

# Moraga School District votes yes for storm drain fee

By Sophie Braccini

As the results from the vote regarding the storm drain fee are expected any day now, the Moraga School District board gave a last minute boost to the proponents of the fee by deciding to vote yes for its own parcels during its May 8 meeting. According to board president Richard Severy, the members had felt it necessary to take several months to gather information and public opinion before making the decision. While the MSD board does not like to spend extra dollars, as budget is tight, it felt nonetheless it was the board's responsibility to

pay its share for supporting the local infrastructure.

In his presentation to the board, Superintendent Bruce Burns noted that the district benefits from the storm drainage system and that recent drainage failures have impacted schools, namely the Rheem sinkhole and Canyon Bridge. The superintendent also indicated that the system is old, sometimes undersized and that two-thirds of the residents responded in a survey that they wanted to have the system upgraded.

The school district owns six

properties, four of which are schools. The total annual fee the district would be asked to pay is \$21,600, which is about one-tenth of 1 percent of the district's budget.

Severy said after the meeting that the money in the district is tight but that the board members considered this fee a part of the utility the district pays for services such as gas and electricity, water and sewage, and that it was normal that the district pay its fair share as any other member of the community. He noted that the town has a mechanism to appeal the fee if property owners

challenge the amount assessed to their property and that the district reserves its right to review the fee and appeal the amount if it finds it unfair, should it be approved by a majority of voters.

The board chair emphasized that the board would not have made its decision sooner because of its desire to get comprehensive input from the town in February and March, and from its constituency in April,

before making its final decision. He added that the board never considered the campaign signs that sprouted along Moraga Road in order to make its decision and that the board had nothing to do with that campaign on either side of the issue.

Three of the five board members were present on the night of the vote and unanimously approved directing Burns to vote yes on the ballots allocated to the district.

# Heated discussion on the dais about process

By Sophie Braccini

The approval of a legal fee for \$23,000 started a robust discussion from Council Member Kymberleigh Korpus at the May 9 Moraga Town Council meeting. Saying that the town had a process problem, Korpus asked that the mayor's role, subcommittee responsibilities, and authority to make decisions outside public view be revisited.

The agenda of the May 9 council meeting included in the consent section a bill for \$23,000 of legal fees payable to the town's lawyer for consultation regarding the Memorandum of Understanding with the owner of the Rheem Theatre to sell that property to the Moraga Community Foundation. What Korpus said she found unacceptable was that the consultation and its fee had been authorized in February, before the council ever heard of the matter. But according to minutes from the June 10, 2015 council meeting, the Moraga Town Council provided direction to staff regarding the goal to save the Rheem Theatre, which was approved after then Town Manager Jill Keimach presented a comprehensive

staff report about the subject.

One of the 2016 town goals states: "Support and Develop a Long-term Strategy to Retain and Preserve the New Rheem Theatre. Work with all involved parties to facilitate the continued operation of the New Rheem Theatre as a public amenity for Moragans and the greater community." Under the 2017 Ongoing, Carryover, and Work Program objectives it was noted to "Continue Ongoing Efforts to Support the Rheem Theatre" and that language appeared in the 2018 town goals as "Support efforts of Moraga Community Foundation and others to reopen the Rheem Theatre."

Korpus also raised concern about the amount of legal fees, noting that more were still to come, making the legal fees total \$35,000, and that these amounts exceeded the discretionary amount of \$15,000 that is given to the town manager, who was Jim Holgersson at the time.

Council Member Jeanette Fritzy mentioned her reticence to join a closed session about the Hacienda before anything had been discussed in the open and she asked that sub-

committee roles be revisited and enforced.

Since the matter was not on the agenda, the council could not discuss the issue at the meeting. Mayor Dave Trotter simply asked that the council decide not to approve the payment of the fee at this time and that the town attorney and town manager start a discussion on this issue.

The council members unanimously agreed that this topic should be agendized for an open discussion at a future council meeting, once the budget is approved in June.

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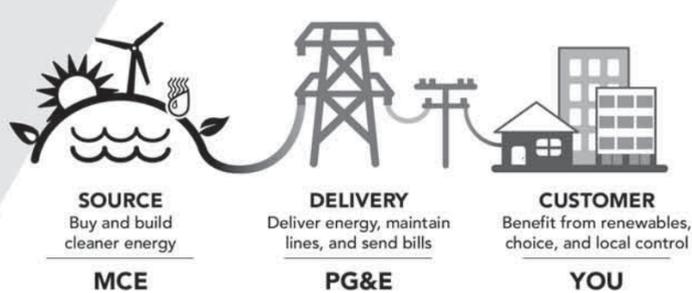
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