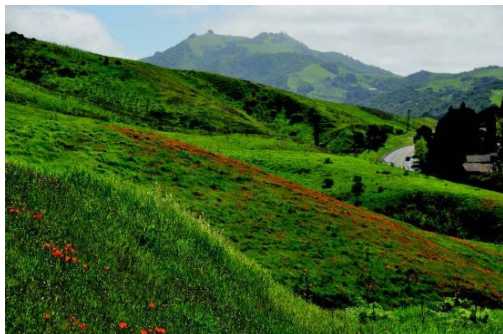


Published April 17th, 2019

## Moraga town council declines to donate towards Painted Rock fund; JMLT not giving up hope

By Vera Kochan



South side of the property above Rheem Blvd.  
Photo Andy Scheck

John Muir Land Trust has been working to raise funds to acquire the 84-acre property known as Painted Rock, named so because of the decades-old tradition of painting the huge rock that faces down onto the Rheem Shopping Center. JMLT Executive Director Linus Eukel addressed the Moraga Town Council on March 27, and as of the April 10 town council meeting, JMLT had raised \$1.7 million of its \$2 million goal. JMLT was looking to raise an additional \$100,000 by May 1 to secure a \$350,000 matching grant. The final deadline for the \$2 million is May 31.

JMLT turned to the town council, requesting the town make a donation to assist in acquiring Painted Rock as open space in perpetuity, according to the staff report. Future visions for the property are to preserve the open space for multi-use trails, ponds, streams, grasslands and wildlife.

The council received an outpouring of support for funding of the Painted Rock property through 40 letters submitted from the community, with many residents staying at the meeting until nearly midnight to voice their support. While all members of the town council expressed their support of the acquisition during the April 10 meeting, the donation was declined by a vote of 3-2 (Vice Mayor Kymberleigh Korpus, Council Members Renata Sos and Steve Woehleke voting no; Mayor Roger Wykle and Council Member Mike McCluer voting yes).

Korpus, Sos and Woehleke emphasized the financial challenges and hardships that Moraga has recently faced and could potentially face in the near future as the town's infrastructure continues to be in need of maintenance and repair.

Wykle and McCluer challenged that funds received from the Palos Colorados development could be used because of a partial compensation for the deletion of the golf course.

The town of Moraga made a \$10,000 donation toward the John Muir Land Trust acquisition of the 600-acre Carr Ranch open space property in 2016. This funding was available, however, because a local developer had cut down a buckeye tree that was intended to remain and negotiated a \$10,000 fine for their actions.

At a Jan. 9 council meeting, Administrative Services Director Norm Veloso provided a PowerPoint presentation and overview of the Palos Colorados Funds - Fund 100, outlining specifics of the Settlement Agreements and financial implications as well as a General Plan fee installment schedule, and a summary of the revenue including past decisions made by the town council as to the use of the funds. At the time it was noted by Town Manager Cynthia Battenberg that there were no constraints identified in the Settlement Agreement or in the legal documents as to how the funds could be used by the town.

Korpus stated at that meeting that she had been persuaded the town council was not morally or legally obligated to spend the funds in any particular way, although based on the way the funds had originated, she would like to use them for recreational or economic development purposes if possible, and agreed at the time that "it would be nice to use the funds for open space acquisition." She added that she was grateful there was nothing to stop the town council from using the funds for infrastructure purposes but her vision was that the funds be used conservatively, and suggested the town's greatest need was a reserve account.

Suzanne Jones of Preserve Lamorinda Open Space noted during the Jan. 9 meeting that the 1999 Palos Colorados Settlement Agreement outlined that while a portion of the funds were intended to mitigate traffic and cover other development impacts, other funds were envisioned to provide recreation and open space benefits to the town.

Former mayor Dave Trotter commented that while Palos Colorados funds were unrestricted, the history of the Settlement Agreement had motivated prior town councils to spend the funds on items which had a recreational nexus.

Although Woehleke and Sos voted against the town donating funds to support the purchase of the Painted Rock property, they have volunteered to walk through Moraga's neighborhoods to solicit citizen donations. According to Woehleke, "The objective is to ensure that as many homes in Moraga are visited as possible to

ensure all residents know the importance of the Painted Rock acquisition campaign." He added, "A number of town leaders and citizens have already proactively contacted me to walk."

Woehleke said he plans the walk to begin as soon as possible and will continue through April and into May. Anyone interested in walking can contact him at [spwoehleke@comcast.net](mailto:spwoehleke@comcast.net).

For more information or to donate toward the campaign, visit <https://jmlt.org/index.html>.

Reach the reporter at: [vera@lamorindaweekly.com](mailto:vera@lamorindaweekly.com)

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