



# Moraga

## Public Meetings

### Town Council

Wednesday, Dec. 9, 7 p.m.  
Joaquin Moraga Intermediate School,  
1010 Camino Pablo

### Planning Commission

Monday, Dec. 7, 7 p.m.  
Moraga Library, 1500 St. Mary's Rd.

### Design Review

Monday, Dec. 14, 7 p.m.  
Moraga Library, 1500 St. Mary's Rd.

### School Board Meeting Moraga School District

Tuesday, Dec. 8, 7 p.m.  
Joaquin Moraga Intermediate  
School Auditorium  
1010 Camino Pablo, Moraga  
www.moraga.k12.ca.us  
See also AUHSD meeting page A2

Check online for agendas, meeting notes and announcements

### Town of Moraga:

www.moraga.ca.us  
Phone: (925) 888-7022

### Chamber of Commerce:

www.moragachamber.org

### Moraga Citizens' Network:

www.moragacitizensnetwork.org



## Moraga Police Department

**Identity theft 11/19/15** A Cedarwood Drive resident stated an unknown subject attempted to use his personal information at an unknown payday loan business. The transaction was flagged as fraudulent and was declined. Good thing.

**DUI 11/22/15** Car versus a telephone pole, and the pole won. Cops came upon the scene on Sullivan Drive to find the driver out of the car and yelling, perhaps the discussion partner was the pole? After an evaluation, the driver was placed under arrest for driving under the influence.

### Alert, direct from the Moraga Police Department:

Moraga residents are currently being targeted by scammers claiming to be from the IRS or Department of Treasury. These people are crooks who are attempting to defraud you and other residents. Do not send money to them.

The call will usually begin with the scammer falsely identifying themselves as a federal officer and may provide a badge or serial number. They will tell you about a tax debt that you have and the necessity to get it cleared up immediately. During these calls, the scammer may know your name, address or personal information, which are all easily obtained through different avenues. The scammer may threaten to arrest you, deport you or have a license revoked if you fail to pay. They may alter their caller ID to make it appear the call is coming from the IRS. They may also send you an email that appears very official.

These scammers are attempting to use fear and will attempt to bully you into paying money to them through Western Union, MoneyGram or GreenDot cards. The IRS does not use these payment services. They only use payment services that are directly connected to and contracted with the IRS. Additionally, the IRS communicates via official correspondence, not through unsolicited telephone calls.

If you receive one of these scam calls, simply hang up. You should report the call to the IRS or the Fed-

# Yes to Chickens and Bees, No to Turkeys

## Moraga adopts small farm animal ordinance

By Sophie Braccini

Tarnished by the reputation of their wild counterparts to be more of a nuisance than friendly pets, farmed turkeys were not elevated to the status of small farm animals, as were Moraga chickens, rabbits, doves and honey bees by the town council at its Nov. 18 meeting. Turkeys will linger in the livestock category of Moraga's municipal code.

Vice Mayor Mike Metcalf, who challenged the need for allowing chickens and other fowl in Moraga, stated, "There may be a lot of young people in town, but there's an awful lot of older folks too, and I am one of them that tend to be pretty conservative. There are people I know that absolutely think that this is the stupidest idea around, and they have a right to feel that way, they have the right to peace and enjoyment of their property." Metcalf spoke in agreement with resident Dale Walwark who stated that the process for getting a small farm ordinance approved was skewed by proponents of the idea.

At issue was the question of smell, which was discussed at length. The ordinance declares that a coop

should not generate any odor; councilmember Dave Trotter asked if there was a quantifiable unit to measure bad smell. "We apply a reasonable person standard," responded Planning Director Ellen Clark. "It is not a quantitative criteria. That's also true for noise and glare and we manage to regulate them."

John Kiefer, a Lafayette resident who conducted pro bono research for Lafayette to draft its own ordinance and also worked with Moraga planning staff, talked about the sustainable coop design concept where chickens are raised directly on soft soil, which does not cause any odor. "The ordinance states that there will be no odor at all," he said, "and that's what the sustainable coop does."

But Metcalf was skeptical that every chicken owner would build such a coop, and that if their operations started being a nuisance to neighbors, not much was written in the text to enforce compliance. "He (Kiefer) says that if you do it correctly it won't smell; what happens if you don't do it correctly?" asked Metcalf. "How will we respond (to com-

plaints)? You can be a month with something that's in violation and you're going to pay \$174. That's not enforcement, that's a joke. There is no teeth in this regulation to make (people) comply." Metcalf added that he was concerned about unintended consequences of a text that had been rushed through the approval process.

The question of turkeys became a real roadblock. "Would you like on the other side of your fence (that) your neighbor has six turkeys?" asked Walwark. "It does not make any sense at all!" Turkeys could not find any kind of support from anyone. Councilmember Dave Trotter proposed reassigning them to the livestock category in the municipal code, which allows one animal per 20,000 square feet of property.

The question of slaughtering animals in the privacy of the property was not an issue, although councilmember Teresa Onoda said she felt that small children should not see such things. Metcalf countered that these were facts of life and that hamburgers were once on hoofs. Both councilmembers Phil Arth and Trotter agreed.

The ordinance passed with three in favor, and one abstention from Metcalf. Mayor Roger Wykle was absent. The small farm animals include chickens, doves, pigeons, quail, game birds, rabbits and honey bees. Pets are not part of the ordinance and animals that make noise such as roosters, waterfowl, peacocks and guinea hens are not allowed in Moraga.

The minimum size lot to raise small farm animals is now 6,000 square feet. Parcels of 6,000 to 10,000 square feet can have a maximum of four small animals, properties 10,001 square feet to 20,000 square feet should not have more than six, parcels 20,001 square feet to 40,000 square feet have a maximum of eight, and lots greater than 40,000 square feet can have 16 animals. Multi-family housing sharing a lot of at least 6,000 square feet can raise chickens if all the neighbors agree. Usual setback rules apply to the placement of animal structures.

The council will hear another reading of the ordinance text on Dec. 9 and it will become effective 30 days later.

# Moraga Art in Public Spaces Committee Approved

## Budget Discussion Continues

By Sophie Braccini

Moraga Councilmember Teresa Onoda, a plein air painter and active member of the Lamorinda art scene, has worked to bring more art to the town since she joined the council at the end of 2014. She attempted to convince her fellow council members at the Nov. 18 council meeting to secure enough funding for the newly adopted art in public places policy, trying to get vice mayor Mike Metcalf, and councilmembers Dave Trotter and Phil Arth to consider increasing the \$5,000 budget they approved to promote the new policy by an additional \$5,000.

While Onoda did not succeed in garnering support for the increase in the short term, the ordinance was approved and a newly formed Art in Public Spaces Committee will begin operating in 2016, seeking artists willing to display their creations in Moraga public spaces for free.

In September the council discussed mirroring Orinda's public art policy and directed staff to draft a similar ordinance. The text formalizes the process artists should follow if they want to lend a piece of art to be displayed in Moraga for up to two years.

Moraga resident Dale Walwark stated skepticism at the meeting for what he feels Orinda does in respect to art choices. "There is a lot of bad art out there," he said. "(In) Orinda, the stuff they have sitting on the street is ridiculous. Their policy is that art

(is) intended to enrich the public environment. That stuff fails to accomplish that objective." But Vice Mayor Metcalf was fast to say that beauty is in the eye of the beholder. Walwark also said that the council should not spend money thoughtlessly, a comment that was better received by the council.

Parks and Recreation Director Jay Ingram proposed using the Palos Colorado developer's fund to finance the program. There is currently over \$1 million of "Palos money" in the fund.

"We are nibbling away at the Palos money; \$5,000 is (more than) enough," said Walwark about funding. The plan presented by Ingram included \$5,000 for the marketing of the program and another \$5,000 as seed money for a fund to purchase the

pieces of art that were on loan to the town, if the public wants to buy it. "I can support \$5,000 (from the Palos money), but I don't know that I want to appropriate any further funds," said councilmember Dave Trotter.

Onoda explained the importance of having enough money in the marketing fund so artists can get some benefit from displaying their art for free in Moraga. "When I go into a gallery (where my art is displayed) one of the questions is, 'How are you going to market me?'" said Onoda. "We are going to have their work and they want to know that people are going to see it. You don't do it by being in the newspapers, you do it online and you say we are looking for artists to donate. There is a process to

do that, and it takes money, and you guys don't understand this process." While Metcalf, Trotter and Arth did agree to the \$5,000 for marketing, they proposed that another \$5,000 be allocated to an art purchasing fund at the next budget cycle, if surplus is available.

The members also approved the charter of the art committee that will approve the proposed donations. This group will include one councilmember, one park and recreation commission member, one design review board member, one Moraga park foundation member, and three Moraga community members. Onoda was appointed as the councilmember on the committee.

# Happy Holidays!

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