a Construction Contract to DeSilva Gates (Dublin, CA) for the 2022 Pavement Rehabilitation Project (CIP 22-401) in the Amount of \$3,813,318 and Authorizing the Town Manager to Execute the Construction Contract and Authorizing the Town Engineer to Issue Contract Change Orders for up to \$572,000 (15% of the Contract Amount) for a Total Amount Not to Exceed \$4,385,318 (*Status: CEQA Exempt*)
- 6.11 **Support Letter for CCCTA Smart Traffic Signals Project** **Approve**
 Consider Authorizing the Mayor to Issue a Letter of Support with any Needed Minor Modifications to the Contra Costa Transportation Authority Submission of One Bay Area Grant 3 (OBAG 3) Grant Application for their Contra Costa Countywide Smart Signals Project (Status: CEQA Exempt)
- 6.12 **Police Vehicle Purchase** **Approve**
 Consider Resolution ____ - 2022 Authorizing the Town Manager to Purchase a Police Vehicle for \$44,517.75 Pursuant to the Town of Moraga Purchasing Policy

Consent agendas consist of items of a non-controversial and routine nature submitted by the Town Manager. The Town Manager shall propose specific action on each consent agenda item and such recommendation will become the action of the Council upon adoption of the consent agenda. Any member of the Town Council may direct that a consent agenda item be placed on the regular agenda for consideration and discussion by the Council. Consent agenda items are adopted in total and under one (1) motion by the Council and are not subject to individual debate and discussion. Anyone wishing to discuss items on this agenda should inform the Town Council during their review of the consent agenda.