



Moraga Civic News

Public Meetings

Town Council

Wednesday, June 11, 7 p.m.
Joaquin Moraga Intermediate School,
1010 Camino Pablo

Planning Commission

Monday, June 16, 7 p.m.
Moraga Library, 1500 St. Mary's Rd.

Design Review

Monday, June 9, 7 p.m.
Moraga Library, 1500 St. Mary's Rd.

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

School Board Meeting

Moraga School District

Tuesday, June 10, 7:30 p.m.
Joaquin Moraga Intermediate School Auditorium
1010 Camino Pablo, Moraga
www.moraga.k12.ca.us
See also AUHSD meeting page A2



Moraga Police Department

D.U.I., 5/21/14 It was just after 11 p.m. when officers were dispatched to check on a vehicle swerving in and out of traffic leaving the 7-11 parking lot. The driver failed to yield for two miles even though police used their flashing lights and siren. The driver finally pulled over near her home, and surprisingly flunked field sobriety tests.

Teen battery, 5/22/14 There was a domestic dispute on Ascot Drive. The person reporting the incident said he was being assaulted by his 15-year-old son after he instructed his son to finish his homework. The teen left the residence after the altercation. Unfortunately the son has a history of violence. The father had visible injuries but declined medical assistance and didn't seek prosecution; the police report was for information only.

Loud party, 5/23/14 A home on Lucia Lane was rocking until the wee hours of the morning. Police observed a group of college-age students inside the home, some clearly intoxicated. Perhaps a coincidence that the Saint Mary's College graduation ceremony was set for the next day? Officers contacted the residents, one of whom had previously been issued a warning so this time they issued a citation, at which point the party was over.

Stolen car found, 5/23/14 Cops located a parked car at Orchard Supply Hardware that was reported stolen from Hertz in South San Francisco four days earlier. The vehicle had a layer of dust on the exterior, so fingerprints weren't found. The car wasn't stripped or damaged and even the license plates were still attached. It was towed from the scene.

Avoiding police, 5/23/14 A Toyota was being driven erratically around lunch time on Moraga Road near Donald Drive. The driver didn't yield to cops, was speeding and

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Town of Moraga to Form a GHAD

By Sophie Braccini

Orinda has one for Wilder, now Moraga will have one, too: a Geologic Hazard Abatement District, or GHAD; a legal entity that is formed to fund the prevention and remediation of land slides and other earth movements for a group of property owners. As in Orinda, the council members will comprise the GHAD's board of directors. Three developments in Moraga will have to join Moraga's GHAD as part of their conditions of approval: Palos Colorados, Hetfield, and Rancho Laguna II.

"The GHAD functions a little like insurance," explained Uri Eliahu, president of the consulting firm Engeo, who answered questions at the May 14 town council meeting. "But unlike insurance, a GHAD monitors soil conditions and does preventive work."

A GHAD is relatively new mechanism that was authorized by the

state in 1979; the first was the Abalone Cove Landslide Abatement District, formed in Los Angeles County in 1981. The 600-acre Abalone Cove landslide, which began moving in 1978, threatened over 100 homes. This GHAD has since financed continued geologic investigation of the slide and has allowed it to be treated as a single physical entity, with no consideration of property boundaries. "The four magic words in GHAD law are abatement, prevention, litigation, and control of geologic hazards," said Eliahu.

The source of revenue for a GHAD is a tax, assessed on homes that fall within the GHAD, which appears on the homeowner's county tax bill. Council members asked about the cost for each resident. "The preliminary study will determine how much money should be put aside and what the annual levy should be," said

Eliahu. "The amount can be different for each development; it works like insurance, a different risk level will mean a different premium." The consultant explained that there are economies of scale linked to large GHADs but the Moraga GHAD will be on the small side; GHADs range from 40 to 22,000 homes. "A very large GHAD would have an annual assessment in the hundred dollar range, while a development like Wilder in Orinda has an annual assessment of about \$2,700," he added.

The council wondered if a GHAD ever went bankrupt and if the town would have any liability. "It's never happened," said the consultant. "First a GHAD does prevention work; then if a major catastrophe happens, it can borrow against future revenue streams." Eliahu also confirmed that the town would not be liable, but that the GHAD as a separate legal entity could be. Council mem-

bers were surprised to learn that a GHAD, which is a state entity, would be subject to local rules, such as MOSO, to fulfill its mandate.

GHADs are managed by a team separate from town staff that reports to the board annually. "It gives a run-down on the reserves, which is key," said Eliahu. Town attorney Michelle Kenyon stressed the fact that the council members would not be acting as a town council, but as a GHAD board.

Once established, other groups of property owners can petition to be annexed into the GHAD, including property owners outside of Moraga. It will be the prerogative of the board to accept or refuse annexation.

The final proposal for the establishment of the Moraga GHAD will come back to the council for approval, and the selection of a management team, at a date not yet set.

The Nuisance Fine

By Sophie Braccini

Have you ever been frustrated by a neighbor who left a pile of debris in front of his home or a business displaying an obnoxiously oversized commercial sign? Have you wondered what recourse you have?

Until now, even if Moraga residents called the town to complain, there was not much that anyone could do about it – the town had no ordinance allowing for administrative citation and abatement. The old process required a council hearing; a set of rules was applied only in the most

egregious cases, such as a property under complete disrepair or abandoned. Town staff proposed new code enforcement rules to the Moraga Town Council on May 21, a timely move since new sign regulations were just approved.

Staff will soon be able to issue citations and fine residents who are not in compliance with the municipal code, and an amendment of the current abatement regulation allows staff to act without first going to elected officials. The actions can be appealed, first to a town officer and then to the

Moraga Town Council.

Moraga has no plans to hire a code compliance officer, said Town Manager Jill Keimach. "The town will act only when a complaint is filed, we will not seek out violations." Associate planner Ella Samonsky added, "Staff will continue the existing practice of providing courtesy calls and written warnings to encourage voluntary compliance before initiating the nuisance abatement process."

The fine for a first offense is \$100, rising to \$250 and \$500 for the

second and third offenses, respectively.

The modification of the abatement ordinance allows staff to abate a nuisance after proper warning and if the abatement decision is not appealed to the town council. Any violation of the municipal code can be declared a public nuisance – examples include overgrown vegetation likely to harbor vermin, sports equipment blocking travel lanes, abandoned buildings, construction done without a permit, and non-compliant signage.

weaving in and out of traffic, even went through two red lights without stopping. The vehicle then stopped suddenly in a parking lot; the driver was slow to comply with the officer's verbal requests. An investigation revealed the female driver was possible under the influence of an unknown controlled substance. She was cited for evading a police officer, D.U.I and for possession of concentrated cannabis.

Wandering toddler, 5/24/14 An observer called police to the area around Saint Mary's College Extension about a 2-year-old wandering around with no adult supervision. A passerby checked Francisca Lane and located the mother of the child. The mom said the little one had slipped through an open gate and wandered off. The woman, who has two other children at home, was counseled regarding the proper observation of young children.

In addition, the following incidents were reported May 20-27:
False Alarms – Deerfield Drive, Camino Pablo
Suspicious Circumstances – Freitas Drive, Miramonte Drive, Claudia Court
Welfare Check – Augusta Drive
Lost Property – Ascot Drive
Loud Party – Shuey Drive
Traffic Incident – Moraga Road
Identity Theft – Calle La Montana



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