



Moraga

Public Meetings

City Council

Wednesday, June 28, 7 p.m.
Council Chambers and Community Meeting Room, 335 Rheem Blvd.

Planning Commission

Monday, July 3, 7 p.m.
Council Chambers and Community Meeting Room, 335 Rheem Blvd.

Design Review

Monday, July 10, 7 p.m.
Council Chambers and Community Meeting Room, 335 Rheem Blvd.

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 Report



May 31 to June 13

Alarms:

- June 1** 400 block Center Street Building secured.
- June 2** 300 block Calle La Montana false
- June 2** 100 block Selborne Way door left unlocked
- June 8** Location n/a false
- June 11** Location n/a nothing found
- June 13** Warfield Drive tripped by cleaners

June 2 Drugs

Grown son on probation trying to light things on fire at home was arrested for possession of a controlled substance and taken to Martinez jail.

June 2 ID Theft

You can open a Barklay's bank account online "in minutes," unless you're a crook. Then the bank will notify you and decline the application. Two close calls for one poor subject, and so far, no leads.

June 2 Stored vehicle

A gold Chrysler with expired tags parked at Natalie and Blumert was towed.

June 3 City ordinance

A homeowner and 30 friends celebrating his 50th birthday were told to tone down the noise from the live band (let me guess — '80s music?) and go inside. Seems "Girls (and guys) Just Want to Have Fun." But "Time after Time" police have to tell "Everybody (who) wants to Rule the World" to "Beat It!"

June 4 Credit Fraud

Police think the victim could be vulnerable again. The bank is involved.

June 5 Suspicious Circumstances

Someone followed teenage girls along Center Street via drone. "Oh give me a drone, when the girls are alone, and they cannot tell me 'buzz off.' But following peeps really gives them the creeps, and the cops say no aircraft aloft..."

Traffic Accidents

June 6 Moraga Way/School Street — cyclist with only minor injuries.

June 6 Moraga Rd./Campolindo — two-car accident; one car ran a red light.

June 6 Speeding

Police contacted the parents of a 16-year-old male Rheem Boulevard speeder. School may be out, but this fellow is assigned remedial work through the Juvenile Diversion Program.

June 7 Stolen vehicle

The good news: you weren't in your car. The bad news: CHP says it was in a freeway traffic accident. Highway Patrol recovered the vehicle.

June 8 Miscellaneous

Spoiler alert: if "Old Yeller" upsets you, don't read this. Police found a deer seriously injured after being hit by a car. They had to put it down.

June 9 Traffic incident

An unoccupied, parked SUV was hit

JIM COLHOUN PRESENTS

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Town awards sinkhole bid, with repairs to start soon

By Sophie Braccini

The Moraga Town Council unanimously agreed to award the sinkhole repair contract to McGuire and Hester, with implementation to start immediately. Lower Rheem Boulevard will be closed during the time needed to make the repairs and probably won't reopen until October.

Public Works Director Edric Kwan expressed great relief that Moraga's bid documents had finally been approved by the Federal Highway Administration after more than a year of a burdensome and lengthy process. As the sinkhole was not declared an emergency repair by FEMA the town had to follow the regular municipal rules that requires the public works department to go through an open bidding process. The contract has to be awarded to the lowest bidder, as long as it is responsive and responsible.

The town received four bids for the repair work with prices ranging from \$1.3 to \$2 million. The town engineer had estimated the work at \$1.7 million. McGuire and Hester was the lowest bidder. Kwan presented the company at the June 14 meeting as a very well-known contractor that has worked with the town before.

The total cost for fixing the hole includes additional expenses on top of the \$1.3 million: the emergency opening intervention (\$600,000), project and construction management costs, design, and 15 percent added for contingency. The total equals \$2,969,000, thus \$331,000 less than was anticipated. If all goes according to plan, the town should get back about \$2.65 million, hopefully at some point in the not-too-distant future.

Kwan presented the extent of the work that will be done by the

contractor: first excavate and remove the corrugated culvert that failed over a year ago. The metal pipe will be replaced with a reinforced concrete pipe. Once the culvert is replaced and attached to the rest of the creek channel, the contractor will repair the pavement and the sidewalk, including an inlet for collection of rain water in the new pipeline.

Michael Anderson, operations manager with McGuire and Hester, came to the meeting to answer questions, but none were asked of the contractor by the council before approving staff recommendation to award the contract.

Contacted a few days later, Anderson confirmed that the company would start work mid-July for an estimated time of 77 days. He was sure to add though that this number of days was an estimate and that there could always be surprises

once the hole is completely opened. In order to complete the work before the rainy season, deemed to arrive on Oct. 15, the McGuire and Hester crews will work extended hours and on Saturdays.

During the time of the construction, Rheem Boulevard will be completely closed at the sinkhole. Anderson said that the roadway will be open to reach the areas that need to be worked on, and that the street will remain closed, whether or not workers are on site.

Kwan explained that the town could not make going through the shopping center an official alternate route. He said that the town would have had to sign an access right agreement with the property owner, something that could have added weeks to the process.

Regular updates will be posted on the town website at moraga.ca.us

Secondary Units: State law encourages easier approval process

By Sophie Braccini

As of Jan. 1 the state law regulating how in-law units are approved supersedes local municipal codes, requiring that each city adapt its code to the new rules crafted to promote an easier approval of such secondary housing structures.

If a municipal code is not compliant, then the code is considered null and void. A key component of the state law is that these units do not require a public hearing or neighbors' input to be approved, if compliant with the design standards.

Moraga planning commissioners started reviewing this new concept and voiced their concerns at a June 19 study session. They are working with staff to limit the area of discretionary approval and make sure that the design standards will protect neighbors' privacy and general aesthetics of the town.

City staff was clear when speaking to the planning commissioners: Moraga does not have a choice and has to relax its rules regarding the development of secondary dwelling or in-law units. The major mandatory change is that the process to approve units that are compliant with the design standard must be ministerial, meaning that a member of staff will make sure that the proposed unit meets all the criteria that the town has set forth, and if it does, will have to approve it, without anyone else being informed of the project. What is also important to consider is that the design standards put forth by the town cannot

be too restrictive or it would defy the purpose of the new law.

The state regulation addresses units that are conversions to an existing home — a garage, an addition, such as a story over a garage, or an independent structure.

Commissioners found some elements of the new rules easy to support. For example the maximum size proposed by the state (800 to 1,200 square feet) does not exceed Moraga's 750-square-foot requirement by much. Commissioners also agreed that a 19-foot height limit was a sound restriction that would not permit a second story, but could allow for a half story, such as over a garage.

The new law indicates that a city cannot restrict entire areas from adding units, unless it is for health and safety reasons — sewage

capacity, traffic impact, etc. Some commissioners said that these mandatory approval rules in some areas of Moraga, which have been developed under a planned development process and have already been allowed a density higher than what is usually permitted, could be problematic. Planning Director Ellen Clark said that she would work with the town's legal counsel to see what could be restricted in Moraga without violating the law: flood zones, development on slopes, or areas that the fire department would deem difficult to access.

Commissioners Steve Woehleke and Ferenc Kovac expressed concern about a ministerial process that would have no neighbor notification and input when privacy could be invaded. Clark explained that the design guidelines could be

very precise in term of vegetation screening, window's height, sightlines and difference of grade. But the process has to remain automatic to comply with the law.

The commissioners also asked that if an application is denied because staff believes that the proposed unit does not meet the town's requirement, and if the applicant wishes to appeal the decision, the Planning Commission should review it.

Staff will bring back a new version accommodating as much as legally possible the commissioners' requests during an upcoming public session where people can comment. Only one resident commented at the June 19 meeting to support a law that could allow housing options for students and seniors.

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