



## MORAGA

See public meetings schedule on this pages and check online for agendas, meeting notes and announcements

### Town of Moraga:

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## Town council reviews options to fill Stromberg's vacated seat

By Vera Kochan

Former council member David Stromberg submitted his letter of resignation on Aug. 26, citing that he is moving out of Moraga. He announced that his last day on the council would be Sept. 9. The remaining four council members are now tasked with finding someone to fill his vacancy. There are two options available to the process: 1) call a special election, or 2) fill the vacancy by appointment – with an option for a direct appointment or an application, interview, appoint process.

According to a staff report by Town Manager Cynthia Battenberg and Town Clerk Marty McInturf, "If the council fills the vacancy by appointment, the duration of the appointment is determined by when the vacancy occurs. As Stromberg's vacancy occurs in the first half of the term of office and at least 130 days prior to the next general election, the appointed person would hold office until the November 2022 general municipal election."

If a special election option is decided, it must be held on the next regularly established election date, not less than 114

days from the call of the special election. A stand-alone special mail-in ballot-only election would be held on May 3, 2022. There are currently 11,638 registered voters in Moraga. At a cost of approximately \$8 per voter, the special election would cost the town \$93,104.

Another option would be a traditional mail/polling station election that would be scheduled for June 7. This type of election would cost approximately \$14 per registered voter for a total cost of \$162,932 to the town. Neither scenarios fit into the Fiscal Year 2021-22 budget.

Filling the vacancy by appointment would be less exorbitant and only require staff resources and town attorney time. Wishing to choose the less costly option, the council members decided to use the public application, interview and appointment process to fill Stromberg's term until the next election in November 2022.

Anyone seeking appointment to the town council must meet certain legal requirements: 1) Be a resident of Moraga and a registered voter; 2) Must be at least 18 years of age; 3) A newly appointed council member will have to file a

Statement of Economic Interest (Form 700); and 4) Cannot be a current council member.

The candidate application period opened on Sept. 10, along with the publishing of a council vacancy notice in local newspapers, on the town's website, in the About Town newsletter and on social media. Applications are due Sept. 30, and applicant interviews are set for Oct. 12 and 13. All interviews will be done in an open public forum and are expected to take place during special meetings. The council member appointment is Oct. 13.

## South Camino Pablo Annexation and Subdivision appeal denied

By Vera Kochan

The land in question has been owned by the Carr family for over 100 years. Currently a portion of it, the South Camino Pablo Annexation and Residential Subdivision, has been the subject of a tug-of-war since March 2014, when Dobbins Properties, LLC began preliminary applicant discussions with the town staff.

During the Aug. 25 town council meeting, Carr descendants, the property's owners Scott Carr and John Hoover, told council members that the approximately 8.5 acres set aside for the project along with 15.4 acres set aside for open space was always intended as a development area. They assured that their additional 613 acres of open space will remain untouched.

At stake is the development of a 13-unit residential subdivi-

sion on a hillside fronting Camino Pablo across from Tharp Drive. Although the property is part of Contra Costa County, it is not part of Moraga, as yet. The applicant's requested entitlements include a General Plan Amendment to change the 1-DUA (Dwelling Units per Acre) designation to 2-DUA.

According to a staff report by Contract Planner Ben Noble and Planning Director Afshan Hamid, "The 13 residential lots range in size from 15,129 to 40,027 square feet. The living area of homes ranges from 2,548 square feet to 3,866 square feet. Seven of the homes contain an accessory dwelling unit (ADU). Total floor area of the homes, including garages and ADUs, ranges from 3,570 square feet to 5,474 square feet."

Over the course of six years, the project has gone

through town council study sessions, applicant-hosted neighborhood discussions, town-hosted neighborhood discussions, various Hillside and Ridgeline projects, and planning commission studies and hearings.

The staff report states, "Under the existing General Plan designations, up to nine units are allowed on the project property. Six units are allowed in the 1-DUA area, and up to three units are allowed in the Open Space as determined appropriate by the Town Council based on site constraints (MMC 8.52.060)." The applicant's project proposes 11 units in a 2-DUA area and 2 units in Open Space.

During the planning commission's second hearing on June 15, a resolution was adopted recommending project denial with a 4-2 vote. It was stressed that a 2-DUA General Plan Amendment is a policy decision that should be deferred to the town council. On July 21 the applicant submitted the required appeal letter to the town council.

During the Aug. 25 appeal, council members expressed concern over building homes on an area with active landslides, but were assured that appropriate grading measures would be implemented. Residents in the immediate area expressed their disapproval to the project during the Public Comment portion of the evening by referring to the prospective homes as "McMansions" and voicing concerns



Project property and surrounding development Image provided

over the loss of their views.

Some of the hurdles the town council would need to overcome with regards to a General Plan Amendment is that it must maintain a balanced and logical land use pattern; it must improve the quality of the environment socially, economically and physically, and be consistent with the lifestyle of the community; and both the town and other governmental agencies must be able to maintain levels of service consistent with the ability of the agencies to provide a reasonable level of service.

In the long run, the town

council voted 4-1 (Council Member Steve Woehleke voting to approve) to deny the applicant's appeal and uphold the planning commission's recommendation to deny the requested 13-unit, 2-DUA project. This included a Mitigated Negative Declaration, General Plan Amendment, Zoning Code Amendment, Conceptual Development Plan and General Development Plan, Vesting Tentative Map and Grading Permit. The council did vote to keep the designation of the project site as 1-DUA and not amend the General Plan.

## EBMUD gives water conservation tips for current drought conditions

By Vera Kochan

The Moraga Valley Presbyterian Church sponsored an informative water conservation Zoom meeting on Sept. 9, featuring representatives from the East Bay Municipal Utility District. Ben Glickstein, a community affairs representative, who focuses on recycled water projects and Anya Kamen-skaya, whose specialty is water conservation, gave an easy to follow presentation concerning the current state of affairs regarding California's second year of drought.

EBMUD's water comes from the Mokelumne River Watershed in the Sierra

Nevada Mountains. This in turn flows to the Pardee Reservoir before traveling to the EBMUD Mokelumne Aqueducts. A second source of water is the Freeport Regional Water Facility.

This is the second driest year on record in the Mokelumne watershed, and the driest year on record in the East Bay. At this point in time, customers are at a "voluntary" conservation level. EBMUD is asking for at least a 10% reduction in water usage per household. By the same token, they are purchasing supplemental water from the Central Valley Project in preparation for a possible repeated drought next year, and are

looking into the concept of groundwater banking (a water management mechanism using dewatered aquifer space to store water during the years when there is abundant rainfall).

A common myth is that more dams and reservoirs can be built, but EBMUD states that most rivers already have dams and the expense of building new ones would be costly. Another myth is using desalination technology to utilize sea water for in-home use. Once again, the cost is prohibitive, not to mention the amount of energy required to complete the process and disposal of the brine after treatment.

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## MORAGA SEEKS APPLICANTS FOR TOWN COUNCIL VACANCY



The Town of Moraga is accepting applications for appointment to the Town Council to fill the vacancy created by the recent resignation of a Councilmember. The term of this Council seat is from the date of appointment until December 14, 2022.

Candidates must be 18 years of age, a resident of the Town and must be registered to vote in the Town of Moraga.

Applications are available on the Town's website at www.moraga.ca.us. Applications must be returned to the Town Clerk in person, by mail or by email to: townclerk@moraga.ca.us by 5:00 pm Thursday, September 30, 2021; postmarks will not be accepted.

For further information, please contact the Town Clerk's office at 925-888-7022 or townclerk@moraga.ca.us

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### Town Council

Wednesday, Sept. 22, 6:30 p.m.

### Planning Commission:

Tuesday, Sept. 21, 6:30 p.m.

### Park and Recreation Commission:

Monday, Sept. 20, 7 p.m.

### Moraga School District Board Meetings:

Special Board Meeting

Tuesday, Oct. 12, 6 p.m.

www.moraga.k12.ca.us