



**TOWN OF MORAGA  
TOWN COUNCIL**

**WEDNESDAY, APRIL 22, 2026**

**Kerry Hillis, Mayor  
Brian Dolan, Vice Mayor  
Lisa Maglio, Councilmember  
Graham Thiel, Councilmember  
Steve Woehleke, Councilmember**

Executive Team

Scott Mitnick, Town Manager	Denise Bazzano, Assistant Town Attorney
Katie Bruner, Admin. Services Director	Jon King, Police Chief
Sonia Urzua, Planning Director	Nate Levine, Interim Public Works Director
Amy Heavener, Town Clerk	Mackenzie Brady, Parks & Recreation Director

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**Town of Moraga Mission Statement**

*The Town of Moraga is dedicated to preserving our semi-rural character, conserving open spaces, providing exceptional municipal services, fostering safety and resiliency, providing opportunities for development, and creating a vibrant, innovative, and sustainable community for all.*

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**AGENDA ACCESS:** The meeting agenda is posted on the following notice board locations: 329 Rheem Blvd.; Moraga Library located at 1500 St. Marys Rd.; The Hacienda located at 2100 Donald Drive; and Online at: <https://www.moraga.ca.us/AgendaCenter>

**VIEWING OPTIONS:** The Moraga Town Council meeting is scheduled to take place on the 2nd and 4th Wednesday of each month. The meeting may be attended in person at 335 Rheem Blvd, Moraga, on Community Access Television (CATV) Comcast Channel 26; or by viewing the Town's YouTube Live channel at: <https://www.youtube.com/@TownofMoraga335>

**PUBLIC INPUT:** To provide input to the Town Council please submit comments via the following email address: [publiccomment@moraga.ca.us](mailto:publiccomment@moraga.ca.us) up to two hours prior to the start of the meeting. Written comment cards will also be available for submission at the meeting. Individuals addressing the Town Council are requested to state their name and community of residence for the record. If further assistance is needed, please email the Town Clerk at [townclerk@moraga.ca.us](mailto:townclerk@moraga.ca.us) or call (925) 888-7021.

It is the policy of the Town of Moraga that Councilmembers, Town employees and meeting participants are to be treated with respect and dignity. Actual or perceived discrimination and/or harassment of a Councilmember, Town employee or others on the basis of age, ancestry, color, disability, gender identity, marital status, medical condition, national origin, race, religious creed, sex or sexual orientation will not be tolerated.

**CEQA STATEMENT:** Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA Guidelines Sections 15060(C), 15061(B)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

**NOTICE:** If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the public hearing. Judging review of any Town administrative decision may be had only if petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environment determination may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision. The Town of Moraga will provide special assistance for disabled citizens upon at least 72 hours advance notice to the Town Manager's office (925- 888-7021). If sign assistance is needed or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.



**TOWN OF MORAGA  
TOWN COUNCIL**

**REGULAR MEETING  
WEDNESDAY, APRIL 22, 2026  
5:30 PM**

TOWN COUNCIL CHAMBER  
335 RHEEM BOULEVARD  
MORAGA, CA

**1. CALL TO ORDER**

ROLL CALL

**2. PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS**

3A. Proclamation - Autism Acceptance and Neurodiversity Celebration Month  
[Attachment A - Proclamation](#)

3B. Proclamation - National Library Week April 2026  
[Attachment A - Proclamation](#)

3C. Library Commission Update

**4. PUBLIC COMMUNICATION**

Time reserved for those in the audience who wish to address the Town Council on items which are not on the agenda. The Council cannot discuss details or vote on items not on the agenda. Your concerns may be referred to the Town Manager for a brief comment or for further review. Note: Public input pertaining to a specific item on the agenda may be made during consideration of that item.

**5. ADOPTION OF MEETING AGENDA**

**6. CONSENT CALENDAR**

A. Consideration of Consent Items Removed for Discussion

B. Acceptance of Consent Items

6.1 Approval of Meeting Minutes for the April 08, 2026 Special, Closed Session and the April 08, 2026 Regular meetings of the Moraga Town Council.

[Staff Report](#)

[Attachment A - DRAFT - APR 08 2026 - TC Closed Session Meeting Minutes - SPC](#)

[Attachment B - DRAFT - APR 08 2026 - TC Meeting Minutes - REG](#)

6.2 Approve, by minute order, the Revised 2026 Town Council Meeting calendar,

cancelling, and rescheduling meetings as necessary, and direct staff to schedule special meetings where needed.

[Staff Report](#)

[Attachment A - 2026 Town Council Meeting Calendar](#)

### 6.3 Adopt a Resolution:

1. Authorizing the Town Manager to execute a construction change order to the A3 Pipeline contract for the 2023 Annual Storm Drain Repairs Project (CIP 21-205) in the amount of \$158,000 for a total contract amount of \$921,565.50;
2. Authorizing an increase in the contingency in the amount of \$7,900 (5%) for a total project contingency amount of \$275,148.00;
3. Authorizing a funding transfer of \$220,000 from the Moraga Road Roadway and Drainage Project (CIP 21-207) to the 2023 Annual Storm Drain Repairs Project (CIP 21-205); and
4. Finding the additional work is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.) as this project is categorically exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1 – Existing Facilities) and 14 Cal. Code Regs. 15303 (Class 3 – New Construction of Small Structures).

[Staff Report](#)

[Attachment A - DRAFT Resolution](#)

[Attachment B - Map of Work Locations](#)

[Attachment C - A3 Pipeline Estimate](#)

[Addendum - Map Replacing Attachment B](#)

- 6.4 Adopt a resolution initiating proceedings to levy District assessments for Fiscal Year (FY) 2026-27 and ordering the preparation and filing of the annual Engineer's Report for "Assessment District No. 1979-1, Town of Moraga Street Lighting" ("District").

[Staff Report](#)

[Attachment A - Draft Resolution](#)

[Attachment B - District Boundary Map](#)

## 7. ANNOUNCEMENTS AND REPORTS ON ACTIVITIES

- A. Councilmember Reports on AB1234 Activities, Councilmember Announcements
- B. Town Manager

## 8. PUBLIC HEARING

## 9. DEPARTMENT REPORTS

- 9A. Consider Town Facilities Flag Display Policy options and provide direction to staff with respect to preferred policy option.

[Staff Report](#)

[Addendum - Public Comment Received](#)

9B. Adopt a resolution to approve the third amendment to the employment agreement between the Town of Moraga and Town Manager Scott Mitnick.

[Staff Report](#)

[Attachment A - Draft Resolution - 3rd Amendment to TM Agreement](#)

[Attachment B - Third Amendment to TM Agreement](#)

**10. COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

**11. INFORMATIONAL ITEMS**

**12. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS**

**13. ADJOURNMENT**

## A PROCLAMATION RECOGNIZING

# *April 2026 as Autism Acceptance and Neurodiversity Celebration Month*

**WHEREAS**, Autism spectrum disorder (ASD) is a developmental disability that can cause significant social, communication and behavioral challenges; and

**WHEREAS**, Individuals with ASD can range from extremely gifted to severely challenged; and

**WHEREAS**, A diagnosis of Autism Spectrum Disorder now includes several conditions that used to be diagnosed separately which now fall under the ASD umbrella; and

**WHEREAS**, About 1 in 68 children have been identified with autism spectrum disorder and ASD is about 4.5 times more common among boys than among girls. More than 3.5 million Americans live with an autism spectrum disorder; and

**WHEREAS**, ASD can sometimes be detected at 18 months or younger. By age 2, a diagnosis by an experienced professional can be considered very reliable; and

**WHEREAS**, research shows that early intervention treatment services can improve a child's development. Early intervention services help children from birth to 3 years old learn important skills. Services can include therapies to help the child talk, walk, interact with others, communicate, and control behaviors, including physical aggression and self-injury behavior; and

**WHEREAS**, during the month of April, we strive to promote autism awareness, inclusion, and self-determination for all, and assure that each person with ASD is provided an opportunity to achieve the highest possible quality of life; and

**WHEREAS**, neurodiversity speaks to the concept that certain developmental differences are normal variations of the brain, which are to be accepted and respected as any other human variation, such as autism, attention deficit hyperactivity, dyscalculia, dyslexia, dyspraxia, Tourette syndrome, and other neurological differences; and

**WHEREAS**, approximately 15-20% of the population has a neurological difference; and

**WHEREAS**, every neurodivergent individual has a unique pattern of strengths and challenges; and

**WHEREAS**, together, we can increase awareness about neurodiversity and build a caring, supportive community for neurodivergent individuals.

**WHEREAS**, organizations such as The Social Connection play a vital role in supporting neurodivergent individuals across Moraga and the greater Bay Area through inclusive programming, skill-building, and community engagement; and

**NOW THEREFORE**, we the Town Council of the Town of Moraga hereby proclaim the month of April to be designated as Autism Awareness & Acceptance Month and urge our community to help create awareness and acceptance for those with Autism Spectrum Disorder.

Dated this 8th day of April 2026

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Kerry Hillis, Mayor  
Town of Moraga

# A PROCLAMATION RECOGNIZING

## *National Library Week 2026*

**WHEREAS**, libraries spark creativity, fuel imagination, and inspire lifelong learning, offering a space where individuals of all ages can find joy through exploration and discovery; and

**WHEREAS**, libraries serve as vibrant community hubs, connecting people with knowledge, technology, and resources while fostering civic engagement, critical thinking, and cultural enrichment; and

**WHEREAS**, libraries provide free and equitable access to books, digital tools, and innovative programming, ensuring that all individuals—regardless of background—have the support they need to learn, connect, and thrive; and

**WHEREAS**, libraries partner with schools, businesses, and organizations to maximize resources, increase efficiency, and expand access to essential services, strengthening the entire community; and

**WHEREAS**, libraries empower job seekers, entrepreneurs, and lifelong learners by providing access to resources, training, and opportunities that support career growth and economic success; and

**WHEREAS**, libraries nurture young minds through story times, STEAM programs, and literacy initiatives, fostering curiosity and a love of learning that lasts a lifetime; and

**WHEREAS**, libraries protect the right to read, think, and explore without censorship, standing as champions of intellectual freedom and free expression; and

**WHEREAS**, dedicated librarians and library workers provide welcoming spaces that inspire discovery, collaboration, and creativity for all; and

**WHEREAS**, libraries, librarians, and library workers across the country are joining together to celebrate National Library Week under the theme “*Find Your Joy.*”

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Moraga hereby proclaims April 19–25, 2026, as National Library Week. During this week, we encourage all residents to visit their library, explore its resources, and celebrate all the ways that the library helps our community find joy.

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Kerry Hillis, Mayor  
Town of Moraga



**CONSENT CALENDAR: 6.1**

**Meeting Date: April 22, 2026**

**TOWN OF MORAGA**

**STAFF REPORT**

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**To: Honorable Mayor and Councilmembers**

**From: Amy Heavener, Town Clerk**

**Subject: Approval of Meeting Minutes for the April 08, 2026 Special, Closed Session and the April 08, 2026 Regular meetings of the Moraga Town Council.**

**RECOMMENDATION**

Approval of Meeting Minutes for the April 08, 2026 Special, Closed Session and the April 08, 2026 Regular meetings of the Moraga Town Council.

**ATTACHMENTS**

[Attachment A - DRAFT - APR 08 2026 - TC Closed Session Meeting Minutes - SPC](#)

[Attachment B - DRAFT - APR 08 2026 - TC Meeting Minutes - REG](#)



**TOWN OF MORAGA  
TOWN COUNCIL**

**SPECIAL MEETING – CLOSED SESSION  
WEDNESDAY, APRIL 08, 2026**

**DRAFT  
MINUTES  
4:00 PM**

The following are minutes of the actions taken by the Town of Moraga Town Council.

TOWN HALL - 329 RHEEM BLVD  
PEAR CONFERENCE ROOM  
MORAGA, CA

**1. CALL TO ORDER**

The special meeting was called to order at **4:00 PM** by Mayor, Kerry Hillis.

**ROLL CALL**

Councilmembers Present: Mayor Kerry Hillis, Vice Mayor Brian Dolan  
Councilmembers Steve Woehleke, Lisa Maglio,  
Graham Thiel

Councilmembers Absent: None.

Staff Present: Town Attorney, Michelle Marchetta Kenyon  
Town Manager, Scott Mitnick

**2. PUBLIC COMMUNICATION**

There were no public comments.

**3. SPECIAL MEETING – CLOSED SESSION**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Government Code Section 54957  
Title: Town Manager

CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to section 54957.6  
Agency designated representatives: Town Attorney  
Unrepresented Employee: Town Manager

**ACTION:**

There were no reportable actions.

**4. ADJOURNMENT**

Mayor Hillis adjourned the Town Council Special Closed Session Meeting at **5:26 PM**.

Respectfully submitted by:

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Amy Heavener, CMC  
Town Clerk

Approved by the Town Council:

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Kerry Hillis, Mayor

DRAFT



**TOWN OF MORAGA  
TOWN COUNCIL  
REGULAR MEETING**

**WEDNESDAY, APRIL 08, 2026**

**DRAFT  
MINUTES**

**5:30 PM**

The following are minutes of the actions taken by the Town of Moraga Town Council. A full video recording of the meeting is available on the Town's website at:

<https://livestream.com/moraga>

TOWN COUNCIL CHAMBER  
335 RHEEM BOULEVARD  
MORAGA, CA

**1. CALL TO ORDER**

The regular meeting was called to order at **5:32 PM** by Mayor, Kerry Hillis.

**ROLL CALL**

Councilmembers Present: Mayor Kerry Hillis, Vice Mayor Brian Dolan  
Councilmembers Lisa Maglio, Graham Thiel, Steve Woehleke

Councilmembers Absent: None

Staff Present: Town Manager, Scott Mitnick; Asst Town Attorney, Denise Bazzano;  
Town Clerk, Amy Heavener; Administrative Services Director, Katie Bruner; Interim Public Works Director, Nate Levine, Planning Director, Sonia Urzua

**2. PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS**

**3A. Proclamation - Arab American Heritage Month April 2026**

Councilmembers read the proclamation aloud.

There were no public comments.

**3B. Proclamation - Arbor Day Proclamation April 2026**

Councilmembers read the proclamation aloud.

There were no public comments.

**4. PUBLIC COMMUNICATION**

Ellen Beans, Cherise Khaund and Steve Sohner provided public comments.

## 5. ADOPTION OF MEETING AGENDA

### **ACTION:**

Motion: **Woehleke** / Second: **Dolan**

The meeting agenda was adopted as presented.

**Vote: (5-0)**

There were no public comments.

## 6. CONSENT CALENDAR

### A. Consideration of Consent Items Removed for Discussion

Councilmember Woehleke pulled **6.3** and **6.5** for Council discussion and comment.

### **ACTION:**

Motion: **Woehleke** / Second: **Maglio**

Consent Calendar **Item 6.3** was approved as presented.

**Vote: (5-0)**

### **ACTION:**

Motion: **Woehleke** / Second: **Maglio**

Consent Calendar **Item 6.5** was approved as presented.

**Vote: (5-0)**

There were no public comments on either pulled item.

### B. Acceptance of Consent Items

### **ACTION:**

Motion: **Dolan** / Second: **Maglio**

Approved Consent Calendar **Items 6.1, 6.2 and 6.4** as presented.

**Vote: (5-0)**

There were no public comments.

- 6.1 Receive Accounts Payable Claims for: February 6, 2026 - March 30, 2026 (\$683,355.40).
- 6.2 Approval of Meeting Minutes for the March 25, 2026 Special, Closed Session meeting, March 25, 2026 Regular meeting and March 25, 2026 Joint meeting of the Moraga Town Council and the Parks & Recreation Commission.
- 6.3 Adopt a Resolution:
  - 1. Authorizing the Town Manager to execute an agreement with Silicon Connections, LLC to perform the installation of the technology upgrades to Town Council Chamber and Pear Conference Room, for a total amount not to exceed \$89,093;

2. Approving a contingency amount of \$5,907, for a total amount not to exceed \$95,000 to comply with SB 707;
  3. Authorizing the Administrative Services Director to execute any amendments within the contingency, as necessary; and
  4. Appropriating \$95,000 in PEG funds.
- 6.4 Adopt a Resolution:
1. Authorizing the Town Manager to execute a final construction contract change order for the 2023-24 Pavement Rehabilitation Project (CIP 23- 401) in the amount of \$183,405.09;
  2. Approving the Project as complete by Bay Cities Paving & Grading, Inc. (Concord, CA);
  3. Authorizing the Town Manager to execute the Certificate of Completion; and
  4. Authorizing the Town Engineer to file the Resolution of Acceptance and Certificate of Completion with the Contra Costa County Recorder.
- 6.5 Re-Appoint Gian Panetta and Spencer Schilling to the Local Sales Tax Oversight Committee (LSTOC) for a new term of 2 years, which will expire on March 1, 2028.

## 7. ANNOUNCEMENTS AND REPORTS ON ACTIVITIES

### A. Councilmember Reports on AB1234 Activities, Councilmember Announcements

Councilmember Woehleke Attended the Contra Costa County Board of Supervisors meeting and the monthly Contra Costa County Mayor's conference in Concord, CA.

Councilmember Maglio Attended the RecycleSmart Legislative Committee meeting and the monthly Contra Costa County Mayor's conference in Concord, CA. Councilmember Maglio met with Saint Marys College Professor, Myrna Santiago regarding an invitation to speak on behalf of the Town of Moraga during a summer program entitled New Leadership which is geared toward women interested in entering politics.

Councilmember Thiel No reports.

Vice Mayor Dolan No reports.

Mayor Hillis Thanked his colleagues for support during his time off.

### B. Town Manager

Town Manager Mitnick Deferred his report to the end of the meeting.

## 8. DEPARTMENT REPORTS

- 8A.** Endorse the Moraga School District Ballot Measure I ("Teacher Retention and Academic Preservation Measure").

Town Manager Mitnick presented the item.

Larry Jacobs and Nancy Keadzenski provided public comment.

Councilmembers provided feedback and gave their final deliberations.

**ACTION:**

Motion: **Woehleke** / Second: **Maglio**

Endorse the Moraga School District Ballot Measure.

**Vote: (5-0)**

- 8B.** Adopt a Resolution authorizing the Town Manager to execute the Second Amendment to the Professional Services Agreement with Clean Coalition, increasing the scope of services and contract amount by \$30,000, for a total amount not to exceed \$182,250, and extending the Time of Performance through June 30, 2026.

Interim Public Works Director, Nate Levine presented the item.

Councilmembers asked clarifying questions.

There were no public comments.

**ACTION:**

Motion: **Woehleke** / Second: **Thiel**

Approved Item 8B as presented.

**Vote: (5-0)**

## 9. PUBLIC HEARING

- 9A.** Conduct the Public Hearing and adopt a Resolution:

1. Determining that the anticipated cost to the Town of the Town Facilities Energy Reliability Project is less than the projected energy utility costs to be consumed by the Town over the useful life of the project, as required by California Government Code Section 4217;
2. Authorizing the Town Manager to finalize and execute the proposed agreement with Excite Energy for the Town Facilities Energy Reliability Project, for a project cost of \$890,066, with a 10% contingency for a total not-to-exceed amount of \$979,073, including minor non-substantive revisions as approved by the Town Manager and Town Attorney;
3. Authorizing the Town Engineer to execute change orders within the contingency;
4. Authorizing a 0%, 15-year internal loan from the Palos Colorado Fund to the General Fund in an amount not to exceed \$600,000;
5. Appropriating an additional \$470,000 for CIP 23-108 (Town Facilities Energy Reliability) for a total project budget of \$1,665,000; and

6. Finding the proposed project is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Class 1 – Existing Facilities) and 15303 (Class 3-New Construction or Conversion of Small Structures).

Interim Public Works Director, Nate Levine and Administrative Services Director, Katie Bruner presented the item.

Councilmembers asked clarifying questions.

John Burdette, VP of Development at Excite Energy provided further clarification addressing Councilmember questions and Town Manager, Mitnick provided additional clarifying information regarding trees.

Mayor Hillis opened the Public Hearing.

John Burdette, VP of Development at Excite Energy and Ron Schumacker, Moraga Motors provided public comment.

Mayor Hillis closed the Public Hearing.

Councilmembers gave their final deliberations.

**ACTION:**

Motion: **Woehleke** / Second: **Dolan**

Approved Item 9A as presented.

**Vote: (5-0)**

**10. COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

None.

**11. INFORMATIONAL ITEMS**

None.

**12. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS**

Town Manager Mitnick thanked the Council for their support on the agenda and complimented staff on their efforts on Public Hearing Item, 9A. Town Manager Mitnick addressed the public comment pertaining to gas-powered leaf blowers. Town Manager Mitnick provided an update on future agenda items scheduled for the next regular Town Council meeting on April 22, 2026.

**13. ADJOURNMENT**

Mayor Hillis adjourned the Town Council Regular meeting at **7:16 PM**.

Respectfully submitted by:

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Amy Heavener, CMC  
Town Clerk

Approved by the Town Council:

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Kerry Hillis, Mayor

DRAFT



Meeting Date: April 22, 2026

TOWN OF MORAGA

STAFF REPORT

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**To: Honorable Mayor and Councilmembers**  
**From: Amy Heavener, Town Clerk**  
**Subject: 2026 Revised Town Council Meeting Calendar**

**RECOMMENDATION**

Approve, by minute order, the Revised 2026 Town Council Meeting calendar, cancelling, and rescheduling meetings as necessary, and direct staff to schedule special meetings where needed.

**BACKGROUND**

The Town historically cancels several Town Council meetings throughout the year due to holidays that may fall on or near normally scheduled Council meeting dates. The Town Council calendar was not presented to Council during the first quarter of the current year. However, Council and staff have followed the meeting cadence as outlined in our Town Council protocols. Due to scheduling changes, staff is bringing a revised calendar before Council for approval. To assist the public and elected officials in planning their schedules for the remainder of the year, staff has reviewed the entire upcoming year to develop the attached schedule.

**DISCUSSION**

The revised Town Council meeting schedule includes meetings on the second and fourth Wednesday of each month at 5:30 pm with the following exceptions:

DATE	REASON FOR CHANGE/CANCELLATION
July 22, 2026	Cancel Due Council Legislative Break
August 12, 2026	Cancel Due Council Legislative Break
August 26, 2026	Cancel Due Council Legislative Break
September 23, 2026	Cancel Due to Town Council attendance at Cal Cities Conference
November 18, 2026	Moved from 11/11 due to Veteran's Day Holiday
November 25, 2026	Cancel Due to Thanksgiving Holiday Break
December 23, 2026	Cancel Due to Winter Holiday Break

**FISCAL IMPACT**

There is no fiscal impact in updating the Town Council meeting schedule.

**CEQA COMPLIANCE**

This item is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this is not a “project” that may cause a direct, or reasonably foreseeable indirect, physical change in the environment.

**ALTERNATIVES**

1. Approve the revised 2026 Town Council calendar with revisions; or
2. Do not approve the revised 2026 Town Council calendar and provide direction to staff.

**NEXT STEPS**

Upon approval of the revised 2026 Town Council meeting calendar, staff will publish the revised meeting dates on the Town website.

**ATTACHMENTS**

[Attachment A - 2026 Town Council Meeting Calendar](#)

# TOWN OF MORAGA

## COUNCIL MEETING CALENDAR


(Schedule may vary due to Holidays or Special Meetings)

# 2026

Town Council - 5:30 PM  
2nd and 4th Wednesdays of Month

Town Offices Closed - Holidays

Town Offices Closed

 break in normal meeting schedule

JANUARY						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH						
S	M	T	W	TH	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
S	M	T	W	TH	F	S
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
S	M	T	W	TH	F	S
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	<del>22</del>	23	24	25
26	27	28	29	30	31	

AUGUST						
S	M	T	W	TH	F	S
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2	3	4	5	6	7	8
9	10	11	<del>12</del>	13	14	15
16	17	18	19	20	21	22
23	24	25	<del>26</del>	27	28	29
30	31					

SEPTEMBER						
S	M	T	W	TH	F	S
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13	14	15	16	17	18	19
20	21	22	<del>23</del>	24	25	26
27	28	29	30			

OCTOBER						
S	M	T	W	TH	F	S
				1	2	3
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18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	<del>25</del>	26	27	28
29	30					

DECEMBER						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	<del>23</del>	24	25	26
27	28	29	30	31		



Meeting Date: April 22, 2026

**TOWN OF MORAGA**

**STAFF REPORT**

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**To: Honorable Mayor and Councilmembers**

**From: Nate Levine, Interim Public Works Director/Town Engineer Deirdre Castillo, Senior Engineer**

**Subject: A3 Pipeline Contract Change Order for Storm Drain Repairs Project (CIP 21-205)**

**RECOMMENDATION**

Adopt a Resolution:

1. Authorizing the Town Manager to execute a construction change order to the A3 Pipeline contract for the 2023 Annual Storm Drain Repairs Project (CIP 21-205) in the amount of \$158,000 for a total contract amount of \$921,565.50;
2. Authorizing an increase in the contingency in the amount of \$7,900 (5%) for a total project contingency amount of \$275,148.00;
3. Authorizing a funding transfer of \$220,000 from the Moraga Road Roadway and Drainage Project (CIP 21-207) to the 2023 Annual Storm Drain Repairs Project (CIP 21-205); and
4. Finding the additional work is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.) as this project is categorically exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1 – Existing Facilities) and 14 Cal. Code Regs. 15303 (Class 3 – New Construction of Small Structures).

**BACKGROUND**

On July 10, 2024, the Town Council awarded a construction contract to A3 Pipeline (San Francisco) for the 2023 Annual Storm Drain Repairs Project (CIP 21-205). The total contract amount, including contingencies, is \$1,030,813.50. The work includes the repair and replacement of storm drain pipes, catch basins, and vaults, and the installation of concrete curb and gutter and ADA ramps.

Staff have identified the need for stormwater pipe and manhole installations on Moraga Road and recommends amending A3 Pipeline's contract to complete the work.

## **DISCUSSION**

A3 Pipeline is in the process of completing storm drain repairs at 23 locations (Attachment B) throughout the Town under CIP 21-205. The Moraga Road Roadway and Drainage Project (CIP 21-207) consists of work similar to CIP 21-205: stormwater pipe and manhole installation on Moraga Road, across from Dolores Court. A3 Pipeline has provided a cost estimate of \$158,000 (Attachment C) to install those underground facilities, including 200 ft of 18" PVC pipe and two manholes. The remaining work to be performed on the Moraga Road Roadway and Drainage Project (grading and soil stabilization) will be completed under a separate future contract.

Using A3 Pipeline for the underground storm drain improvements for CIP 21-207 is an efficient and cost-effective approach because the contractor is already mobilized in the Town performing similar storm drain work under CIP 21-205. This avoids the delay and added administrative cost of separately bidding a small underground utility project, while allowing the remaining grading and soil stabilization work to be completed later under a separate contract more appropriate to that scope.

## **FISCAL IMPACT**

Both the 2023 Annual Storm Drain Repairs Project (CIP 21-205) and the Moraga Road Roadway and Drainage Project (CIP 21-207) are funded in the adopted Fiscal Year (FY) 2025-26 and 2026-27 CIP. There are sufficient funds in those two projects for the additional work, which would increase the total contract amount, including contingencies, to \$1,196,713.50.

## **CEQA COMPLIANCE**

The proposed work is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.) as this project is categorically exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1 – Existing Facilities) and 14 Cal. Code Regs. 15303 (Class 3 – New Construction of Small Structures) consisting of a minor storm drain extension in an existing roadway within the public right-of-way.

## **ALTERNATIVES**

1. Adopt the attached Resolution with modifications; or
2. Do not adopt the attached Resolution and provide direction to staff.

## **NEXT STEPS**

If the Town Council authorizes the additional work, staff will file a Notice of Exemption. After A3 Pipeline has completed all work including punch list items, Town Council will consider accepting the project as complete at a future meeting.

## **ATTACHMENTS**

Attachment A - DRAFT Resolution

Attachment B - Map of Work Locations

Attachment C - A3 Pipeline Estimate

Addendum - Map Replacing Attachment B

**TOWN OF MORAGA  
TOWN COUNCIL**

**RESOLUTION NO. \_\_-2026**

**AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONSTRUCTION CONTRACT CHANGE ORDER TO A3 PIPELINE CONTRACT FOR THE 2023 ANNUAL STORM DRAIN REPAIRS PROJECT (CIP 21-205) IN THE AMOUNT OF \$158,000; AUTHORIZING AN INCREASE IN THE CONTINGENCY IN THE AMOUNT OF \$7,900 (5%); AUTHORIZING A FUNDING TRANSFER OF \$220,000 FROM THE MORAGA ROAD ROADWAY AND DRAINAGE PROJECT (CIP 21-207) TO THE 2023 ANNUAL STORM DRAIN REPAIRS PROJECT (CIP 21-205); AND FINDING THE ADDITIONAL WORK IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (CLASS 1 & CLASS 3)**

**WHEREAS**, the 2023 Annual Storm Drain Repairs Project (CIP 21-205) is funded as part of the adopted Fiscal Year (FY) 2025-26 – FY 2026-27 Capital Improvement Program (CIP) budget;

**WHEREAS**, on July 10, 2024, the Town Council awarded a construction contract to A3 Pipeline for the construction of the 2023 Annual Storm Drain Repairs Project (CIP 21-205) in an amount not to exceed \$1,030,813.50 (including contingency);

**WHEREAS**, the Moraga Road Roadway and Drainage Project (CIP 21-207) is funded as part of the adopted Fiscal Year (FY) 2025-26 – FY 2026-27 Capital Improvement Program (CIP) budget;

**WHEREAS**, Moraga Road Roadway and Drainage Project (CIP 21-207) includes work similar to the 2023 Annual Storm Drain Repairs Project (CIP 21-205), specifically, storm water pipe and manhole installation on Moraga Road across from Dolores Court;

**WHEREAS**, A3 Pipeline has submitted a proposal in the amount of \$158,000 to install the storm water pipe and manholes on Moraga Road across from Dolores Court as designed in the Moraga Road Roadway and Drainage Project (CIP 21-207);

**WHEREAS**, the Town Engineer recommends that A3 Pipeline's proposal is reasonable and acceptable;

**WHEREAS**, the Town Engineer recommends authorizing an additional contingency in the amount of \$7,900 (5%);

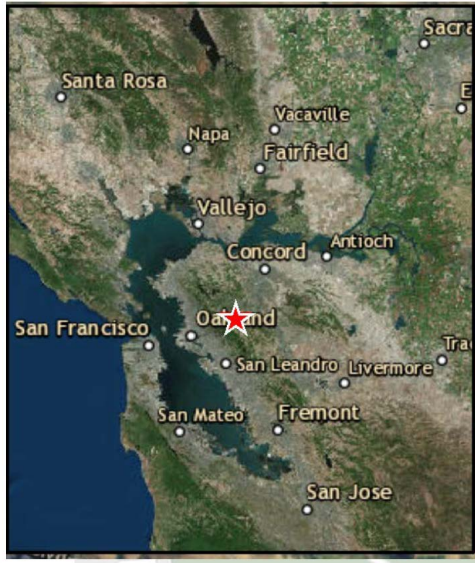
**WHEREAS**, the total construction cost of the project, including contingencies, is increased to \$1,196,713.50 (\$1,030,813.50 + \$158,000 + \$7,900);

**WHEREAS**, the construction work was previously found to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. 15301 (Class 1-Existing Facilities); and

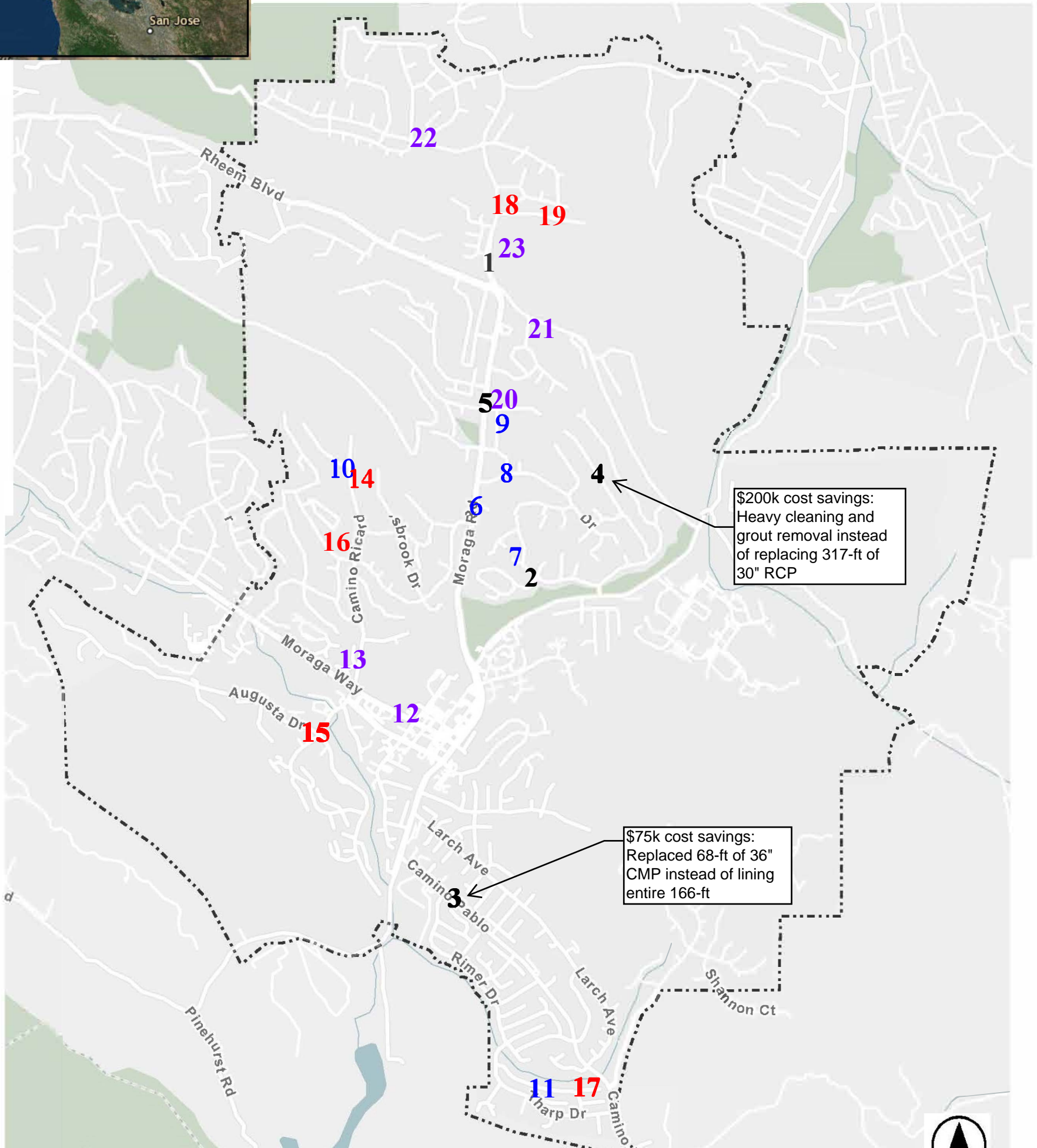
**WHEREAS**, the additional work is exempt from review under CEQA pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.), as this project is categorically exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1 – Existing Facilities) and 14 Cal. Code Regs. 15303 (Class 3 – New Construction of Small Structures) consisting of a minor storm drain extension in an existing roadway within the public right-of-way.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Moraga hereby;

1. Authorizes the Town Manager to execute a construction contract change order to A3 Pipeline contract for the 2023 Annual Storm Drain Repairs Project (CIP 21-205) in the amount of \$158,000 for a total contract amount of \$921,565.50; and
2. Authorizes an increase in the contingency in the amount of \$7,900 (5%) for a total project contingency amount of \$275,148.00; and
3. Authorizes a funding transfer of \$220,000 from the Moraga Road Roadway and Drainage Project (CIP 21-207) to the 2023 Annual Storm Drain Repairs Project (CIP 21-205); and
4. Finds the additional work is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.) as this project is categorically exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1 – Existing Facilities) and 14 Cal. Code Regs. 15303 (Class 3 – New Construction of Small Structures).



# VICINITY AND LOCATION MAPS



REPAIR LOCATIONS INCLUDED IN REBID PROJECT			RECENTLY DISCOVERED LOCATIONS IN NEED OF REPAIR				
1	Moraga Rd N/O Rheem Blvd	Replace 123-ft of 18" CMP	Complete	12	Moraga Wy at School St	Replace Vault	Complete
2	315 Bedford Pl	Replace 8-ft of 18" RCP	Complete	13	Camino Ricardo at Whiting Ct	TBD	Eliminated
3	Camino Pablo at Rimer Dr	Replace 68-ft of 36" CMP	Complete	20	Donald Dr at Moraga Rd	Replace 38-ft of 12" CMP and install ADA ramp	Complete
4	320 Donald Dr	Heavy cleaning of 317-ft of 30" RCP	Assigned to Maintenance for heavy cleaning	21	Chalda Way	Plug abandoned pipe and repair sinkhole	Complete
5	Moraga Rd at Donald Dr	Replace 67-ft of 12" CMP	In Process	22	Paseo del Rio at Campolindo Dr	Install slot drain and manhole	In Process
REPAIR LOCATIONS INCLUDED IN ORIGINAL PROJECT BUT OMITTED FROM REBID PROJECT			REPAIR LOCATIONS PREVIOUSLY DESIGNED AND ADDED DUE TO COST SAVINGS				
6	Moraga Rd N/O Paso Linares	Replace 65-ft of 36" CMP	Complete	14	Camino Ricardo at Ashbrook Pl	Patch invert, 60-ft of 52" RCP	Complete
7	Belfair Pl at Fernwood Dr	Replace 8-ft of 18" RCP	Complete	15	St. Andrew's Dr at August Dr	Patch 4-ft of 42" RCP	Complete
8	Draeger Dr at Devin Dr	Replace 12-ft of 18" RCP	Complete	16	61 Corliss Dr	Patch 4-ft of 36" RCP	Complete
9	Carrol Dr S/O Donald Dr	Replace 8-ft of 21" RCP	Complete	17	Deerfield Dr at Stonefield Pl	Patch invert, 234-ft of 42" RCP & 183-ft of 36" RCP	Complete
10	Ashbrook Pl at Camino Ricardo	Replace 30-ft of 30" RCP	Complete	18	Moraga Rd between Buckingham Dr and Woodford Dr	Patch invert, 191-ft of 60" RCP & 233-ft of 42" RCP	Complete
11	368 Deerfield Dr	43-ft of 30" RCP	Assigned to Maintenance for heavy cleaning	19	Woodford Dr near Betlin Pl	Patch invert, 17-ft of 36" RCP	Complete

**ESTIMATE**

**A3 Pipeline**  
 121 Quint St  
 San Francisco, CA 94124-1403

info@a3pipeline.com  
 +1 (415) 214-4395



**Bill to**  
 Town of Moraga

**Ship to**  
 Town of Moraga

**Estimate details**

Estimate no.: 2090  
 Estimate date: 04/14/2026

#	Product or service	Description	Qty	Rate	Amount
1.		Moraga Storm Drain Project			
2.	<b>SERVICES</b>	MORAGA RD Scope of work: - Mobilization - Traffic Control - Install a doghouse manhole at Sta 107+93.33, but don't bust into the existing PVC pipe. **** Once we get environmental okay, then we can cut a hole in the existing PVC pipe. **** - Install 18" PVC between Sta 107+93.33 and Sta 105+85.58 (Approx. 208 LF). Invert depth = 4 ft +/- - Install a manhole at Sta 105+85.58 with two pipe connections. Rim to invert = 4.3 ft +/- - Install 18" PVC between Sta 105+85.58 and future CB Approx. 42LF ***CB Drop Inlet not included *** - Repaving trench section with new asphalt - Plug and cap 18" pipe with marker for future connection	1	\$158,000.00	\$158,000.00
<b>Total</b>					<b>\$158,000.00</b>

Accepted date

Accepted by



**TOWN OF MORAGA**  
**TOWN COUNCIL MEETING**  
April 22, 2026

## Addendum(s) to Published Agenda

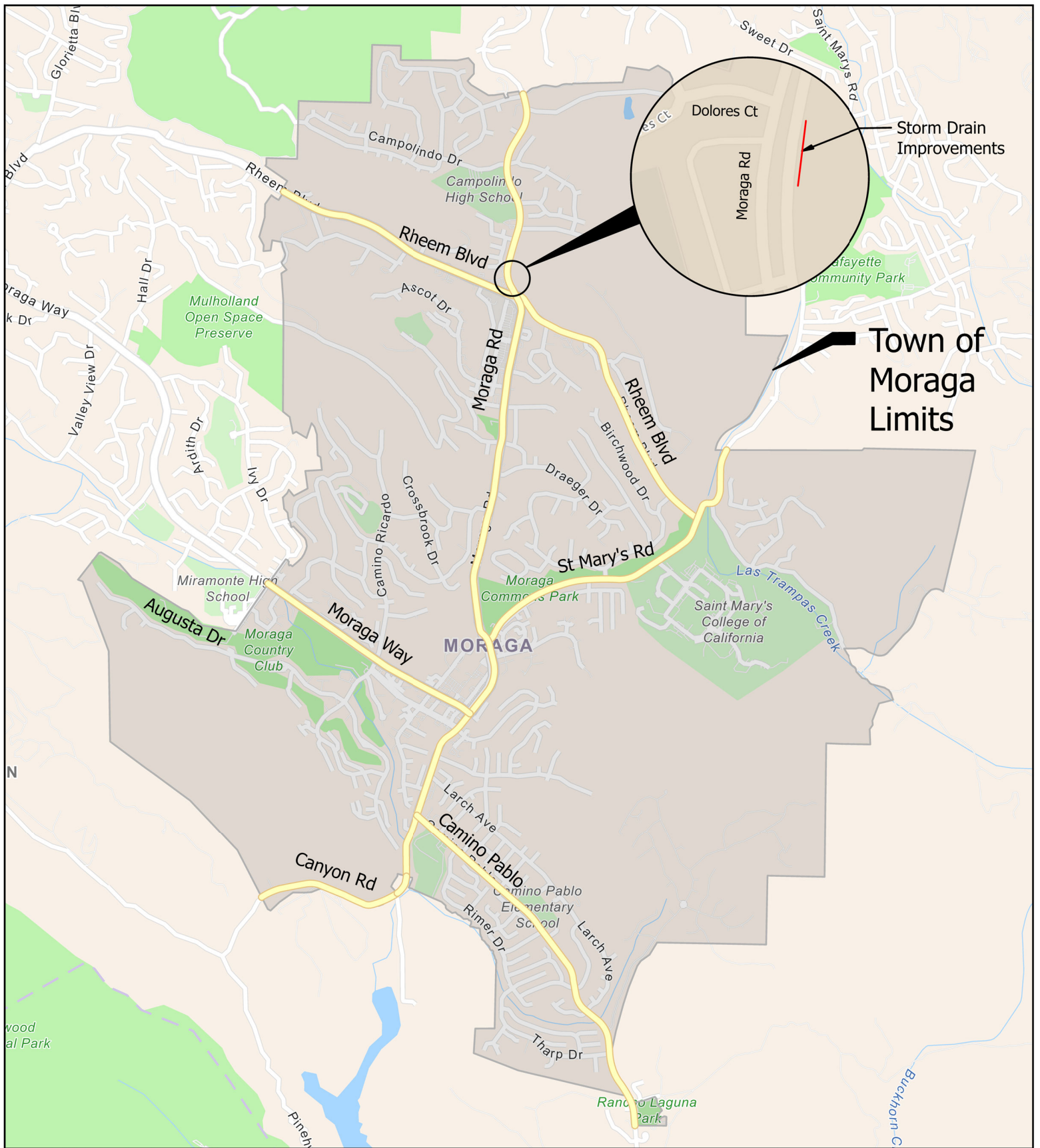
### 6: Consent Calendar

#### 6.3: Adopt a Resolution:

1. Authorizing the Town Manager to execute a construction change order to the A3 Pipeline contract for the 2023 Annual Storm Drain Repairs Project (CIP 21-205) in the amount of \$158,000 for a total contract amount of \$921,565.50;
2. Authorizing an increase in the contingency in the amount of \$7,900 (5%) for a total project contingency amount of \$275,148.00;
3. Authorizing a funding transfer of \$220,000 from the Moraga Road Roadway and Drainage Project (CIP 21-207) to the 2023 Annual Storm Drain Repairs Project (CIP 21-205); and
4. Finding the additional work is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.) as this project is categorically exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1 – Existing Facilities) and 14 Cal. Code Regs. 15303 (Class 3 – New Construction of Small Structures).

#### Updates Include:

- Corrected map showing proposed work location (Attachment B). *This map should **replace** the existing Attachment B in the published Agenda Packet.*



**Moraga Road  
Drainage Improvements  
Site and Location Map**

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**Town of Moraga**

N  
  
 0 1,500 3,000 Feet  
 April, 2026 **28**



**Meeting Date: April 22, 2026**

**TOWN OF MORAGA**

**STAFF REPORT**

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**To: Honorable Mayor and Councilmembers**

**From: Nate Levine, Interim Public Works Director / Town Engineer Jeanet Lara, Senior Administrative Assistant**

**Subject: Initiation of FY 2026-27 Street Lighting Assessment Proceedings and Annual Engineer's Report**

**RECOMMENDATION**

Adopt a resolution initiating proceedings to levy District assessments for Fiscal Year (FY) 2026-27 and ordering the preparation and filing of the annual Engineer's Report for "Assessment District No. 1979-1, Town of Moraga Street Lighting" ("District").

**BACKGROUND**

Assessment District No. 1979-1, Town of Moraga Street Lighting ("District") was formed on May 30, 1979, pursuant to the Landscaping and Lighting Act of 1972 ("Act"), for the purpose of funding street lighting, traffic signal, and related improvements and services within the District. A map of the District's boundaries is included as Attachment B. In practice, the District funds the operation, maintenance, and related costs of street lighting and traffic signal improvements within the District.

Each year, to continue levying assessments for the District, the Town must complete the annual proceedings required by the Act. Those proceedings generally include the following:

1. Adopt a resolution initiating proceedings for FY 2026-27 and ordering preparation and filing of the annual Engineer's Report for the District, which is the subject of this agenda item.
2. Adopt resolutions approving the Engineer's Report on a preliminary basis, declaring the Town's intention to levy and collect assessments for FY 2026-27, and setting a public hearing date for June 24, 2026, to receive public input on the proposed assessments.
3. Conduct the public hearing, consider all protests and comments, and adopt a resolution confirming the Engineer's Report and ordering the levy and collection of assessments for FY 2026-27.

Following completion of these proceedings, the Town must submit the approved assessments to the Contra Costa County Auditor by August 10, 2026, for inclusion on the FY 2026-27 property tax roll.

**DISCUSSION**

The requested action of the Town Council is to fulfill the requirement described in Item 1 above.

The Act requires the Town Council to adopt a resolution initiating proceedings to levy District assessments, describing the District improvements, directing preparation and filing of the annual Engineer’s Report, and generally describing any new or substantial changes to the District improvements for the ensuing fiscal year. For FY 2026-27, the proposed change is the conversion of 106 existing high-pressure sodium vapor (HPSV) lamps to light-emitting diode (LED) technology to improve illumination and reduce energy consumption, as described in the attached resolution.

**FISCAL IMPACT**

The District generates approximately \$200,000 annually to fund the operation and maintenance of street lighting and traffic signal improvements. Revenue collected for the District is deposited into a separate Town fund (Fund 355). If the attached resolution is not adopted, the Town cannot proceed with levying and collecting District assessments on the FY 2026-27 property tax roll.

**CEQA COMPLIANCE**

This action is not subject to review under the California Environmental Quality Act (CEQA) because it is not a “project” within the meaning of Public Resources Code section 21065 and CEQA Guidelines section 15378, and will not result in a direct or reasonably foreseeable indirect physical change in the environment.

**ALTERNATIVES**

1. Modify the proposed Resolution.
2. Do not adopt the proposed Resolution and provide direction to staff.

**NEXT STEPS**

Upon adoption of the attached resolution, the FY 2026-27 District Engineer’s Report will be presented to the Town Council for preliminary approval on May 13, 2026.

**ATTACHMENTS**

- [Attachment A - Draft Resolution](#)
- [Attachment B - District Boundary Map](#)

**TOWN OF MORAGA  
TOWN COUNCIL**

**RESOLUTION NO. XX-2026**

**INITIATING PROCEEDINGS TO LEVY DISTRICT ASSESSMENTS FOR FISCAL  
YEAR 2026-27 AND ORDERING THE PREPARATION AND FILING OF THE  
ANNUAL ENGINEER'S REPORT FOR ASSESSMENT DISTRICT NO. 1979-1, TOWN  
OF MORAGA STREET LIGHTING**

**WHEREAS**, in 1979, the Town Council of the Town of Moraga formed an assessment district under Part 2 of Division 15 of the Streets and Highways Code (Landscape and Lighting Act of 1972 ("Act"), beginning with Streets & Highways Code, Section 22500);

**WHEREAS**, the assessment district was designated as "Assessment District 1979-1, Town of Moraga Street Lighting";

**WHEREAS**, the improvements of Assessment District 1979-1, Town of Moraga Street Lighting ("District") consist of the maintenance or servicing, or both, of existing and future public lighting facilities, and the installation or construction of public lighting facilities and any facilities appurtenant thereto;

**WHEREAS**, the Act requires Town Council to adopt a resolution initiating proceedings to levy District assessments, describing the District improvements, directing the preparation and filing of the annual Engineer's Report, and generally describing any new or substantial changes to the District improvements for the ensuing fiscal year;

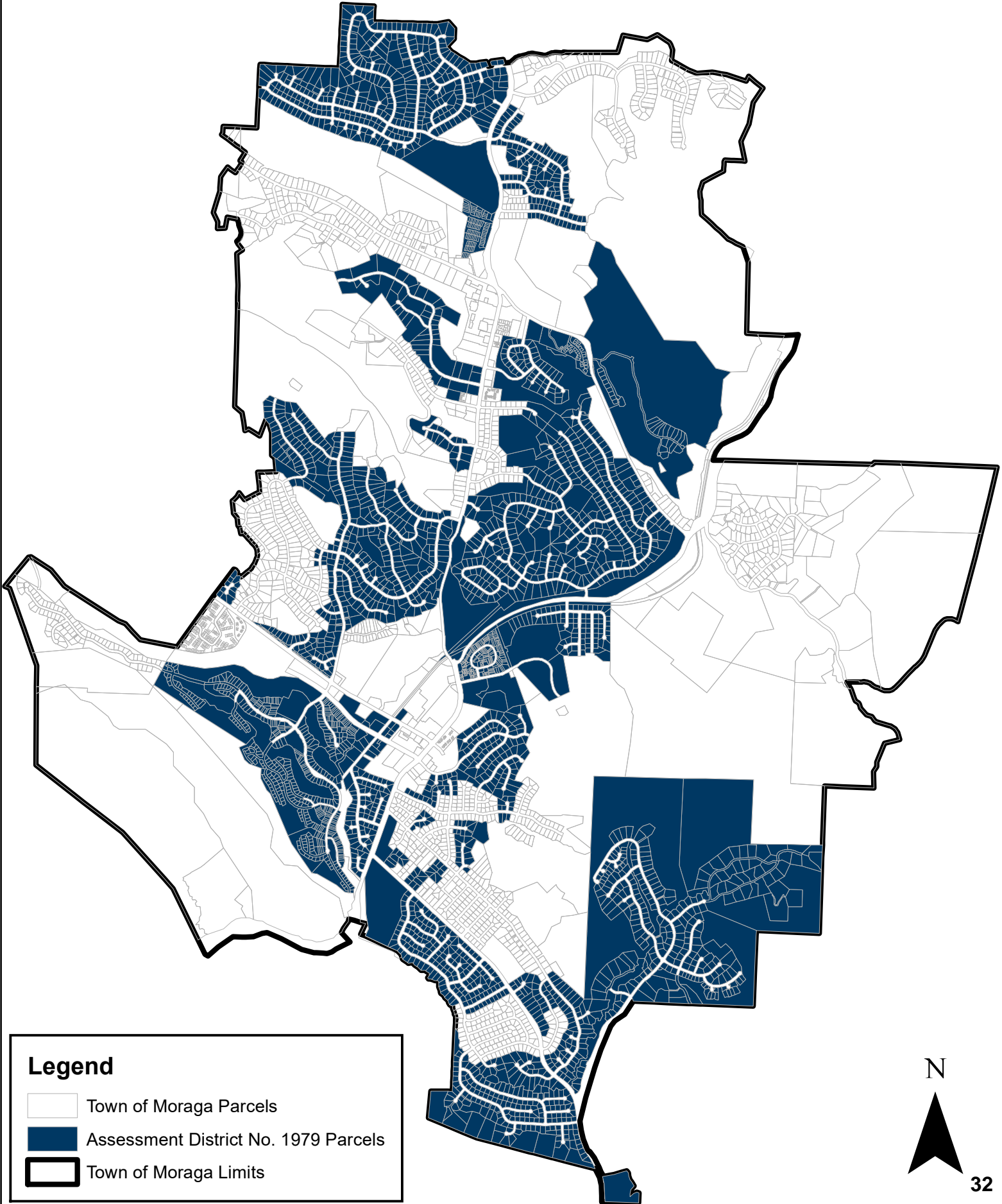
**WHEREAS**, the Town has designated Francisco and Associates as the District Engineer to prepare the Fiscal Year 2026-27 Engineer's Report; and

**WHEREAS**, there is one new or substantial potential change to the District improvements for Fiscal Year 2026-27: converting 106 existing high-pressure sodium vapor (HPSV) lamps to Light-Emitting Diode (LED) technology to improve illumination and reduce energy consumption.




**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Moraga initiates proceedings to levy District assessments for Fiscal Year 2026-27 and orders the preparation and filing of the annual Engineer's Report for the District in accordance with Article 4 (beginning with Streets & Highways Code, Section 22565) of Chapter 1 of the Act.

TOWN OF MORAGA  
ASSESSMENT DISTRICT NO. 1979,  
TOWN OF MORAGA STREET LIGHTING

Attachment B



**Legend**

-  Town of Moraga Parcels
-  Assessment District No. 1979 Parcels
-  Town of Moraga Limits





Meeting Date: April 22, 2026

TOWN OF MORAGA

STAFF REPORT

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**To: Honorable Mayor and Councilmembers**  
**From: Scott Mitnick, Town Manager**  
**Subject: Town Public Facilities Flag Display Policy**

### **RECOMMENDATION**

Consider Town Facilities Flag Display Policy options and provide direction to staff with respect to preferred policy option.

### **BACKGROUND**

At the Town Council meeting of February 11, 2026, staff was directed to research and provide Town Council with flag display policy options.

The Town does not have a consolidated administrative policy governing the display of flags at Town-owned facilities. Adoption of a formal flag display policy would establish standards for the display of United States, State of California, Town of Moraga, and ceremonial flags at designated Town-owned public facilities. Such a policy would also clarify if Town flagpoles are to be used to convey official government speech, and if they are intended to serve as a forum for public free expression. A comprehensive flag display policy should further address outdoor and indoor display standards, half-staff observances, ceremonial flag displays, care and retirement of flags, and assignment of responsibility for implementation.

### **DISCUSSION**

#### ***U.S. Constitution Free Speech Clause & Local Government Authority***

The Free Speech Clause of the U.S. Constitution does not prevent a local government from declining to express a viewpoint (government speech) on areas of public property that are not traditionally used for free speech activity (public fora). Governments are generally free to express to select the views that it wants to express, subject to certain constitutional and legal constraints (See *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U.S. 819, 833; *Rust v. Sullivan*, 500 U.S. 173, 194). However, the boundary between government speech and private expression can blur when a local government invites the people to participate or speak

in a particular location. (See *Shurtleff v. City of Boston* 596 U.S. 243 (2022) In order to ensure that government speech is preserved when it comes to the display of flags on public property, local governments typically adopt policies to ensure that the message that is being conveyed, even if by a third party, is the government's message, rather than private speech. (*Shurtleff v. City of Boston*, supra at p. 255).

### ***Bay Area Local Government Flag Display Policies and Practices***

Staff reviewed flag display policies used in other Bay Area municipalities and learned that they range from the traditional restriction of allowing the display of only government flags to open flexibility to allow for the display of a wide range of messages and symbols.

The most common approach is to restrict the display of only the United State, State of California, and local municipal flags. Some municipalities allow limited display of governmental ceremonial flags, subject to strict local government review and approval. A few local governments allow for more open display of flags. In addition, at least one Contra Costa County municipality allows for the display of political and ceremonial flags or banners at a designated public location such as at a park or recreational area.

For the purpose of this staff report, the following highlights two policy options which are in line with the Town's current practice and allow for Town Council consideration and opportunity to provide different direction to staff:

#### ***1. Traditional Flag Display Policy Option***

This option would continue the past practice of restricting the display to content-neutral traditional government flags and would include the following components:

- Limit the display to the United States, State of California, and Town of Moraga flags only
- Not authorize the display of political or ceremonial flags of any type

This policy reflects the historic practice of local governments throughout the United States to ensure that flag poles are used for the intent that has been in place dating back to the founding the nation 250 years ago (which is to identify public buildings). Local government building flag poles throughout California have long remained content-neutral, and are used to display only United States, California, and municipal flags. This approach is the simplest to administer, avoids case-by-case judgment calls, minimizes legal exposure, and best aligns with the goal of treating flagpoles as a vehicle for official governmental expression rather than as a political platform for causes, special interest groups, or commemorative observances.

#### ***2. Governmental Ceremonial Flag Display Policy Option***

Some local governments authorize ceremonial flags via a narrowly tailored Flag Display Policy which may include the following components:

- Expressly state that Town flagpoles are not a forum for public expression and are limited to ceremonial flags approved by the Town Council, which would be considered government speech

- Restrict the display to a single designated flagpole or location
- Require requests to be from the Mayor, a Councilmember, or Town Manager, rather than from third parties
- Set clear Town Council approval criteria included in the authorizing resolution and/or policy

This option does come with the risk that other special interest groups or individuals would request equal display time for their flags. If this happens, it is possible that the Town would not be able to deny their request.

### ***Staff Policy Recommendation***

From a professional, content-neutral perspective, staff recommends the Traditional Flag Display Policy Option because it would provide clear standards, reduce administrative discretion, and minimize the risk of future disputes and legal exposure over requests to display non-governmental, political, and/or commemorative flags.

### ***Flag Display Requirements***

No matter which Flag Display Policy option is pursued, the following Flag Display Requirements should be included in such a policy:

- Specify maximum display periods and require administrative review for logistics, consistency, and compliance with federal and state flag protocols
- Reserve the primary flag positions for the United States, State of California, and Town of Moraga flags, with any ceremonial flag displayed only in a subordinate position or on a designated pole, except as otherwise required by law or official half-staff proclamations
- Include standard provisions regarding indoor and outdoor display, order of precedence, flag care, retirement of damaged flags, and departmental responsibility for implementation

### **FISCAL IMPACT**

Any fiscal impact is expected to be minor and limited to staff time. A policy authorizing ceremonial flags may create modest additional administrative costs for processing requests, coordinating installations, and ensuring consistent implementation. Funding for the purchase and care of ceremonial flags will need to be determined.

### **CEQA COMPLIANCE**

Adoption of an official Town of Moraga Flag Display Policy is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq., and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) because it is not a “project” that may cause a direct or reasonably foreseeable indirect physical change in the environment. It is also exempt from CEQA as an organizational or administrative activity

that will not result in direct or indirect physical changes to the environment.

### **ALTERNATIVES**

1. Direct staff to return to Town Council with a proposed Traditional Flag Display Policy Resolution;
2. Direct staff to return to Town Council with a proposed Governmental Ceremonial Flag Display Policy Resolution;
3. Direct staff to return with other policy options;
4. Direct staff to return with a revised version of any of the above;
5. Take no action.

### **NEXT STEPS**

Once Town Council determines which Flag Display Policy to pursue, staff will return with a final resolution and administrative policy for consideration at the May 13, 2026 Town Council Meeting.

### **ATTACHMENTS**

[Addendum - Public Comment Received](#)



**TOWN OF MORAGA**  
TOWN COUNCIL MEETING  
April 22, 2026

## Addendum(s) to Published Agenda

### **9: Department Reports**

#### **9A: Town Public Facilities Flag Display Policy**

Updates Include:

- Public Communication Received



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## Please Adopt a Ceremonial Flag Policy that Includes Pride

---

From PFLAG Oakland/East Bay <pflagoeb@gmail.com>

Date Tue 4/21/2026 5:56 PM

To Town Clerk <townclerk@moraga.ca.us>

You don't often get email from pflagoeb@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the contents is safe.



I am writing on behalf of the Oakland/EastBay chapter of PFLAG, the nation's oldest support group for families and allies of the LGBTQ+ community. PFLAG has spent the last fifty plus years advocating for LGBTQ+ rights, equality, and recognition. In that spirit, I am writing to urge you to adopt a ceremonial flag policy that allows the Pride flag to be flown in June, when you consider the staff report on the Town's flag display policy on April 22.

When towns and cities across the country fly the Pride Flag, it sends a message about who is seen and supported in that community. In the current atmosphere of hostility—physical, rhetorical, and legislative—towards LGBTQ+ individuals, especially youth and transgender people, such visible support from local leadership matters more than ever.

Many Bay Area cities successfully fly the Pride flag using clear, Council-controlled policies that avoid legal risk and limit administrative burden.

This is not about opening the door to every request. It's about making a thoughtful decision to recognize a widely supported community and affirm that all residents are part of the wider Moraga community.

I encourage you to pursue the ceremonial flag option outlined in the April 22 report and include the Pride flag during Pride Month.

Thank you for your consideration,

Veronica Oberholzer, President



---

## A plea for the adoption of a Ceremonial Flag Policy that includes the Pride flag

---

From Abby Shah <abbyshah@gmail.com>

Date Tue 4/21/2026 2:36 PM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

You don't often get email from abbyshah@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the contents is safe.

Dear Mayor and Councilmembers,

I am writing as a Moraga resident and as a therapist who works directly with members of our community across genders and sexualities. I urge you to adopt a ceremonial flag policy that includes flying the Pride flag during Pride Month.

In my work, I see firsthand how much it matters when our LGBTQ neighbors feel seen and supported by their community — and how deeply the absence of that recognition can hurt. And what I see is backed up by the research.

According to [The Trevor Project's national surveys](#), LGBTQ young people who live in accepting communities report significantly lower rates of suicide attempts than those who do not. Their 2023 national survey found that 41% of LGBTQ young people seriously considered suicide in the past year — but that risk drops meaningfully when young people have access to affirming spaces and feel accepted by the adults and institutions around them. The Trevor Project also notes that something as accessible as seeing LGBTQ representation — in media, in public life, and in community symbols — can have a measurable positive impact on a young person's mental health. A Pride flag in Moraga is exactly that kind of signal.

For LGBTQ adults, the disparities are just as serious. [According to the Anxiety and Depression Association of America](#), 40% of LGBTQ adults experience a mental health disorder each year, more than double the rate of the general adult population. A [2024 study on Pride events](#) found that social inclusion and visible community acceptance actively foster positive environments and a sense of societal acceptance for LGBTQ individuals across age groups.

Many Bay Area cities fly the Pride flag under clear, Council-controlled policies that limit administrative burden and legal risk. This is not about opening the door to every request. Rather, it is about making a thoughtful decision to proactively affirm what is already true — that all residents are part of this community.

I encourage you to pursue the ceremonial flag option outlined in the April 22 report and include the

Pride flag during Pride Month.

Thank you for your time and consideration.

Warmly,  
Abby Shah  
Moraga resident



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## Town Flag Policy

---

**From** Susan Wright <suzkenna@gmail.com>

**Date** Tue 4/21/2026 2:10 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

You don't often get email from suzkenna@gmail.com. [Learn why this is important](#)

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Hello,

I understand that a town flag policy is to be considered.

First, personally I support flying the pride flag during pride month.

I urge you not to create a policy limiting flag flying. This would limit future ability to make choices. Why lock the town into a restrictive policy? Instead, make a choice this year about the pride flag and stand by the choice, don't make a new restrictive policy and use that to restrict discussion and decision making now and in the future.

Thank you,  
Susan Wright



---

## Please Adopt a Ceremonial Flag Policy that Includes Pride

---

**From** Veronica Monti-Winig <vmonti07@gmail.com>

**Date** Tue 4/21/2026 12:24 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

I am a Moraga resident and supporter of the LGBTQ + community.

I am asking that you adopt the ceremonial flag policy that allows the Pride flag to be displayed during Pride Month.

The Town's flag display policy recommends a "content neutral" approach but choosing not to display the Pride flag is not neutral. It sends the message that the LGBTQ + community is not welcome in Moraga.

Moraga is better than that and can promote its values of diversity and inclusion by displaying the Pride flag. Many Bay Area cities do this successfully using Council-controlled policies that avoid legal risk and limit administrative burden.

I urge you to pursue the ceremonial flag option outlined in the April 22 report and include the Pride flag during Pride Month.

Thank you for your consideration,

Veronica Monti  
Moraga Resident



---

## Ceremonial Flag Policy

---

From Devang Shah <devangsamshah@gmail.com>

Date Tue 4/21/2026 9:50 AM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

I write to you as a Moraga resident to express my strong support for adopting a ceremonial flag policy that includes flying the Pride flag, as outlined in the April 22 staff report. Both the legal framework and sound public policy strongly favor this approach.

Under the government speech doctrine established by the U.S. Supreme Court in *Walker v. Texas Division, Sons of Confederate Veterans, Inc.*, 576 U.S. 200 (2015), and recently reinforced in *Shurtleff v. City of Boston*, 596 U.S. 243 (2022), a municipality may exercise editorial discretion over the messages it chooses to convey on government property, including through flag displays, without triggering First Amendment forum analysis. A Council-directed ceremonial flag policy falls squarely within this framework, allowing the Town to select which flags to fly as expressions of its own values rather than opening a public forum that would obligate it to accept flags from all private speakers.

**While a "content-neutral" approach may appear balanced on its face, the decision not to recognize Pride is far from neutral in practice.** It sends a message about who is acknowledged and valued in our community, and it risks making LGBTQ+ residents and their families feel unseen. A ceremonial flag policy, by contrast, allows the Town to affirm its shared values in a deliberate and meaningful way, while resting on well-settled legal authority.

Moraga would not be breaking new ground by taking this step. Numerous neighboring jurisdictions, including Oakland, Berkeley, San Francisco, Walnut Creek, and San Mateo, have adopted Council-directed policies that include flying the Pride flag. Their experience confirms that such policies can be implemented without meaningful legal exposure, without administrative burden, and in a manner that genuinely reflects the character and values of the community. **Indeed, because government speech is not subject to strict scrutiny or viewpoint-neutrality requirements, a properly structured ceremonial policy carries substantially less litigation risk than a public forum approach, which could expose the Town to compelled displays of divisive or objectionable symbols. The path forward here is both legally sound and well-established.**

Importantly, adopting a ceremonial flag policy does not require the Town to accommodate every conceivable request or to create an unwieldy process. Under the government speech doctrine, the Council retains full discretion to determine which messages to endorse and which to decline, without being subject to claims that it has engaged in viewpoint discrimination. This framework simply preserves the Council's authority to make thoughtful, values-driven decisions about which occasions and communities to recognize. Flying the Pride flag during Pride Month would represent a clear, limited, and broadly

supported exercise of that discretion, consistent with the values reflected in the Equal Protection Clause and California's antidiscrimination protections.

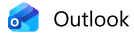
I respectfully urge you to move forward with the ceremonial flag option presented in the April 22 report and to include the Pride flag as part of that policy. Doing so would be legally defensible, consistent with prevailing judicial authority, and would affirm that Moraga is a community where every resident is seen, respected, and welcome.

Thank you for your time and consideration.

Respectfully,

Devang Shah

Moraga Resident for over 23 years



---

**Re: Pride Flag**

---

**From** Adam Winig <awinig@gmail.com>

**Date** Tue 4/21/2026 6:09 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

**Cc** Veronica Monti <vmonti07@gmail.com>

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All,

I wrote you all back in February and unfortunately feel the need to do so once again. It seems Moraga has failed to lean towards inclusion and is taking the easy way out to avoid the courageous step of inclusion. This is not an overly complicated issue as Orinda, Lafayette, Danville, Pleasant Hill, Walnut Creek and Concord all do it. There are laws to protect the Town from having to fly flags that represent exclusion or hate.

I am saddened that Moraga does not have the courage to stand with it's Contra Costa neighbors and fly the Pride Flag. You can all continue to make decisions that leave Moraga feeling behind or choose to have Moraga at least keep pace with our neighbors.

Adam Winig, Moraga Resident and Father

On Wed, Feb 11, 2026 at 3:09 PM Adam Winig <[awinig@gmail.com](mailto:awinig@gmail.com)> wrote:

As a home owner and father of a family with a member of the LGBTQ community I am saddened that Moraga does not fly the Pride Flag. I hope you all lean towards inclusion versus exclusion and decide to fly the flag. Our neighboring cities all do and it's embarrassing that we don't.

Adam Winig, Principal  
Arcsine  
510.444.2410

Sent from my iPhone



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## Town of Moraga Flag Policy

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**From** Sheri Sweeney <sherisweeney100@gmail.com>

**Date** Wed 4/22/2026 8:03 AM

**To** Kerry Hillis <khillis@moraga.ca.us>; Steve Woehleke <swoehleke@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>

**Cc** Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

As a long-time Moraga resident and LGBTQ+ ally, I am writing regarding the staff report and recommendation on the Town's flag display policy. I have read the staff report, and I urge you to adopt a ceremonial policy that allows the Pride flag to be flown on municipal flagpoles.

The staff report recommends a "content-neutral" policy, and I understand the concern about legal risk – particularly around government speech and whether flying one flag opens the door to having to fly others. However, courts have made an important distinction between using a flagpole for government speech and opening up the flagpole as a public forum.

In practical terms, that means establishing guidelines that specify which flags may be flown and under what circumstances—such as city, state, national, and officially designated commemorative flags approved by the council. Many cities across California and the country have adopted policies like this precisely to provide clarity and reduce legal exposure. Indeed, The Supreme Court cited the City of San Jose's flag display policy as an example of a municipality that maintained clear control over its flag pole as a forum for government speech, not a public forum. [*Shurtleff v. City of Boston (2022)*] Done thoughtfully, this approach does not increase risk; it reduces it.

Flying the Pride flag on a municipal flagpole is, at its core, a statement about belonging. It tells residents—especially young people—that they are seen, that they matter, and that their local government recognizes them as full members of the community. Choosing to fly the Pride flag during an appropriate time period is a clear, consistent, and widely understood way of affirming inclusion.

This is not a choice between inclusion and prudence. You can do both. You can adopt a well-structured policy that protects the Town legally while also making a meaningful statement that everyone who wants to be part of the Moraga community is welcome and belongs. I urge you to adopt a policy that allows The Town of Moraga to send that message clearly and confidently.

Thank you for your consideration and your continued public service.

Sincerely,

Sheri Sweeney



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## Please Adopt a Ceremonial Flag Policy that Includes Pride

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**From** Monica Richgels <monicarichgels@gmail.com>

**Date** Wed 4/22/2026 11:18 AM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <Imaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

I'm writing as a Moraga resident regarding the April 22 staff report on the Town's flag display policy. I urge you to adopt a ceremonial flag policy that allows the Pride flag to be flown.

The report recommends a "content-neutral" approach, but choosing not to recognize Pride is not neutral. It sends a message about who is seen and supported in our community. Many Bay Area cities successfully fly the Pride flag using clear, Council-controlled policies that avoid legal risk and limit administrative burden.

This is not about opening the door to every request. It's about making a thoughtful decision to recognize a widely supported community and affirm that all residents belong here.

I encourage you to pursue the ceremonial flag option outlined in the April 22 report and include the Pride flag during Pride Month.

Thank you for your consideration,  
Monica Richgels  
Moraga Resident



---

## Please Adopt a Ceremonial Flag Policy that Includes Pride

---

**From** Pamela Dawkins <pamdawkins@gmail.com>

**Date** Mon 4/20/2026 7:49 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <Imaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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- Dear Mayor and Council members,

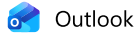
I'm writing as a Burton valley resident, Campo parent and Moraga customer regarding the April 22 staff report on the Moraga Town's flag display policy. I am hugely disappointed in the reports recommendation for a "content-neutral" approach. Choosing not to recognize Pride is not neutral. It sends a message about who is seen and supported in our community. Most Bay Area cities successfully fly the Pride flag using clear, Council-controlled policies that avoid legal risk and limit administrative burden.

If Moraga town cannot find its way to be an inclusive and supporting community, then I can no longer in shop or spend my money on Moraga and its town, restaurants and stores. I will choose to shop exclusively in Lafayette and tell my friends and family to do the same. If you can't support all residents, I can't support Moraga.

I urge you to adopt a ceremonial flag policy that allows the Pride flag to be flown.

Thank you for your consideration,  
Pamela Dawkins,

Lafayette Resident, Campo Parent, Moraga customer and neighbor



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**Pride Flags are Necessary**

---

**From** Laurel Reader-Taatzjes <laurel.reader.taatzjes@gmail.com>

**Date** Mon 4/20/2026 7:06 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

I am writing regarding the April 22 staff report on the Town's flag display policy. Not choosing to display the Pride flag sends a message that the queer community isn't important and isn't worth celebrating. For that reason, I think Moraga's policy should include the Pride flag.

Thanks,  
Laurel Reader-Taatzjes



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## Please Adopt a Ceremonial Flag Policy that Includes Pride

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**From** Kate Chenok <kchenok@comcast.net>

**Date** Mon 4/20/2026 6:46 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

I'm writing regarding the [April 22 staff](#) report on the Town's flag display policy. I urge you to adopt a ceremonial flag policy that allows the Pride flag to be flown.

The report recommends a "content-neutral" approach, but choosing not to recognize Pride is not neutral. It sends a message about who is seen and supported in our community. Many Bay Area cities successfully fly the Pride flag using clear, Council-controlled policies that avoid legal risk and limit administrative burden.

This is not about opening the door to every request. It's about making a thoughtful decision to recognize a widely supported community and affirm that all residents belong here.

I encourage you to pursue the ceremonial flag option outlined in the [April 22](#) report and include the Pride flag during Pride Month.

Thank you for your consideration,

Kate Chenok, Orinda



---

**Fw: Moraga Pride: Adopt a flag policy that moves us forward**

---

**From** Amy Heavener <aheavener@moraga.ca.us>

**Date** Wed 4/22/2026 12:09 PM

**To** Amy Heavener <aheavener@moraga.ca.us>

**From:** Justine Parmelee

**Sent:** Tuesday, April 21, 2026 10:12 PM

**To:** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

**Subject:** Moraga Pride: Adopt a flag policy that moves us forward

Dear Mayor Hillis, Dear Councilmembers,

I'm reaching out regarding agenda item 9a on adopting a Town flag display policy. I ask that you **reject staff's recommendation** to adopt the Traditional Flag Display Policy Option.

When my family moved to Moraga from Lafayette, we noticed a stark difference in ceremonial flag displays between our communities; the lack of pride flags during the month of June was disheartening. As a parent and an ally, I felt the need to speak up and I stood before your town council requesting that you consider flying the pride flag at Moraga Commons Park. At the time, I received empathetic nods behind a display of mini rainbow flags on the dais. Yet, three years later, nothing has changed. In fact, adopting staff's recommendation would be a giant step backwards.

I urge you to consider alternate flag policies that include LGBTQ members of our community and sends the message to our community that we value **all** of our neighbors.

We live in unprecedented times. We turn on the news each day wondering what draconian horror awaits us next. **But you have the chance to be fearless.** Don't hide behind quibbles about administrative burden. Move Moraga forwards, not backwards.

Thank you for your time and consideration.

Best,  
Justine Parmelee  
Moraga Resident

CLERK: I am formally requesting you redact my personal email address from any printed or distributed copies of this letter, as well as any records requests subject to CPRA. Thank you.




---

**Subject: Please Adopt a Ceremonial Flag Policy that Includes Pride**


---

**From** Amy Perkins <amyhperkins@gmail.com>

**Date** Wed 4/22/2026 1:46 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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April 22, 2026

Dear Members of the Moraga Town Council,

As a nine-year Moraga resident, parent, and LGBTQ ally, I am writing to respectfully ask that Moraga join the many Contra Costa County cities that raise the Pride flag in June. Regarding the April 22 staff report on the Town's flag display policy, I urge you to *please adopt a ceremonial flag policy that allows the Pride flag to be flown.*

The report recommends a “content-neutral” approach, but choosing not to recognize Pride is not neutral. It sends a message about who is seen and supported in our community. Many Bay Area cities successfully fly the Pride flag using clear, Council-controlled policies that avoid legal risk and limit administrative burden.

This is not about opening the door to every request. It's about making a thoughtful decision to recognize a widely supported community and affirm that all residents belong here. Across our county, including neighboring Orinda, Lafayette, Walnut Creek, Danville, Pleasant Hill, Concord, and several other Contra costa towns and cities, communities visibly affirm that LGBTQ residents and families are valued and belong. Flying the Pride flag is a simple but meaningful gesture—one that acknowledges history, signals safety, and reflects a commitment to inclusion for all who live, work, and learn here.

Personally, our family has attended in recent years the Pride flag ceremonies in Lafayette and Orinda. It has been a powerful way to share with our young children the importance of inclusivity and affirming the LGBTQ members in our community – especially in these difficult times. They have wondered and questioned why their town of Moraga doesn't do this as well – sadly, we haven't been able to share a good answer. *I'm hopeful that the Town Council will pursue the ceremonial flag option outlined in the April 22 report and include the Pride flag during Pride Month -- sending a clear message that our town recognizes the dignity and contributions of its Moraga LGBTQ neighbors, students, parents, and allies. It would truly be an honor to share such a*

*milestone with our kids -- and allow them to see firsthand that the community where they live stands for fairness and respect for ALL!*

Thank you for your consideration and service to our community!

Sincerely,

Amy & Andy Perkins



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## Please Adopt a Ceremonial Flag Policy that Includes Pride

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**From** Elaine Lee <i.elaine.lee@gmail.com>

**Date** Wed 4/22/2026 3:09 PM

**To** Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

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Dear Mayor and Councilmembers,

I'm writing as a Moraga resident regarding the April 22 staff report on the Town's flag display policy. I urge you to adopt a ceremonial flag policy that allows the Pride flag to be flown.

The report recommends a "content-neutral" approach, but choosing not to recognize Pride is not neutral. It sends a message about who is seen and supported in our community. Many Bay Area cities successfully fly the Pride flag using clear, Council-controlled policies that avoid legal risk and limit administrative burden.

This is not about opening the door to every request. It's about making a thoughtful decision to recognize a widely supported community and affirm that all residents belong here.

I encourage you to pursue the ceremonial flag option outlined in the April 22 report and include the Pride flag during Pride Month.

Thank you for your consideration,  
Elaine Lee  
Moraga Resident



Meeting Date: April 22, 2026

**TOWN OF MORAGA**

**STAFF REPORT**

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**To: Honorable Mayor and Councilmembers**

**From: Ad Hoc Town Manager Performance Review Committee: Vice Mayor Brian Dolan and Councilmember Lisa Maglio**

**Subject: Consideration of Adoption of Resolution Approving Third Amendment to Town Manager Employment Agreement Between the Town of Moraga and Scott Mitnick**

**RECOMMENDATION**

Adopt a resolution to approve the third amendment to the employment agreement between the Town of Moraga and Town Manager Scott Mitnick.

**BACKGROUND**

On March 8, 2023, the Moraga Town Council unanimously appointed Scott Mitnick to serve as Moraga Town Manager and approved an Employment Agreement between the Town of Moraga and Scott Mitnick, which was amended by a First Amendment effective April 10, 2024, and a Second Amendment effective April 10, 2025, (collectively referred to as "Employment Agreement").

On March 5, March 25, and April 8, 2026, Town Council and Town Manager participated in a closed session performance evaluation which included a comprehensive overview of Mr. Mitnick's employment as Moraga Town Manager over the past year.

**DISCUSSION**

Following the April 8, 2026 performance review, Town Council conducted labor negotiations with its labor negotiator, Town Attorney Michelle Kenyon. During those deliberations, Town Council appointed an Ad Hoc Town Manager Performance Review Committee to negotiate the terms of any amendments to the Employment Agreement. The Ad Hoc committee met with the Town Manager and came to agreement on modifications to the Employment Agreement and authorized the Town Attorney to prepare an amendment to the Town Manager's employment agreement. At the direction of the Ad Hoc committee, the Town Attorney prepared a Third Amendment to Town Manager Employment Agreement which contains the

agreed upon adjustments to the Employment Agreement.

Pursuant to California Government Code section 54953(d)(3)(A), the following reflects the agreed to compensation and benefit adjustments:

**1. Provide a 1.5% merit salary adjustment (retroactive to April 10, 2026).**

(Employment Agreement Section 6.a. Salary).

Effective April 10, 2026, the Town Manager's salary will be adjusted by 1.5% from \$314,572 to \$319,268.

**2. 3% Deferred Compensation Adjustment.**

(Employment Agreement Section 6.e. Deferred Compensation).

Effective April 10, 2026, the Town shall contribute 10% of the Town Manager's salary into the Town's existing deferred compensation plan and/or other similar plan (457b Plan or 401a Plan) which will increase the Town's total contribution from 7.0% to 10%.

The Ad Hoc Committee recommends these proposed adjustments to the Town Manager's contract because they reflect Town Council's overall assessment of Mr. Mitnick's performance over the past year. Mr. Mitnick has worked tirelessly to adhere to the Town Mission Statement, and the Town Council's Five Broad Goals and Top Ten Priorities for the organization. He consistently treated all Councilmembers ethically and fairly. He sustained a positive culture throughout the organization, ensured that the Town remained on solid financial footing, and made progress on the land use and economic development fronts.

In addition, Mr. Mitnick maintained strong and effective working relationships with many community partners, including Saint Mary's College, Moraga Orinda Fire District, Moraga School District, Acalanes High School District, Moraga Chamber of Commerce, Moraga Citizens Network, Moraga County Club, and local businesses, including the Bruzzone family and US Realty Partners. He also ensured fair and equitable code compliance investigations which balanced the requests of local residents and the land use rights of property owners and businesses. He consistently treated local neighborhoods and residents with respect and dignity at all times.

Internally, Mr. Mitnick remained a consistent advocate for the employees of the organization. He has built a strong and stable high functioning Executive Team (Department Heads). The morale among the overall Town workforce is as positive and upbeat as it has been in years. The employee turnover rate has dropped, and he has created a culture which is attracting employees from other Bay Area public and private organizations.

Moreover, the Town continues to benefit by having an administrative leader with a broad array and depth of experience and knowledge over many years. This alone, has been a tremendous benefit to the organization. The total compensation is reflective of Scott's many years of experience and the salaries of city or town managers in comparable communities.

For these reasons, and others, the Ad Hoc Committee encourages Town Council to support our recommendation. We look forward to working with Mr. Mitnick and the employees of our

Town as they implement our goals and priorities for FY 2026-27 and beyond.

## **FISCAL IMPACT**

The proposed amendments to Town Manager's Employment Agreement will result in a net cost increase to the FY 2025-26 General Fund Budget (April 10, 2026 through June 30, 2026) of approximately \$3,600 (reflecting a \$393 monthly salary increase plus associated benefit impacts).

The fiscal impact to the FY 2026-27 General Fund Budget (July 1, 2026 through June 30, 2027) will be approximately \$14,700 (reflecting a \$393 monthly salary increase plus associated benefit impacts).

Sufficient funds were included in the adopted FY 2025-26 and FY 2026-27 General Fund Budgets to cover the proposed adjustments for both fiscal years. As a result, budget amendments are not needed for either fiscal year.

## **CEQA COMPLIANCE**

Approval of the proposed Third Amendment to the Town Manager's Employment Agreement is not subject to review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.), because it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

## **ALTERNATIVES**

1. Modify provisions contained in the proposed Third Amendment to the Town Manager Employment Agreement and approve the Third Amendment.
2. Take no action on proposed Third Amendment in which case the Town Manager's current contract will remain in place.

## **NEXT STEPS**

If Town Council approves the proposed resolution, the Town Manager's compensation will be adjusted per the terms of the amended employment agreement. No further action will be needed by Town Council.

## **ATTACHMENTS**

[Attachment A - Draft Resolution - 3rd Amendment to TM Agreement](#)  
[Attachment B - Third Amendment to TM Agreement](#)

**TOWN OF MORAGA  
TOWN COUNCIL**

**RESOLUTION NO. xx-2026**

**APPROVING AND AUTHORIZING THE THIRD AMENDMENT TO THE  
EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF MORAGA  
AND SCOTT MITNICK**

**WHEREAS**, the Town of Moraga ("Town") and Scott Mitnick ("Manager") entered into an Employment Agreement effective March 8, 2023, to provide for the employment of Manager as Town Manager of Town;

**WHEREAS**, the Town and Manager entered into a First Amendment to Employment Agreement effective April 10, 2024 to increase Manager's salary, adjust the monthly automobile allowance and modify termination provisions;

**WHEREAS**, the Town and Manager entered into a Second Amendment to Employment Agreement effective April 10, 2025 to increase Manager's salary, modify deferred compensation and sick leave;

**WHEREAS**, the Town desires to enter into a Third Amendment to the Employment Agreement Between the Town and Scott Mitnick to increase Manager's salary and modify deferred compensation; and

**WHEREAS**, approval of the Third Amendment to the Town Manager's Employment Agreement is not subject to review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.), because it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Moraga hereby approves this Third Amendment to Employment Agreement between the Town of Moraga and Scott Mitnick in substantially the same form attached hereto as "Exhibit A," and authorizes the Mayor to execute the same.

**THIRD AMENDMENT TO  
EMPLOYMENT AGREEMENT**

**between**

**THE TOWN OF MORAGA AND SCOTT MITNICK**

**(Effective April 10, 2026)**

**1. PARTIES AND EFFECTIVE DATE.**

The parties to this Third Amendment to Employment Agreement are the Town of Moraga (“TOWN”) and Scott Mitnick (“MANAGER”), and the effective date of this Third Amendment to Employment Agreement is April 10, 2026. TOWN and MANAGER shall be collectively referred to as “parties.”

**2. PURPOSE.**

The parties entered into an Employment Agreement effective March 8, 2023, which was amended through a First Amendment to Employment Agreement effective April 10, 2024, and a Second Amendment to Employment Agreement effective April 10, 2025 (collectively referred to as “Employment Agreement”). The parties now desire to amend the terms of the Employment Agreement to modify the terms and conditions of MANAGER’s employment as Town Manager by entering into this Third Amendment to Employment Agreement..

**3. AMENDMENTS.**

A. Section 6.a. and e. of the Employment Agreement are hereby modified to read in their entirety as follows:

**6. COMPENSATION AND BENEFITS.**

a. Salary. TOWN agrees to pay MANAGER for his services rendered pursuant hereto as Town Manager the annual sum of Three Hundred Nineteen Thousand Two Hundred Ninety-Eight Dollars (\$319,298) effective as of April 10, 2026. This annual salary shall be payable in installments at the same time as other employees of the TOWN are paid. MANAGER shall also be entitled to an annual

Cost of Living Adjustment (“COLA”) on July 1 equal to the same amount that may be approved by the TOWN and provided to all Department Directors annually.

e. Deferred Compensation. TOWN shall contribute a maximum of ten percent (10%) of MANAGER’s Annual Salary (“Contribution Amount”) into TOWN’s existing deferred compensation plan, and/or other similar plan (457b Plan or 401a Plan) in which the TOWN chooses to participate, effective as of April 10, 2026. The Contribution Amount will be divided and paid equally in the manner selected by the TOWN.

4. Except as specifically modified herein, all remaining terms and obligations set forth in the Employment Agreement between the TOWN and MANAGER shall remain in full force and effect.

**TOWN OF MORAGA**

By: \_\_\_\_\_  
Kerry Hillis, Mayor

Dated: \_\_\_\_\_

**TOWN MANAGER:**

By: \_\_\_\_\_  
Scott Mitnick

Dated: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Michelle Marchetta Kenyon  
Town Attorney