

AGENDA
TOWN COUNCIL REGULAR MEETING
Wednesday, April 13, 2011

7:00 p.m.

Joaquin Moraga Intermediate School Auditorium
1010 Camino Pablo, Moraga, California 94556

I. CALL TO ORDER

ROLL CALL: Mayor Mendonca, Vice Mayor Metcalf and
Council Members: Chew, Harpham, and Trotter

II. PLEDGE OF ALLEGIANCE

III. SPECIAL ANNOUNCEMENTS

IV. PROCLAMATIONS AND PRESENTATIONS

A. [Certificate of Appreciation for Officer Russell Douthit and Recognition from Mothers Against Drunk Driving \(MADD\) for his DUI Enforcement Efforts in 2010](#)

B. [Proclamation Honoring the Hacienda Foundation of Moraga](#)

V. PUBLIC COMMENTS AND SUGGESTIONS – Time reserved for those in the audience who wish to address the Town Council. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on a future agenda. Note: Public input will also be taken during each agenda item.

VI. ADOPTION OF CONSENT AGENDA

A. Approval of Consent Items

VII. ADOPTION OF MEETING AGENDA

A. Consideration of Consent Items Removed for Discussion

VIII. REPORTS

A. Mayor's and Council Members' Reports

Mayor Mendonca
Vice Mayor Metcalf
Councilmember Chew
Councilmember Harpham
Councilmember Trotter

B. Town Manager Update

IX. DISCUSSION ITEMS

X. PUBLIC HEARINGS

- A. [Public Hearing, First Reading and Introduction of an Ordinance Amending Town Municipal Code Section 7.16.090 Regarding Amending the Record of Expenses to Include Recovery of Attorneys' Fees](#)

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

- A. [Adopt Resolution ____-2011 Awarding a Construction Contract to MCK Services, Inc. of Concord for the Construction of the Rheem Boulevard Pavement Rehabilitation Project, CIP Project No. 10-101](#)
- B. [Second Reading and Adoption of Ordinance 232 Adding Chapters 7.32 and 8.160 to, and Amending Section 1.24.050 of the Town of Moraga Municipal Code to Prohibit the Establishment and Operation of Medical Marijuana Dispensaries, to Prohibit Outdoor Cultivation of Marijuana, and to Provide for the Recovery of the Town's Costs, Fees and Other Remedies in Lawsuits to Enforce Town Laws](#)
- C. [Review 2011 General Plan Implementation Program Status Report and Request for Direction on the Bollinger Canyon Special Study IP-K7](#)

XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

XIII. COMMUNICATIONS

XIV. ADJOURNMENT

Notices of Town Council Meetings are posted at 2100 Donald Drive, The Moraga Commons, 329 Rheem Blvd and the Moraga Library. Copies of the Agenda packets can be viewed prior to the meeting at the Town Offices, 329 Rheem Blvd, Second Floor. NOTICE: If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else 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 24 hours advance notice to the Town Manager's office (888-7050). If you need sign assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

CONSENT AGENDA
Wednesday, April 13, 2011
7:00 p.m.

ITEMS

**TOWN MANAGER'S
RECOMMENDATION**

- | | |
|--|-----------------|
| 1) <u>Accounts Payable Claims for: 3/25/11 (\$25,201.30)</u> | Approve |
| 2) Approve Minutes for Town Council Regular Meeting March 9, 2011 | Approve |
| 3) Approve Minutes for Town Council Regular Meeting March 23, 2011 | Approve |
| 4) <u>Adopt Resolution - 2011 Amending Moraga's Conflict of Interest Code and Rescind Resolution 8-97</u> | Approve |
| 5) <u>Adopt Resolution - 2011 Awarding a Professional Services Contract not to exceed \$20,000 to Harrison Engineering, Inc., Pleasant Hill, California for the design of the Moraga Road Crosswalk Improvements Project, CIP Project No. 09-103</u> | Approve |
| 6) <u>Accept Building Insulation Improvements Installed by Alcal-Arcade Contracting, Inc. of Fremont, CIP No. 10-304c</u> | Approve |
| 7) <u>Approve Resolution - 2011 Authorizing Staff to Enter into an Agreement with MCK Services, Inc. of Concord in an Amount not to Exceed \$80,000 for Patch Paving Repairs Throughout Town</u> | Approve |
| 8) <u>Cancellation of July 27 and August 10, 2011 Town Council Meetings</u> | Approved |
| 9) <u>Proclamation Honoring Citizen of the Year 2011 Gordon Nathan</u> | Approve |

Consent agendas consist of items of a non-controversial and routine nature submitted by the Town Manager. The Town Manager shall propose specific action on each consent agenda item and such recommendation will become the action of the Council upon adoption of the consent agenda. Any member of the Town Council may direct that a consent agenda item be placed on the regular agenda for consideration and discussion by the Council. Consent agenda items are adopted in total and under one (1) motion by the Council, and are not subject to individual debate and discussion. Anyone wishing to discuss items on this agenda should inform the Town Council during their review of the consent agenda.