



# Moraga Civic News

## Public Meetings

### Town Council

Wednesday, March 13, 7 p.m.  
Joaquin Moraga Intermediate School,  
1010 Camino Pablo

### Planning Commission

Monday, March 4, 7 p.m.  
Moraga Library, 1500 Saint Marys Rd.

### Design Review

Monday, March 11, 7 p.m.  
Moraga Library, 1500 Saint Marys Rd.

### School Board Meeting

**Moraga School District**  
Tuesday, March 12, 7:30 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



## Police Report

**Blood on the path, 2/17/13** A concerned citizen called police to alert them to a trail of blood along Mulholland Ridge, a popular off-leash dog walking area. Cops investigated and found the blood appeared to be from an injured animal.

**Senior domestic violence, 2/17/13** An 82-year-old Fernwood Drive resident was determined to be a suspect and was arrested for domestic violence and resisting arrest. The subject was taken to the Main Detention Facility in Martinez.

**Store as phone charger? 2/17/13** There was a report of a suspicious person at 3 a.m. at 7-11. It was reported that the man would linger for hours using his computer and charging his phone, while purchasing very few items. Mystery charger told cops he liked using the free wi-fi service. Because he possessed a clear and valid driver's license he wasn't in any trouble but agreed to move on.

**Suspicious movers, 2/16/13** When a black pick-up truck was parked in a Woodford Drive driveway mid-morning, a neighbor called police to report that two subjects were moving furniture into the truck. He was concerned because he didn't think the neighbor was moving. Turns out the homeowner was just giving them some furniture.

**Loud party, 2/16/13** There was a complaint about loud noise coming from a residence on Paseo Bernal. Cops contacted the tenants and informed them of the complaint at midnight. There were approximately 75 party people lingering in the neighborhood.

**Revenge of the stolen license plate, 2/15/13** Back in September the front license plate was stolen off the Honda of a Saint Mary's College student. The car owner went to the DMV and acquired new license plates, however she is currently receiving parking citations from Lafayette related to the stolen license plate. The plate number has been entered into the police computer system as stolen.

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# Lights of Contention

Council may consider the issue of lights-out at SMC

By Sophie Braccini

When should the field go dark? The Moraga Town Council is scheduled to review Saint Mary's College's appeal of a planning commission decision to reduce the number of hours during which the college can illuminate an intramural sports field when it meets at 7 p.m. Feb. 27 in the Joaquin Moraga Intermediate School auditorium. Recent weeks have seen an escalation of the dispute between the college and neighbors who continue to complain about the lights.

SMC has retained an attorney to defend its perceived rights. In a letter to the town, Brother President Ron Gallagher stated that the college has abided by all of Moraga's regulations and that while SMC will continue to make every effort to accommodate its neighbors, its first duty is to its students.

The basis for the college's appeal of the planning commission's decision to turn off the lights at 9 p.m. instead of 10 p.m. was first explained in a letter the college sent to Mor-

aga's planning director, which reads in part: "The reduction in hours inhibits the College's ability to provide co-curricular opportunities vital to its educational programs and its mission of serving the mind, body and spirit of all of our students." The letter makes an additional argument that the initial approval never addressed lights, only noise—the college says it has done its best to mitigate light spillage and glare into adjacent neighborhoods.

Two groups of neighbors, resi-

dents in the Bluffs and around Fernwood Drive, have joined forces to ask the college to limit what they perceive as a bright and noisy nuisance.

In its March, 2011 approval of the new sports field Moraga's design review board declared that the lights must be turned off at 10 p.m. to reduce the potential for noise from players on the field late at night, but that planning staff could change lights-out to 9 p.m. if residents living near the college complained about the noise. ... continued on page A8

# New Commercial Zoning Coming to Rheem

By Sophie Braccini

When Moraga's 'planning boat' was rocked by the November, 2010 decision to allow Dollar Tree at the Rheem Center, the town looked to streamline and tailor the commercial approval process to meet the needs of the community. Two years in the making, after community input sessions and much work by the ad-hoc Economic Development Action Committee, a new commercial zoning plan for the Rheem area enters its final phase as it comes before the Moraga Planning Commission for review.

At a Feb. 20 meeting, planning commissioners reviewed the first

draft proposed by staff to modify the commercial zoning of the Rheem area.

"What we need is to have a list of the businesses that we want to see in town and make it extremely easy for these to get a permit over the counter; while requiring those that need to be more controlled to go through a conditional-use permit process," said Commissioner Jim Obsitnik.

Planning Director Shawna Brekke-Read explained the reasons for changing the municipal code for business approval. Businesses considered highly desirable by the community cannot, at this time, be approved administratively by staff;

they usually have to go through a planning commission hearing that takes time and adds complexity. The new code would allow a permitted-use business to bypass that process—businesses such as retail, services, art venues and restaurants.

The commissioners discussed what elements might force a proposed new business to go through the more lengthy process. Likely to be included in this category are chain stores—either retail or restaurant—businesses occupying more than 2,000 square feet, and businesses that offer a product similar to an existing business located less than 1,000 feet away. "Studies show

that what makes a shopping area vibrant is a mix of small, local and large businesses," Brekke-Read explained, "and the community also indicated it favors locally-owned businesses."

David Bruzzone, whose family owns the Moraga Center, expressed his concern over having different rules applied to the two shopping centers, thus favoring one over the other.

No final decision was made at the February meeting. At the next session of the planning commission, a new group of commissioners will be sworn in and will take up the review of the proposed zoning changes.

# How to Train Your Council Members

By Sophie Braccini



From left: Phil Arth and Roger Wykle with their homework. Photo Sophie Braccini

They campaigned and they won. But Moraga's newest council members had to clear one more hurdle before getting down to business. Phil Arth and Roger Wykle recently talked about learning the nuts and bolts of running a town.

"We went to a seminar Jan. 16-18 organized by the League of California

Cities in Sacramento for new council members and mayors," said Arth. "The curriculum was rigorous, but it was explained to us in very interesting and sometimes funny ways."

The first big topic was the Brown Act, which was designed to ensure public access to, and complete disclosure of, the discussions and decisions

made by city councils, county boards, and other local government bodies. "We worked on case studies, like the city of Bell," said Wykle. "One of the restrictions that applies to us as council members is that we cannot discuss the town's affairs with more than one of our colleagues on the council (outside of scheduled council meetings)," said Arth. "Additionally, we cannot discuss the matter with one of them at one point, and with another one later; that would be considered a 'serial meeting' and would be a Brown Act violation."

The town's attorney, Michelle Kenyon, later reinforced some of the lessons in separate meetings with the new council members. "She put a big emphasis on the Brown Act and gave each of us a document regarding rules to apply to emails to avoid violations," said Arth. "She told us about the FPPC's (California Fair Political Practices Commission) hotline where anyone can report alleged violations."

Planning and finance were also addressed in the seminar. Arth found the planning section interesting.

"Roger (Wykle) was on the planning commission, so he already knew most of it," added Arth.

"In my last job in the Coast Guard, one of my responsibilities was sourcing and finance, and the municipal system is quite similar," said Wykle of the finance section. Arth, who was a CPA and has experience working with non-profits, was similarly at ease with the material.

"Another thing that I learned during the training is that people who speak during public meetings do not have to give their names," said Arth. "It's reasonable to ask in order to have a proper record, but if people don't want to give their names, that's fine."

The seminar was not all hard work. "We had time to spend with our colleagues from Lafayette and Orinda, and I got to know Roger (Wykle) better," said Arth.

When they returned, in addition to their meetings with Kenyon, the new council members received training at the local level from Town Manager Jill Keimach.

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<sup>1</sup>Based on 6.7% inflation from the utility company. <sup>2</sup>Includes all necessary expenses <sup>3</sup>Combination of Utility Company and PPA