



TOWN OF MORAGA TOWN COUNCIL

WEDNESDAY, SEPTEMBER 24, 2025

Steve Woehleke, Mayor
Kerry Hillis, Vice Mayor
Brian Dolan, Councilmember
Lisa Maglio, Councilmember
Graham Thiel, 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	Shawn Knapp, Public Works Director
Amy Heavener, Town Clerk	Mackenzie Brady, Parks & Recreation Director

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.

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 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 aheavener@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, SEPTEMBER 24, 2025
5:30 PM**

TOWN COUNCIL CHAMBER
335 RHEEM BOULEVARD
MORAGA, CA

1. CALL TO ORDER

ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS

A. Proclamation - Bullying Prevention Month, October 2025

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 Minutes for the September 10, 2025 Regular meeting of the Moraga Town Council.

6.2 Appoint Teresa Onoda to an open seat on the Art in Public Spaces Committee, replacing one voting Community for the duration of the term which expires March 1, 2026; and Susan Wright to an open seat as the delegate from the Town of Moraga on the Contra Costa County Advisory Council on Aging for the duration of the term which expires September 1, 2026.

6.3 By minute order, designate Mayor Steve Woehleke to serve as the Voting Delegate and Vice Mayor Kerry Hillis and Town Manager Scott Mitnick to serve as Alternate Delegates at the October 10, 2025 League of California Cities Annual Conference

General Assembly/Business Meeting.

7. ANNOUNCEMENTS AND REPORTS ON ACTIVITIES

8. PUBLIC HEARING

9. DEPARTMENT REPORT

- 9A** Direct staff to develop a resolution to amend the Moraga Municipal Code to define “food trucks” to regulate their use on private property and to adopt policies formalizing the process for allowing food trucks on Town property and at Town-sponsored events.

10. COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS

11. INFORMATIONAL ITEMS

12. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS

13. ADJOURNMENT

Consent Calendar: 6.1

Draft Meeting Minutes, September 10, 2025



**TOWN OF MORAGA
REGULAR MEETING
TOWN COUNCIL**

**WEDNESDAY, SEPTEMBER 10, 2025
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>

Council Chambers
335 Rheem Boulevard, Moraga, California 94556

1. CALL TO ORDER

The regular meeting was called to order at **5:30 PM** by Mayor, Steve Woehleke.

ROLL CALL

Councilmembers present: Mayor, Steve Woehleke, Vice Mayor Kerry Hillis
Brian Dolan and Graham Thiel

Councilmembers absent: Lisa Maglio

Staff Present: Town Manager, Scott Mitnick; Asst. Town Attorney, Denise Bazzano; Town Clerk, Amy Heavener; Administrative Services Director; Katie Bruner, Police Chief, Jon King; Acting Public Works Director; Nate Levine

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS

None.

4. PUBLIC COMMUNICATION

Steve Danzinger, provided public comment.

5. ADOPTION OF MEETING AGENDA

ACTION:

Motion: **Hillis** / Second: **Dolan**

Adoption of the meeting agenda as shown.

Vote: (4-0-1)

There were no public comments.

6. CONSENT CALENDAR

a. Consideration of Consent Items Removed for Discussion

Vice Mayor Hillis pulled item 6.3 from the Consent Agenda for Staff discussion.

6.3: Acting Public Works Director, Nate Levine provided clarification and further detail on the item. Councilmembers asked clarifying questions and provided comments.

There were no public comments.

ACTION:

Motion: **Hillis** / Second: **Thiel**

Adoption of Consent Calendar items 6.3 as shown.

Vote: (4-0-1)

b. Acceptance of Consent Items

ACTION:

Motion: **Hillis** / Second: **Dolan**

Adoption of Consent Calendar items 6.1 & 6.2 as shown.

Vote: (4-0-1)

There were no public comments.

6.1 **Receive Accounts Payable Claims for:** August 1, 2025 – August 29, 2025 (\$351,252.87).

6.2 **Approval of Minutes** for the August 27, 2025 Regular meeting of the Moraga Town Council.

6.3 **Adopt a Resolution:**

1. Authorizing the Town Manager to execute a pavement Restoration and Release Agreement with Pacific Gas & Electric Company (PG&E), for PG&E's Country Club Drive Gas Distribution Pipeline Replacement Project (Project), for the payment of \$91,000 from PG&E to the Town to satisfy the Town's encroachment permit special paving conditions, and
2. Appropriating \$91,000 to the 2025 Street Rehabilitation Capital Improvement Project (CIP 25-401).

7. ANNOUNCEMENTS AND REPORTS ON ACTIVITIES

Council member Reports on AB1234 Activities, Council member Announcements

Councilmember Thiel Councilmember Thiel took a tour of Bollinger Canyon Rd.

Councilmember Dolan Attended two meetings, one meeting with ENGEO regarding GHAD background overview. Councilmember Dolan also took a tour of Bollinger Canyon Rd.

Vice Mayor Hillis made a personal statement as follows: *“The assassination today of conservative political activist, charlie kirk, serves as a stark reminder of the urgent need to foster a culture of respect and understanding, regardless of our differing political viewpoints. I urge our leaders, in particular, to champion efforts that promote unity, empathy, and a commitment to peaceful discourse. Together, we can build a more respectful and inclusive society for everyone. My condolences to the kirk family.”*

Mayor Woehleke Discussed Moraga’s membership with sustainable Contra Costa. Next week, on 9/17/25, Sustainable Contra Costa will be holding their awards gala where the Mayor will attend in support of resident Marti Roach who will be the recipient of an award.

Town Manager Mitnick deferred comments to the end of the meeting.

8. PUBLIC HEARING

None.

9. DEPARTMENT REPORTS

A. Swearing in of New Moraga Youth Involvement Committee (MYIC) Members for 2025-2026 Term

Appoint the 21 applicants, as identified in Attachment A, to serve as voting members of the Moraga Youth Involvement Committee for the 2025–2026 term and direct the Town Clerk to administer the Oath of Office.

Parks & Recreation Manager, Jasmine Bateson presented the item as the staff advisor to the Moraga Youth Involvement Committee.

Ria Shah introduced herself to the Town Council and gave an update on her role on the Committee and her goals and achievements pertaining to the Committee.

Alex Martinez de Hoz introduced himself to the Town Council and gave an update on his goals for the Committee.

Councilmembers asked questions and provided comments.

Town Council voted to appoint the newly selected members and Town Clerk, Amy Heavener administered the Oath of Office.

There were no public comments.

ACTION:

Motion: **Woehleke** / Second: **Hillis**

Appoint the 21 applicants, as identified in Attachment A, to serve as voting members of the Moraga Youth Involvement Committee for the 2025–2026 term and direct the Town Clerk to administer the Oath of Office.

Vote: (4-0-1)

B. Feasibility Study to Use Bollinger Canyon Road as an Emergency Evacuation Route Staff will be recommending this item be moved to a date uncertain.

Determine if a feasibility study should be prepared to analyze the use of Bollinger Canyon Road as an emergency evacuation route connecting the Town of Moraga to the City of San Ramon.

Town Manager, Scott Mitnick requested the item be postponed to a date uncertain.

ACTION:

Motion: **Dolan** / Second: **Hillis**

Moved the item to a date uncertain..

Vote: (4-0-1)

10. COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Mayor Woehleke discussed the Bollinger Canyon Road Emergency Evacuation Route Feasibility study process and a discussion surrounding agenda items.

11. INFORMATIONAL ITEMS

None.

12. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS

Town Manager, Mitnick announced potential items for the next Town Council meeting. Discussed that the Food Truck item will come back to Town Council. Saint Mary's College announced Division-1 Aquatics Sports will be coming to the school. The Town Manager announced the Pear and Wine Festival will occur on September 27, 2025.

Vice Mayor Hillis asked for clarification about the potential for a Councilmember booth at the Pear and Wine Festival.

13. ADJOURNMENT

Mayor Woehleke adjourned the Town Council Regular meeting at **6:21 PM**.

Respectfully submitted by:

Amy Heavener, CMC
Town Clerk

Approved by the Town Council:

Steve Woehleke, Mayor



Meeting Date: September 24, 2025

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

From: Amy Heavener, Town Clerk

Subject: Request to Appoint One Candidate to the Town of Moraga Art in Public Spaces Committee and One Candidate to the Contra Costa County Advisory Council on Aging

RECOMMENDATION

Appoint Teresa Onoda to an open seat on the Art in Public Spaces Committee, replacing one voting Community for the duration of the term which expires March 1, 2026; and Susan Wright to an open seat as the delegate from the Town of Moraga on the Contra Costa County Advisory Council on Aging for the duration of the term which expires September 1, 2026.

BACKGROUND

There are two committee vacancies which need to be filled. There is one vacancy on the Town of Moraga's Art in Public Spaces Committee vacated because the member resigned; and one vacancy on the Contra Costa County Advisory Council on Aging vacated because the member resigned.

The **Art in Public Spaces Committee's mission** is to bring the arts to Moraga. This could be in the form of sculpture, painting, poetry, video, pottery, murals, dance, or music. The Committee's goal is to put a spotlight on the arts, making the arts an everyday experience.

The Art in Public Spaces Committee (APSC) consists of seven members appointed by the Town Council and includes liaisons from Parks and Recreation Commission, Planning Commission, and Town Council. The remaining members are residents of Moraga. The members generally serve a three-year term.

The **Contra Costa County Advisory Council on Aging's mission** is to advocate for programs, legislation, and policies that support older adults, while also educating the community about the many resources offered by local non-profits and government agencies. The Contra Costa County Advisory Council on Aging also serves in an advisory capacity to the Contra Costa County Board of Supervisors on issues important to our aging population. The

members of the Contra Costa County Advisory Council on Aging serve a two-year term.

Contra Costa County Advisory Council on Aging consists of 19 local committee seats which are appointed by city or local committee appointment.

Town Council interviewed applicants for each open seat at a Special Town Council meeting on September 24, 2025.

DISCUSSION

The Town of Moraga received notification of an unscheduled vacancy of a voting Community member on the Art in Public Spaces Committee when Julie Stagg resigned. Similarly, the Town received notification of an unscheduled vacancy on the Contra Costa County Advisory Council on Aging when Francisco Benavides resigned.

As a result, the Town Clerk advertised for these vacancies. Staff has received one application for the open seat on the Art in Public Spaces Committee as well as one application for the open seat on the Contra Costa County Advisory Council on Aging.

Town Council is being asked to review the applications, conduct interviews and consider the applicants for appointment on the respective committees.

FISCAL IMPACT

These are a volunteer positions. There are no direct costs associated with these appointments.

CEQA COMPLIANCE

The appointment of Committee/Commission members is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 2100 et seq., and the CEQA Guidelines (14 Cal.Code Regs. 15000 et seq.) as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment.

ALTERNATIVES

1. Do not appoint the applicants and keep the seats open in order to receive further applications; or
2. Do neither and provide alternate direction to staff.

NEXT STEPS

Upon appointment, candidates will be sworn in by the Town Clerk and begin their terms on their respective committees.



Meeting Date: September 24, 2025

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

From: Amy Heavener, Town Clerk

Subject: Selection of Voting Delegate and Alternate Voting Delegates for the October 10, 2025 League of California Cities Annual Conference General Assembly/Business Meeting

RECOMMENDATION

By minute order, designate Mayor Steve Woehleke to serve as the Voting Delegate and Vice Mayor Kerry Hillis and Town Manager Scott Mitnick to serve as Alternate Delegates at the October 10, 2025 League of California Cities Annual Conference General Assembly/Business Meeting.

BACKGROUND

The annual League of California Cities Conference was created to enable cities to share ideas, success stories, and lessons learned through sessions and discussion forums pertaining to various areas of municipal interest including:

- Communications
- Community Services
- Disaster Planning
- Environmental Quality
- Finance
- Housing
- Infrastructure and Public Works
- Management and Administration
- Personnel
- Planning/Land Use/Economic Development/Redevelopment
- Public Safety
- Telecommunications/Technology
- Youth and Children

This year's annual League Conference is scheduled to take place from October 8

(Wednesday) to October 10 (Friday), 2025 at the Long Beach Convention Center. As part of the annual conference, the League Presidents submits resolutions to individual policy committees (e.g., Revenue and Tax, Public Safety, Transportation, Communications, and Public Works, etc.) for review and recommendation to be voted on at the General Assembly/Business Meeting at the end of the Conference. The General Resolutions Committee then considers these proposed resolutions. The General Resolutions Committee refers approved resolutions to the General Assembly/Business Meeting to be voted on by all of the League's cities/towns.

This year's General Assembly/Business Meeting will take place on Friday, October 10, 2025. Resolutions approved by the General Assembly will become official League of California Cities policy. League Policies are important because they serve as an official legislative guide for League lobbyists and League Board of Directors in supporting municipal interests and concerns. To vote at the General Assembly/Annual Business Meeting, each city/town must designate an official voting delegate and one or two voting delegate alternates. Per League policy, voting delegates and alternates may be extended to staff positions when no other governing board members are available

DISCUSSION

Since Mayor Steve Woehleke, Vice Mayor Kerry Hillis and Town Manager Scott Mitnick are registered to attend the October 8-10, 2025 League Conference, staff recommends the Mayor to serve as the Moraga voting delegate and for the Vice Mayor and Town Manager to serve as alternate voting delegates.

FISCAL IMPACT

No direct fiscal impacts associated with this agenda item.

CEQA COMPLIANCE

Assigning a Cal Cities Voting Delegate is not subject to environmental 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. (the "State CEQA Guidelines")) as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment.

ALTERNATIVES

1. Do not designate a voting delegate and alternate voting delegates; or
2. Provide alternative direction to staff

NEXT STEPS

Upon designation by Town Council, the Town Clerk will submit the official voting delegate and alternate voting delegate names to the League's online submission portal no later Wednesday, September 24, 2025, deadline date.

ATTACHMENTS

[Attachment A - 2025 Voting Delegate Information Packet.pdf](#)



Council Action Advised by September 24, 2025

DATE: Wednesday, July 16, 2025

TO: Mayors, Council Members, City Clerks, and City Managers

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Oct. 8-10, 2025
Long Beach Convention Center

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Oct. 10, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

Following council action, please submit your city's delegates through [the online submission portal](#) by Wed., Sept. 24. When completing the Voting Delegate submission form, you will be asked to attest that council action was taken. You will need to be signed in to your My Cal Cities account when submitting the form.

Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](#) website.



For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the Long Beach Convention Center in Long Beach, will be open at the following times: Wednesday, Oct. 8, 8:00 a.m.-6:00 p.m. and Thursday, Oct. 9, 7:30 a.m.-4:00 p.m. On Friday, Oct. 10, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for submitting your voting delegate and alternates by Wednesday, Sept. 24. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Information Sheet: Cal Cities Resolutions and the General Assembly

General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance

to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members

review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during

the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee

or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates—one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI, Sec. 5(f).



Meeting Date: September 24, 2025

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers
From: Sonia Urzua, AICP, Planning Director, Sydney Fisher, Planning Intern
Subject: Regulation of Food Trucks

RECOMMENDATION

Direct staff to develop a resolution to amend the Moraga Municipal Code to define “food trucks” to regulate their use on private property and to adopt policies formalizing the process for allowing food trucks on Town property and at Town-sponsored events.

BACKGROUND

On February 26, 2025, Town Council adopted its Top Ten Priorities for FY 2025–2026 and FY 2026–2027. Priority #7 is: “Establish regulations for food trucks.” Currently, the Town lacks specific Municipal Code provisions that regulate food truck operations. However, food trucks have appeared at events across the Town, on private property, and on public streets.

In recent years, food trucks have gained popularity across the Bay Area as a versatile and diverse dining option. Operating mainly on public streets and privately owned, commercially zoned lots, food trucks serve a wide range of customers. Educational and civic groups are also increasingly partnering with food trucks for sporting and fundraising events, boosting their presence in the community.

This report examines the presence of food trucks by evaluating the options for local regulations. It reviews existing State, County and Town rules; considers approaches used by other jurisdictions; and, provides potential regulation recommendations.

DISCUSSION

As with many municipalities, the Moraga Municipal Code (MMC) does not include specific provisions that directly regulate the operation of food trucks on public or private property. However, a review of MMC Title 5 – Business Licenses and Regulations, Title 8 – Planning and Zoning, and Title 12 – Streets, Sidewalks, and Public Places identified several sections that indirectly address food truck regulation. These include rules on roadside selling on the

public right-of-way, limited-service restaurants on private property, temporary uses on private or public land, and solicitation of goods on Town property. For this report, food trucks are defined as motorized vehicles or trailers where food is prepared or cooked to order and served directly to walk-up customers. This definition excludes vehicles that sell only prepackaged foods (commonly referred to as “lunch trucks”), nonmotorized conveyance, and temporary food stalls.

Outside of the MMC, food trucks currently operate at seasonal events hosted by the Parks and Recreation Department, the Moraga Park Foundation, and Saint Mary’s College for sporting and other student activities. In addition to reviewing past and current use of food trucks in Town, staff examined State and County standards and regulations for food trucks. Notably, Contra Costa County is responsible for enforcing the California Health and Safety Code through the issuance of a Mobile Food Facilities (MFF) Permit.

Additional analysis examined how food trucks align with the impacts and policies outlined in the Town’s General Plan. Staff also reviewed ordinances and policies on food trucks in more than a dozen nearby jurisdictions to gain a better understanding of different regulatory approaches. Overall, these findings offer context and help inform the various policy proposals outlined in this report.

Existing Ordinances, Policies, & Practices

State of California

Cities have the authority to impose public safety regulations on drivers of vehicles engaged in vending on city streets, including regulating the type of vending and the time, place, and manner of vending, but are preempted from enacting an ordinance that bans vending from vehicles lawfully parked on streets in residential districts. . Health and Safety Code sections 114294–114327 (which is enforced by the Contra Costa County Health Department as discussed above) outlines Statewide requirements for mobile food facilities and allow jurisdictions to implement additional restrictions for public safety. These sections require that mobile food facilities (MFFs) operate with a valid health permit, adhere to local enforcement agency requirements, follow food safety standards, meet sanitation regulations, and other requirements, including operating in conjunction with a commissary, mobile support unit, or other approved facility.

Vehicle Code Section 22455 allows drivers to sell from commercial vehicles after they come to a complete stop and are lawfully parked adjacent to the curb in a residential district, if they follow Chapter 9 of the Vehicle Code (Stopping, Standing and Parking) and local ordinances. This title also enables local authorities to set additional rules to ensure public safety, controlling the time, place, and manner of vending on any street.

Contra Costa County

Food trucks are defined as enclosed MFFs and are generally considered take-out food establishments by the Contra Costa County Health Department. The County regulates compliance with Statewide health and safety requirements, as well as construction and operational standards. Contra Costa Health requires an MFF Permit for operation in the County. To obtain and maintain an MFF Permit, operators must meet requirements for licensing and certification, equipment and vehicle standards, food sourcing and packaging,

sanitation and commissary use, and inspections, including compliance with fire and food safety laws, proper labeling, waste management, and the California Retail Food Code.

Other Jurisdictions

Other local government jurisdictions have adopted various methods to regulate food trucks (see Attachment A for a summary table). The City of Orinda permits food trucks only during its Thursday night food truck events in the downtown area. This event is operated through an agreement with Taste of the World (TOW) Market and has been ongoing since 2017. Through this partnership, TOW Market supplies food trucks, manages the event, ensures permit compliance, and shares a portion of the event's sales with Orinda, as well as provides other services. Orinda's Municipal Code also defines "retail food vehicle," which may include food trucks, and sets licensing fees for such vehicles. Aside from this, Orinda does not have specific ordinances, policies, or practices regarding food trucks.

In the City of Lafayette, food trucks are permitted on private commercial and retail properties with a temporary Land Use Permit or a Permanent Land Use Permit, depending on the duration of their operation. Food trucks are also allowed at certain events in Lafayette. Elsewhere in Contra Costa County, food trucks are permitted under specific circumstances and require certain permits. In the City of Walnut Creek, food trucks are classified as vendor carts and allowed as temporary uses subject to approval of a master temporary activity permit in the business park district. They are not permitted in residential districts or city parks. Food trucks are allowed at special events and in the food truck plaza at the city's discretion, and special use permits are available for the operation of food trucks.

The City of San Ramon permits food trucks in mixed-use, commercial, office, and industrial zones on private property, subject to a minor use permit and approval from the zoning administrator. Conditions of approval can be imposed to prevent adverse impacts on surrounding uses. Additionally, standards regarding location, hours of operation, and the design of food trucks also apply.

Town of Moraga

While there is currently no definition or ordinance in the MMC which solely applies to food trucks, the following ordinances may be interpreted as pertaining to food trucks:

<u>Ordinance</u>	<u>Description</u>
MMC 5.12 – Roadside Selling	Roadside selling from vehicles is prohibited within the right-of-way of public streets in Moraga. As a result, food trucks and mobile food facilities are prohibited from operating on public roadways. However, the Town currently lacks an enforcement mechanism to ensure compliance with this ordinance.

MMC 8.04.020 – Definitions	A limited-service restaurant is defined as an establishment that prepares or sells food for on-site dining, take-out, or delivery. Since the definition does not require a permanent foundation, it may include mobile restaurants, such as food trucks, although this is not explicitly stated. Under this designation, food trucks are permitted in Community Commercial, Limited Commercial, MCSP MU-OR, MCSP MU-RR, MCSP-C, RMCR, and RMOR districts.
MMC 8.148.050 – Temporary Uses	Because food trucks operate on a short-term basis and may not meet standard zoning requirements, they can be considered "temporary uses", even though they are not explicitly listed. In this case, they would require an administrative or conditional temporary use permit and be subject to associated findings and conditions.
MMC 12.08.140 – Soliciting	Selling goods or edibles for human consumption in lands controlled or managed by the Town (parklands) is prohibited except by written permission granted by the Town. Food trucks are therefore not allowed on public lands in Moraga without prior permission.

Food trucks have been operating as vendors at Town of Moraga events organized by the Department of Parks & Recreation and the Moraga Park Foundation. From June to August, Parks & Recreation hosts a monthly Hacienda Nights event on Tuesday evenings, featuring food trucks. Parks & Recreation currently applies a fee structure for Dessert Trucks, Food Trucks, and Food Booths at these events, along with requirements for insurance and clearance from the County Health Department. The Moraga Park Foundation's Summer Concert Series runs from June to August in Commons Park, with food truck vending provided by Taste of the World Market.

Food trucks have also appeared around town on private property, including at local gas stations, as well as on public streets in both residential and commercial areas. The Town has received complaints from residents about food trucks, including concerns about noise and the unauthorized use of private property.

Food trucks also operate at Saint Mary's College. The College has hosts Food Truck Friday events for students, use food trucks as an on-campus dining option during the academic year, and features them at sporting events.

Community Input

Overall, community members that were consulted are not necessarily interested in banning food trucks entirely. However, they have expressed concerns about their operation in Town

and want clearly defined rules or regulations. Through seven meetings with stakeholders from Moraga's private and public sectors, staff gained valuable insights into the effects of food truck activity and regulations.

Staff also held meetings with representatives from the Moraga Police Department, Moraga Parks and Recreation Department, Bruzzone Family, US Realty Partners, Moraga Park Foundation, Moraga Chamber of Commerce, and Saint Mary's College. Stakeholders noted that food trucks add variety to the local dining scene, especially at special events. At the same time, stakeholders expressed concern about food trucks competing with local restaurants and raising health and safety issues. Some supported designated locations for food trucks on town property, in commercial centers, or on privately owned lots, while others emphasized the need for collaborative opportunities that also support local businesses. There is support for implementing fees and restrictions on the time, place, and manner of food truck operations, aiming to balance community diversity and economic growth with concerns over safety, traffic, noise, and local businesses.

General Plan 2040 Consistency

Food trucks may support and challenge the Town's General Plan 2040 objectives. Economically, temporary/mobile services may energize commercial districts by attracting visitors and testing ideas, in line with Economic Vitality Policy EV-4.8 (Temporary & Mobile Uses). Their low startup costs create opportunities for entrepreneurs and increase dining choices, supporting LU-4.2 (New Commercial Uses). However, because they don't take up storefronts or establish a permanent presence, they might not directly boost storefront activity or local hiring. They may, at times, divert customers from nearby brick-and-mortar restaurants. Environmentally, mobile operations avoid construction impacts. In walkable areas, they may encourage short trips. Yet, reliance on generators and single-use packaging may raise noise, waste, and GHG emissions, possibly conflicting with CON-4.1 (Waste Reduction). Overall success relies on implementation; establishing clear standards for siting, hours, trash and recycling, and power use (such as plug-in instead of generators), along with event coordination, can maximize benefits and minimize conflicts.

Policy Recommendations

Based on the issues raised, Staff recommends a series of actions to clarify the permissibility of food trucks on the public right-of-way, public property, and private property. Staff's approach includes two parts, consisting of: amendments to, and enforcement of the MMC, and the development of policies for temporary operations. The following includes three policy recommendations:

<u>Policy</u>	<u>Description</u>
1. Define Food Trucks	Regulate food trucks on private property by defining food trucks and excluding them from the definition of “Eating and drinking establishments” in MMC 8.04.20 for zoning district uses.
2. Exclude from Eating and Drinking Establishments	
3. Allow at Town Property and Events	Regulate food trucks on Town property and at Town events by formalizing the existing process.

Alternatives may include requiring food trucks to obtain a Temporary Use Permit or Encroachment Permit, hosting a weekly food truck night, establishing a permit for use on parklands, and developing a comprehensive food truck ordinance. For more information, see [Attachment B](#).

FISCAL IMPACT

Preparation of this report did not have a direct fiscal impact. Indirect staff costs will be absorbed in the adopted FY 2025-2026 General Fund Budget. Depending on how the Town Council would like to move forward with regulating food trucks, there may be future one-time and recurring General Fund budget impacts associated with the preparation of new policies and enforcement. The subsequent costs will be deliberated in a future staff report.

CEQA COMPLIANCE

This project is not subject to CEQA, as the action is not a project as defined in Section 15378(b)(5) of the CEQA Guidelines, as it is limited to administrative or organizational activities of government that do not have the potential to result in any direct or indirect physical changes in the environment.

ALTERNATIVES

1. Take no action and leave the MMC as is; or
2. Proceed with one or more of the listed policy alternatives, or;
3. Do not proceed with policies and provide alternative direction to staff.

NEXT STEPS

Following feedback from the Town Council, staff will proceed with developing policy proposals to regulate food trucks. This will include returning to Town Council before the end of the year with a proposed resolution to implement new food truck regulations.

ATTACHMENTS

[Attachment A - Summary Table of Food Truck Regulations in Other Jurisdictions](#)
[9A - Addendum.pdf](#)

Municipality	County	Population (2020 Census)	Population Density (per sq mi)	Food Trucks Directly Addressed in Code	Process Used For Regulation	Relevant Code Sections	Website Links
Town of Moraga	Contra Costa	16,870	1,783	-	-	-	-
City of Lafayette	Contra Costa	25,391	1,690	No	Food trucks are allowed in privately owned commercial and retail properties with a temporary or permanent land use permit. Food trucks fall under fast-food restaurants.	Lafayette MC 6-9	https://www.lovelafayette.org/city-hall/city-departments/planning-building/do-i-need-a/land-use-permit & https://library.municode.com/ca/lafayette/codes/code_of_ordinances?nodeId=TIT6_PLLAUS_PT3LAUSDI_CH6-9BUCODI
City of Walnut Creek	Contra Costa	70,127	3,500	No	Food trucks are classified as vendor-carts and are permitted through a master temporary activity permit in the business park district. Food trucks are allowed at special events in the food truck plaza and as temporary uses with a special use permit.	Walnut Creek MC 10-2.2	https://www.walnutcreekca.gov/government/community-development-department/permits/use-permits & https://www.codepublishing.com/CA/WalnutCreek/#!/WalnutCreek10/WalnutCreek1002B-01.html#I
City of Concord	Contra Costa	125,410	4,104.7	Yes	Food trucks are regulated as vendors and permissible at Food Vendor Group Sites with an administrative or minor use permit. Allowed at additional locations subject to approval by Chief of Planning.	Concord MC 18.200.210, 12.50	https://www.cityofconcord.org/DocumentCenter/View/177/Mobile-Food-Vendor-Group-Site-PDF & https://www.codepublishing.com/CA/Concord/#!/Concord18/Concord18200.html#18.200.210 & https://www.codepublishing.com/CA/Concord/#!/Concord12/Concord1250.html#12.50
City of Orinda	Contra Costa	19,514	1,518.4	No	Food trucks are permitted at Thursday night food truck events. Food trucks seem to fall under the definition of "retail food vehicle" and therefore licensable under health and safety.	Orinda MC 8.08	https://library.municode.com/ca/orinda/codes/code_of_ordinances?nodeId=TIT8HESA_CH8.08PUHELIFE

City of Berkeley	Alameda	124,321	11,917.3	Yes	Food trucks are regulated as food vending facilities. Allowed only in specified commercially zoned areas allocated by City Manager with a food vending license.	Berkeley MC 9.49, 11.28	https://berkeley.municipal.codes/BMC/11.28 & https://berkeley.municipal.codes/BMC/9.49
City of Larkspur	Marin	13,064	4,356.1	Yes	Food trucks are addressed under stopping and parking regulations which state that they are not allowed on any street without obtaining a written permit from the City Traffic Engineer.	Larkspur MC 10-48	https://larkspur.municipal.codes/Code/10.48.140
City of San Francisco	San Francisco	873,965	18,633	Yes	Food trucks operate through a Mobile Food Facility Permit process.	San Francisco MC Article 5.8	https://www.sf.gov/guide-starting-food-truck & https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_publicworks/0-0-0-1642
City of Santa Rosa	Sonoma	178,127	~4,200	Yes	Food trucks are regulated as street vendors.	Santa Rosa MC 6-48	https://www.srcity.org/DocumentCenter/View/8940/Vending-City-Code-PDF?bidId=
City of Petaluma	Sonoma	59,776	4,146.8	No	Food trucks handled on a case by case basis in places that ensure safe food service and customer access without disturbing private properties or public spaces.		https://cityofpetaluma.org/food-trucks/
City of Mill Valley	Marin	14,231	2,976.0	No	No information found.		
City of San Ramon	Contra Costa	84,605	4,528.0	Yes	Food Trucks are included under the definition of "outdoor vendors." Allowed in all mixed-use zones and most commercial, office, and industrial zones on private property with minor use permit.	San Ramon MC D4-35	https://online.encodeplus.com/regs/sanramon-ca/doc-viewer.aspx#secid-4795
City of Calistoga	Napa	5,228	2,028.7	Yes	Food trucks are allowed for up to eight hours a day in community commercial and light industrial zones in addition to certain areas of the public right-of-way. Up to three permits are issued each year.	Calistoga MC 5.10	https://www.codepublishing.com/CA/Calistoga/#!/Calistoga05/Calistoga0510.html#5.10

Town of Tiburon	Marin	9,146	2,041.5	Yes	Food Trucks are included under the definition of "Food establishment." Food trucks are not allowed to park on streets, some exceptions.	Tiburon MC 10-1, 23-36	https://library.municode.com/ca/tiburon/codes/code_of_ordinances?nodeId=TITIIBUPRUT_CH10FOFOES_10-1DE & https://library.municode.com/ca/tiburon/codes/code_of_ordinances?nodeId=TITVIPUHESAWE_CH23MOVETR_ARTIVRESTSTPAVE_23-36UNPAEDVE
City of St. Helena	Napa	~5,430	~1,650	Yes	Food trucks are allowed on private property in non-residential districts for four hours a day up to 90 days per year.	St. Helena MC 17.22.150	https://sthelena.municipal.codes/Code/17.22.150
City of Sebastopol	Sonoma	7,521	3,996.3	Yes	Food trucks are regulated by a mobile food truck ordinance. Allowed in public right-of-way, on private property, and on public property on a temporary basis with extra restrictions on time, location, and operation.	Sebastopol MC 17.355	https://sebastopol.municipal.codes/SMC/17.355
Martinez	Contra Costa	38,290	3,036	Yes	Food trucks are permitted as mobile vendors through a temporary use permit. They are allowed to operate on private property, City parking lots, public plazas, public parks, and parking spaces on public streets, with additional restrictions on time, waste management, and location.	Martinez MC 22.41.030	https://library.municode.com/ca/martinez/codes/code_of_ordinances?nodeId=COOR_TIT22Z_O_CH22.41TEUSPE_22.41.030USPETEUSPE



TOWN OF MORAGA
TOWN COUNCIL MEETING
September 24, 2025

Addendum(s) to Published Agenda

9: Department Reports

9A: Direct staff to develop a resolution to amend the Moraga Municipal Code to define “food trucks” to regulate their use on private property and to adopt policies formalizing the process for allowing food trucks on Town property and at Town sponsored events

Updates Include:

- Public Communication Received

Tharp Dr Resident

From Deanna Sheehan <deanna.sheehan@yahoo.com>

Date Tue 9/23/2025 6:29 PM

To Yashin Abbas <yabbas@moraga.ca.us>

To Whom it May Concern,

As a resident of Tharp Drive I am in complete opposition to the proposed development for the open hills on South Camino Pablo. The impact on our neighborhood from the adverse increase in traffic, increased infrastructure demands, noise, poor air quality, health and safety issues as well fire department concerns will be detrimental.

Please do not allow this development to proceed.

Deanna Sheehan
431 Tharp Drive
Moraga, Ca 94556
925-212-6766

Food Trucks in Moraga!

From scottbowhay@comcast.net <scottbowhay@comcast.net>

Date Wed 9/24/2025 11:01 AM

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

Dear Amy,

Please share these comments with the Town Council for tonight's meeting:

Dear Hard-Working and Underappreciated members of the Moraga Town Council,

I see that you have before you, consideration to “adopt policies formalizing the process for allowing food trucks” and to “regulate their use”... This coming in response to “complaints from the community”, which so far have been addressed by consultation with various “stakeholders”. This “Community Input”, however, neglected to include members of the General Public...who have enthusiastically voted in favor of Food Trucks in Moraga, with their patronage and food dollars.

I would encourage the Town Council to direct Staff to “go light” on regulation, fees, and supervision (as in “get out of the way”), and to perhaps even “lean in” on facilitating more of these desired services in Town.

Maybe we could even institute “Food Truck Parks” (rotating through various school and park parking lots?) to help satisfy the needs of Moraga’s working parents?

As to the complaints of Moraga’s “Brick and Mortar” restaurants about this competition, I say “Step Up Your Game”! You might even consider setting up your own “food truck” stands. Just a thought.

Thank you, Town Council, for your consideration.

**Scott Bowhay
1671 Camino Pablo
Moraga, CA (4556**