

**TOWN OF MORAGA
TOWN COUNCIL REGULAR MEETING**

**October 26, 2011
MINUTES**

7:00 P.M. Regular Meeting

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

I. CALL TO ORDER

The regular meeting was called to order at 7:02 P.M. by **Mayor Karen Mendonca**.

ROLL CALL

Councilmembers present: Mayor Karen Mendonca, Vice Mayor Michael Metcalf, and Councilmembers Ken Chew, Howard Harpham, and Dave Trotter

Councilmembers absent: None

II. PLEDGE OF ALLEGIANCE

Councilmember Chew led the Pledge of Allegiance.

III. SPECIAL ANNOUNCEMENTS

There were no special announcements.

IV. PROCLAMATIONS AND PRESENTATIONS

- A.** Moraga Youth Involvement Committee (MYIC) 2010-11 Accomplishments Presentation and 2011-12 New Member Swearing in

Layth Ramatala, 2010-2011 Chair of the Moraga Youth Involvement Committee (MYIC), described the background and purpose of the MYIC which was in its 21st year, the current members, and outlined highlights of the group's accomplishments over the past year. He took the opportunity to thank all local businesses, organizations, the Town Council, and residents who had provided assistance to make this a successful year for the MYIC.

Mayor Mendonca and the Town Council expressed appreciation for the efforts of the MYIC and commended Kimberly Nelson, the Staff Advisor to the MYIC, for her work.

Kimberly Nelson expressed her appreciation to Mr. Ramatala for his work over the last term and commended his leadership and the work of MYIC members.

Town Clerk Marty McInturf swore in the new members of the MYIC for the 2011-12 term.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

B. Proclamation Commending Moraga's Police Department Reserve Officers

Mayor Mendonca read into the record a proclamation commending Moraga's Police Department Reserve Officers Ben Ho, Greg Haskell, Jack Lucas, and Darrell Lee, and declared October 26, 2011 as "Moraga Police Reserve Officers' Day."

Chief of Police Robert Priebe thanked the Council for issuing the proclamation in honor of the officers' combined 100 years of dedication and service to the Town of Moraga.

Town Manager Jill Keimach commended the caliber of each officer, their time in the community, donations, contributions, and volunteerism to the Town of Moraga, and added that she was honored to work with each officer in the Moraga Police Department.

The Town Council commended each officer for their service to the Town of Moraga.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

C. Swearing in of New Volunteer Community Service Officer Thomas Smith

Chief Priebe described the educational background and the many accomplishments of new Volunteer Community Service Officer Thomas Smith, and welcomed him to the Town.

Town Clerk McInturf presented the Oath of Office to new Volunteer Community Service Officer Smith.

The Town Council welcomed Mr. Smith to the Town of Moraga.

PUBLIC COMMENTS OPENED

Thomas Smith, Volunteer Community Service Officer, expressed his appreciation to the Town Council and to Chief Priebe for the opportunity to serve the Town and to work in law enforcement.

PUBLIC COMMENTS CLOSED

V. PUBLIC COMMENTS AND SUGGESTIONS

Judi Kanter, Moraga, representing the California Independent Film Festival (CAIFF) spoke about her advocacy for CAIFF, asked the Town for its support, and commended the unity of the community.

Lynda Deschambault, Moraga, referenced a recent article regarding the Wilder Project (formerly known as the Gateway Project) as it related to new development and new public amenities. She suggested that Moraga could do a better job negotiating new amenities and parks with respect to new development. She sought an increase in the Town's parks and amenities as opposed to struggling with the Town's existing parks.

Seth Freeman, Moraga, commented on the efforts of the Revenue Enhancement Community Outreach to Neighborhoods (RECON) and the audited financial statements for the Town. Having researched those statements, he suggested that there had been gross financial mismanagement, since studies had been prepared showing the monies needed to address the maintenance and paving of the Town's roads, and the Town had not yet reserved monies for the repaving of its roads. He also questioned the Town's expenditure of \$7,000 for Rancho Laguna Park and potentially up to one million dollars for Town offices given the Town's financial circumstances.

VI. ADOPTION OF THE CONSENT AGENDA

A. Approval of the Consent Items

Consent Agenda items 2 and 5 were removed from the Consent Agenda.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Harpham/Trotter) to approve Consent Agenda Items 1, 3, and 4. Vote: 5-0.

- | | | |
|----|---|----------------|
| 1) | Accounts Payable Claims for 10/7/11 (\$101, 215.68) | Approved |
| 2) | <i>Minutes for the Town Council Regular Meeting of October 12, 2011 and Special Meeting on October 12, 2011</i> | <i>Removed</i> |
| 3) | Approve Resolution 37-2011 Authorizing Staff to Enter into an Agreement with Quality Striping, Inc. of San Mateo for a Contract Amount of \$38,998, Plus Ten Percent Contingency of \$4,002 for a Total Not-to-Exceed Amount of \$43,000 for Road Striping and Marking at Various Locations throughout Town | Approved |
| 4) | Proclamation Declaring Contra Costa Community Awareness Emergency Response (CAER) Sponsored "Shelter-in-Place Education Day" on November 2, 2011 | Approved |
| 5) | <i>Adopt Resolution 38-2011:</i> | <i>Removed</i> |
| | (A) <i>Authorizing the Town Attorney and Town staff to prepare and sign an Amendment to the 2006 Reimbursement Agreement with the Bruzzone family (applicant) consistent with Resolution No. 34-2011, including but not limited to requiring an additional \$24,000 for geotechnical consulting and EIR management and editing; and</i> | |
| | (B) <i>Authorizing the Town Manager to Sign a Contract with Cal Engineering & Geology in the Amount of \$9,000 with amendments not to exceed an additional \$1,000, provided the applicant submits funds in the amount of \$10,000; and</i> | |
| | (C) <i>Authorizing the Town Manager to Sign a Contract with</i> | |

Jerry Haag in the Amount of \$12,000 with amendments not to exceed an additional \$2,000, provided the applicant submits funds in the amount of \$14,000

B. Consideration of Consent Items Removed for Discussion

Consent Items 2 and 5 were continued to the end of the meeting agenda for consideration.

VII. ADOPTION OF MEETING AGENDA

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Harpham/Chew) to adopt the Meeting Agenda, as amended to consider Consent Items removed for discussion to the end of the meeting agenda. Vote: 5-0.

VIII. REPORTS

A. Mayor's and Councilmembers' Reports

Mayor Mendonca - Reported that she had attended the Fire House Liaison meeting; the Moraga-Orinda Fire District (MOFD) Pancake Breakfast; a tour of the Fourth Bore of the Caldecott Tunnel; the Oktoberfest festivities; the Lamorinda Reads Program at the Moraga Library; the Mayor and Chairs and Ask the Mayor and Town Manager monthly meetings; the final installment of the Jan Wahl series at the Rheem Theatre; the Sesquicentennial meeting at Saint Mary's College; and the recent Moraga Chamber of Commerce mixer on cloud computing and a local artist performance at the Moraga Library.

Vice Mayor Metcalf - No report.

Councilmember Chew - Reported that he had volunteered at the Oktoberfest event; and that he, the Mayor, Councilmember Harpham and the Town Manager had toured the Fourth Bore of the Caldecott Tunnel on October 21.

Councilmember Harpham - Reported that he, Councilmember Trotter, Chief Priebe, and the MOFD Emergency Preparedness Coordinator, had met to discuss the Emergency Preparedness Plan.

Councilmember Trotter - Reported that he, Councilmember Harpham, Chief Priebe and the MOFD Emergency Preparedness Coordinator had met to discuss the Emergency Preparedness Plan; and he had attended the Oktoberfest festivities at which time he had obtained donations for the Hacienda Foundation.

B. Town Manager Update – No report.

IX. DISCUSSION ITEMS

There were no discussion items.

X. PUBLIC HEARINGS

There were no public hearings.

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

- A. Consideration of Co-Sponsorship with The New Rheem Theatre and the Moraga Chamber of Commerce and Approval of 2012 California Independent Film Festival (CAIFF) Community Event Signs and Banners and Fee Waiver of other Associated Activities for the 14th Annual Event at The New Rheem Theatre

Ms. Keimach reported that the same request had come to the Town Council in 2010 from The New Rheem Theatre for a fee waiver and approval of banners. She noted that in 2010 the request had been limited to a fee waiver of \$500 and in-kind donations. At this time, the request was for co-sponsorship between The New Rheem Theatre and the Moraga Chamber of Commerce. She noted that Town staff, community members, and volunteers would like a strong partnership with the CAIFF showing a commitment to its success in the community.

When asked by the Council, Ms. Keimach explained the impacts to the Hacienda as a rental during the event, she noted that the Parks and Recreation Director had estimated \$200 for the event.

PUBLIC COMMENTS OPENED

Lindsay Pirkle, Membership Director of CAIFF, also speaking on behalf of The New Rheem Theatre, appreciated any involvement from the Town of Moraga and noted that this was the second year of CAIFF which was again expected to be successful.

PUBLIC COMMENTS CLOSED

As to whether or not the Town could be included as a co-sponsor for the event on signage and promotional materials, Ms. Pirkle suggested that the Town could be identified as a co-sponsor noting that CAIFF also had digital projectors in its theaters and the Town would likely be on that as well. She responded that the Town's name or logo could be added to the banners.

In response to concerns for the potential liability if the Town was included as a co-sponsor, Ms Keimach explained that the Moraga Police Department had worked with The New Rheem Theatre during the 2010 CAIFF to ensure good crowd control during its activities. CAIFF had also generated a different audience than other events at the Rheem Theatre recognizing that there had been some events at the theatre which had caused some concerns.

Town Attorney Michelle Kenyon added that the action being asked of the Town Council was to address fee waivers and sign permits which would not expose the Town to liability as a co-sponsor, although she recommended that the Town Manager carefully review in-kind activities.

Chief Priebe did not expect any additional police presence for CAIFF although if there was a need for additional security, the Rheem Theatre had in the past reimbursed the Town. There had not been any issues with CAIFF in the past.

The Town Council discussed the request and made the following comments and/or direction to Town staff:

- Amend the request to include the Town of Moraga's logo on the signage for the CAIFF event.

ACTION: It was M/S (Trotter/Chew) to approve the Co-sponsorship with The New Rheem Theatre and the Moraga Chamber of Commerce for the 2012 California Independent Film Festival (CAIFF) and approve Community Signs and Banners and Waive Town Fees for Signs and other Associated Activities for the 14th Annual Event at The New Rheem Theatre, with the Town of Moraga's logo to be included on the signage for the CAIFF event. Vote: 5-0.

B. Adopt Resolution __-2011 Accepting the Park and Recreation Commission Recommendation to Provide Spatial Separation at Rancho Laguna Park

Parks and Recreation Director Jay Ingram reported that since 2009 the Park and Recreation Commission had held numerous community outreach and public meetings at various venues in the Town on the issue. In May 2011, the Town Council and the Park and Recreation Commission met jointly, with the Town Council directing the Park and Recreation Commission to further study the spatial separation issue at Rancho Laguna Park. The Park and Recreation Commission discussed the issue during its July, September, and October meetings. During the September 14 Town Council meeting, the Town Council approved a contract with Callander Associates to lead a community-directed process to address spatial separation for Commission consideration. On October 18, the Park and Recreation Commission held a community-wide workshop where participants were divided into two groups to discuss Rancho Laguna Park, as outlined in the October 26, 2011 staff report.

Mr. Ingram reported that while considering a recommendation to the Town Council, the Park and Recreation Commission had identified public safety as its highest priority reflecting oral and written public testimony. In addition, the Town's Risk Manager had cited safety as an issue at Rancho Laguna Park. As a result, the Park and Recreation Commission had reviewed three concepts. The Commission's preferred concept was a modified Concept 3, which included fencing around the play structures and picnic area on the south side of the park, no changes to the path and turf, and with an off-leash area on the north side wrapping around the east side. He noted that once a play structure had been selected for the south side, the Town would comply with the necessary fencing requirements. In the preferred concept, the south side of the fencing would enclose both the play structure and the group picnic area but it would not be necessary to fence in the group picnic area. Less fencing would maintain the park's rustic feel and result in overall cost savings.

Mr. Ingram stated the Park and Recreation Commission voted unanimously to recommend a conceptual spatial separation design that resulted in retaining the turf area as it currently was at just under two acres, creating a fenced off-leash dog area of approximately two acres, and fencing a play area of approximately one third of an acre. The Commission's motion was to use a phased approach, with Phase I consisting of the south side playground renovation, including fencing, and fencing the north and east sides along the existing pathway extending as far as possible toward the amphitheater to accommodate off-leash dog activities during all open hours of the park. Phase II improvements would address drainage on the existing turf area. The Park and Recreation Commission stated the Town Council would need to address the temporal separation issue.

During the October 18 meeting, the Commission had not discussed the costs associated with the motion but had focused on phasing construction. Following the meeting, Callander Associates had provided preliminary cost estimates which did not include staff time, setting the cost estimate for Phases I and II between \$187,000 and \$199,000. If the Town Council decided to provide the off-leash dog area as proposed on the north and east sides, an Americans with Disabilities Act (ADA) compliant walkway on the north side would be easy to include. He

explained that the ADA modification had not been included in the cost estimates although there may be opportunities for community organizations to volunteer to provide such work.

Mark Slichter, Principal, ASLA, Callander Associates, described the Park and Recreation Commission recommended proposal as Exhibit A, with Phase I consisting of the play area and the dog park component on the north side, with a great deal of space under the trees to be captured leaving the existing turf as it was. Phase I improvements also included the play areas, with fencing, and a tot and youth play area to address different age groups. Phase II consisted of improvements to the central turf area to address drainage.

In response to an individual speaking from the audience, Mr. Slichter explained that there had been plans for enhancements to the play area in the northern area of the park although the intent was to move them to the southern area of the park to be in proximity to the restrooms. Turf could be added although it had not been included in the cost estimates provided to staff, and moving of picnic tables was not discussed but could be accommodated in the future. He emphasized that the plan was conceptual at this time with refinements yet to be made.

Mr. Slichter identified a large separate group picnic area in the southern side. He was uncertain of the number of picnic tables that would be impacted and noted that those details were not part of the conceptual plans at this time. He commented that the preparation of a dog park design would be a process starting with a survey of the park.

Mr. Slichter stated that the north side of the park was substantially comprised of oak trees and he acknowledged that oaks did not like change of any kind in terms of placing turf under them. He also clarified that the three gates proposed as part of the concept were vestibules. The improved drainage components included sand channels which were very narrow trenches backfilled with sand which would allow water to travel off the surface, intended as a collection system. A survey of the park would identify the creek, top of bank, and reference points to avoid encroaching into those jurisdictional lines. The State Department of Fish and Game might also become involved if any changes were proposed to the riparian corridor. He added that the concept had not reflected the size of the dogs.

In response to concerns with the proposed fencing on the south side and around the play area, Matt Gruber, Callander Associates, stated that a fence was not required around the playground area but was a matter of community choice. California Playground Safety Regulations did not require a fence but spoke of a spatial separation around a playground area, and potentially dangerous areas, such as parking lots. A barrier could be provided if desired by the community.

Mr. Slichter acknowledged that this was the last defining task for Callander Associates' agreement with the Town of Moraga.

Ms. Keimach stated that the next step would depend on the outcome of the discussion. If the Council supported the Park and Recreation Commission recommendation, bids would then be sought for the fencing proposed as part of Phase I.

PUBLIC COMMENTS OPENED

Bob Reynolds, Moraga, commented that the recommendation from the Park and Recreation Commission was sound providing spatial separation for all uses in the park although he was concerned with the concept for fencing in the picnic areas and suggested it should be avoided. The park should be a place where there was ample opportunity for free circulation and free form of activity. He supported the recommendation from the Park and Recreation Commission with very few internal fences. He also pointed out that the Town already provided a large off-leash area for dogs at Mulholland Open Space Preserve.

Scott Bowhay, Moraga, stated by believed that Mulholland Open Space Preserve was an on-leash only dog area. He emphasized his opposition to the Town's expenditure of \$7,000 for Callander Associates, stated that he had attended the Park and Recreation Commission workshop and commended the exchange of good ideas that had been discussed, but suggested that those ideas had been disregarded by the Park and Recreation Commission. The proposal before the Town Council had been recommended four years ago and would not solve any of the needs of the dog owners. He asked the Council to consider a more equitable solution and an area for dog owners to use the turf area which was not possible as part of the proposed concept.

Karen Lewis, Moraga, said she did not see there would be a conflict between the dog owners and others using the park given that the Commons Park could be used by families. She commented that there had been very few non-dog owners who had attended the public meetings and suggested that the park was now kept cleaner than before because the dog owners had been vigilant about clean up. The hours for off-leash dog use had been posted clearly and anyone could schedule their use of the park to avoid conflict with off-leash dogs. She also suggested that parents often brought their children to the park to interact with the dogs even if they did not own a dog. She saw no credible reason to eliminate the off-leash dog hours and asked that the Town Council leave Rancho Laguna Park as it was.

Seth Freeman, Moraga, suggested that the process had been flawed from the beginning. He spoke to the history of Rancho Laguna Park and questioned when it had become dangerous to bring an off-leash dog to that park, suggesting that Town staff and the appointment of Park and Recreation Commissioners led to the current situation, and that the Town had no scientific study or research on dog parks or projected usage other than correspondence from the community.

Alex Popov, Moraga, described the park not as a dog park but a people park, questioned the potential loss of the park for off-leash dogs as a result of a political agenda, suggested that children patronized the park during the off-leash dog hours and played with the dogs, and that when people used the picnic area the dog owners moved away from those areas. He also suggested that there was not a safety issue and he commented on a situation where an aggressive dog owner had been spoken to and that person had not returned. He asked that Rancho Laguna Park be left as it was with no fencing and suggested that if the park was modified, as proposed, it would not be used by the off-leash dog owners.

Stephanie Dodson, Moraga, said that although it had been stated numerous times that the need for spatial separation for dogs in Rancho Laguna Park related to safety, she did not agree. She read into the record Section 3342 (a) of the Civil Code regarding liability for damages in the event that someone was bitten by a dog while in a public space, referenced an e-mail that had been sent to the Town Council in December 2009 from the former Town Manager confirming that there was no insurance or increased liability issue whether the area was fenced or not. She also read into the record State Playground Regulations Mandate AB1144 regarding tot lot fencing. Rancho Laguna Park was fully contained providing safe and temporal access for the dogs and their owners and other multi-use patrons of the park, it was ADA and senior compliant, and did not discriminate against other users as Mulholland Open Space Preserve did.

John Haffner, Moraga, a member of the Park and Recreation Commission, suggested that the process as directed by the Town Council had come to a conclusion with a recommendation with safety in mind which was important to the citizens of Moraga. He acknowledged that there was no win-win solution in this case, suggested that a compromise should be considered, suggested that the recommendation offered a solution acceptable to Moraga residents, and urged the Town Council to consider the recommendation from the Park and Recreation Commission in response to safety concerns.

Jan Gruen, Moraga, stated that she liked the open space and natural ambience, and could patronize the park with her dog off-leash during the posted hours. She attended the October 18 Park and Recreation Commission meeting and suggested the events of that meeting had not been accurately presented by the Parks and Recreation Director in that there had been at least 30 people present who had shared their interest in the park as dog owners, their love of walking the park with the elderly and their dogs, the camaraderie with the dog owners, and the short off-leash dog hours. She emphasized that people did not want the park changed; questioned where the money for the project would come from; and asked for an accounting of those funds. She asked the Town Council to review the meeting tapes from the Park and Recreation Commission meeting and consider its fiscal responsibility to the entire community.

Nancy Bluford, Orinda, commented that she had patronized Rancho Laguna Park more in the past but now used different dog parks which were more convenient. She asked the Town Council to consider the number of off-leash hours added to each day. The proposed plan offered no lighting, was a distance from the parking lot, had no visibility, there was no turf for the dogs, and the dog park was situated back in the corner. She cited Heather Farms' dog park as an example of a very small area of turf as compared to the number of dogs using it. She also opposed the proposed gates for the dog area suggesting it would encourage people to violate the space to reach the dog park area. She recommended that the Town Council encourage the cities of Lafayette and Orinda to consider the creation of dog parks.

Virginia Falconer, Moraga, reported that having the dogs run loose in the park was a safety issue for her given her attempts to use the park as an open flat area for rehabilitation. The area provided a circular route and there was no comparable space in Town. She noted the Commons Park had hilly terrain and the pathway was not as visible. She explained that her attempts to use Rancho Laguna Park in 2007 and 2009 had been impossible due to the dogs running around the park and the possibility of her being knocked over. She would like to use the park after work hours and as a taxpayer should have the right to do so safely. She supported a totally on-leash dog park, but if that could not be accomplished, urged that a physical separation from the dogs and non-owners be provided. She added that she may have to avoid the park completely since it had become undesirable with off-leash dogs.

Douglas Home, Moraga, noted that the Park and Recreation Commission had cited safety as the utmost concern. He cited the most recent statistics (2009) of people killed by dogs which were off-leash, off of the owner's property, and the breed of dog involved compared to the statistics for roadway fatalities. Given that information, he suggested that for the Commission to suggest that public safety was a legitimate issue was absurd.

Jon Chambers, Moraga, also presented statistics and the most recent U.S. survey for dog bites, fatalities, and those dog-related incidents that required medical attention. He commented that there were scientific studies available on the subject with the consensus that a dog park should have a fence around it, which was not an unreasonable request. He recommended that the Town Council find a compromise and consider an option that worked for everyone. He also cited statistics on the guidelines on the amount of space that should be allocated for a dog park, particularly information from the County of Sacramento's Off-Leash Task Force. He urged the Town to find a way to protect its children and provide a place for dog owners.

Tina Chambers, Moraga, stated that she too had attended the October 18 Park and Recreation Commission workshop. She stated that the presentation from the Parks and Recreation Director and Callander Associates was factual. While it had been represented that no one in the working groups wanted to see spatial separation from the dogs, she personally had requested it and acknowledged that safety was paramount to her. She acknowledged that she did not patronize Rancho Laguna Park given the hours for off-leash dogs which she felt created

an unsafe condition, was not a community approach, and was not fair. She suggested that the dog community was advocating for something which was unheard of, and every dog park she was aware of had spatial separation with fencing or gates pursuant to State guidelines. She also advised that a representative for Lamorinda Dogs Inc. had spoken during the October 18 Park and Recreation Commission meeting suggesting that there was insufficient acreage for off-leash dogs at Mulholland Ridge. She pointed out that Mulholland Ridge did include an off-leash dog area and she therefore refuted testimony that Mulholland Ridge was not an off-leash dog area.

Stan Oberg, Moraga, advised that he had previously submitted correspondence to the Town Council on September 28. While he liked dogs and liked the idea of a dog park in the Town, he advised of incidents with aggressive dogs which had intimidated him at Rancho Laguna Park while running on the East Bay Municipal Utility District (EBMUD) trails. He described some of the incidents he had experienced and encouraged the Council to consider a way to provide a separated area for the dog owners with turf while still allowing other users to enjoy the park without encountering dangerous dogs.

William Carmen, Moraga, stated that he had submitted an e-mail to the Town Council regarding the potential changes to Rancho Laguna Park. He suggested that the concept being proposed did not fit the criteria for what people liked about the park. He submitted a revised drawing and cost estimate for Council consideration, encouraged a walking path for other patrons of the park, a concept which would not involve the removal of any trees, and asked for input from the public on his proposal which considered the needs of sports and off-leash dog users.

The Town Council acknowledged the receipt of a PowerPoint presentation from Mr. Carmen.

Kirpal Khanna, Moraga, a member of the Park and Recreation Commission, suggested that the Commission had been productive and had been run well by the Chair under the circumstances. He stated that safety was his highest concern. Having visited Rancho Laguna Park, he had viewed dogs off-leash not supervised by their owners and with dog waste that had not been cleaned up. He supported the separation of the dogs from the other users of the park given the potential safety hazards.

Don Larwood, Orinda, spoke to the unique social interaction of those using the dog park and described it as phenomenal. He acknowledged that dogs could be intimidating but he asked that the Town Council consider Mr. Carmen's recommendation which had something for everyone. He suggested that Rancho Laguna Park was unique located at the end of the road and was patronized by Moraga and non-Moraga residents alike. He suggested that the Town Council install fencing to address the problem and save money.

Chance Curtis, Moraga, commented that he lived close to the park. Speaking for his entire family, he supported some kind of spatial separation from the dogs noting that his son had been bitten by an off-leash dog which had scarred his son for life. Given the potential for incidents, he suggested that for the benefit of the greater good, a dog park area should be fenced off.

Larry Beans, Moraga, reported that he had attended the October 18 Park and Recreation Commission meeting and suggested that the two working groups had worked well discussing what they liked about the park and how it could be improved, although there was little time to discuss the solutions leading many to have concerns with the dynamic of that meeting. He stated that the Parks and Recreation Director and the Park and Recreation Commission had handled themselves well and suggested that the plan from Callander Associates was substantially sound, although he recommended that the dog park fenced in area include grass.

Brad Winegar explained that he lived across the street from Rancho Laguna Park, something he had enjoyed very much. He commented that the Town had a gem of a park which was unique and well used by his family on a daily basis. He stated that the dog owners had been outstanding neighbors, had been good at self policing, had great social interaction, acknowledged that there were some exceptions with some not picking up after their dogs or harassment by dogs, and commented that he had been bitten by a dog in the past. He expressed his hope that the Town Council would consider no changes to the park but possibly modify some of the rules. He recommended that the off-leash dog hours be retained with the exception of summer hours when the demand and usage of the park increased, with dogs required to be on leash from May to September during the evening hours.

Christopher Gerding, Lafayette, Lamorinda Dogs, Inc., understood that the Town Council had a difficult decision before it which had been complicated by an extended three-year process which would result in a no-win solution. He suggested that the legal exposure of the Town had increased by the lengthy process, suggested that the October 18 Park and Recreation Commission meeting had been a deceptive exercise in terms of receiving and faithfully reflecting the input of the public, and asked the Town Council to make the right choice.

Lisa Johnson, Moraga, reported an incident at Rancho Laguna Park where two dogs had been fighting close to her children and that the owners of those dogs had not responded by moving the dogs from the playground area. She also reported on another incident where a dog had charged her child during the non off-leash hours causing her family to avoid the park due to safety concerns. She liked the idea of on-leash dogs at Rancho Laguna Park consistent with other parks throughout Lamorinda which would provide a safer environment. She supported the Park and Recreation Commission recommendation for a spatial separation with a fenced area for a dog park but asked that the area not be extended into the pathways or field areas and that any fencing in the picnic and playground area be reviewed by the Town Attorney in terms of compliance with AB 1144.

Linda MacKinson, Moraga, speaking on behalf of her 15-year old daughter, explained that the park was at its busiest in the morning hours. She described her daughter's experience in working with the Animal Rescue Foundation (ARF), the need for dogs to have larger space to move around, and her opposition to the elimination of the off-leash dog hours.

Damon Becker, Moraga, explained that his family resided near and utilized Rancho Laguna Park but did not use the park as often as they had in the past due to the posted morning and evening off-leash dog hours. He reported that his daughter had been bitten by a family dog and was fearful of dogs as a result. He sought a mutual resolution with fencing separating the dogs from the children.

Gilbert DeFreme, Orinda, read into the record a statement prepared by Moraga resident Barry Behr who suggested that the community had spoken clearly as stakeholders during the October 18 Park and Recreation Commission meeting with a variety of groups having the opportunity to meet for the first time, which process he suggested had represented the best of the community to resolve the issue. He suggested that Rancho Laguna Park remain a rustic setting, asked the Town to enforce all off-leash hours during the day with the posting of new signage clearly visible to park users, that the Town consider a partnership with the East Bay Regional Parks District (EBRPD) on the cost of new signage with both trailhead and park information, and suggested that the playground be replaced as soon as possible. Further, that the Town address the safety issues in the parking lot with a possible reconfiguration of the lot, secure the barbecue area on the south side to prevent dogs and athletic events from interfering with users in the picnic area, and agreed that a phased approach should be considered.

Mr. Behr stated that the current monitoring program did not work and that the Town should consider a liaison group to be made up of groups that regularly used the park to address issues that could arise at Rancho Laguna Park. He also recommended that the Parks and Recreation Department be a one-step center for reserving athletic fields in all Moraga parks and at Saint Mary's College (SMC).

Cherie Grant, Moraga, stated she liked the park as it was and did not want to see any changes. She suggested that time was a wonderful separator and space was not necessary. She recommended a fence between the fields and the vehicles for safety purposes. She complimented the staff presentation, read a poem by Robert Frost, and urged the Town Council to consider minimal fencing.

Kay Biondo, Orinda, explained that she was the owner of a small dog which must be close to her at all times. She noted that the proposed concept for the dog park at Rancho Laguna Park would make it difficult to get to the restrooms, suggested that those using the park were fearful of being knocked down by dogs, noted that dog owners had been responsible for cleaning up after their dogs, commended the social interaction at the park and the need for exercise, commended the ambience at Rancho Laguna Park, and said that any dogs misbehaving during the off-leash hours had been made unwelcome by the other dog owners.

Lynda Deschambault, Moraga, urged the Town Council to consider a long-term plan for new parks. She suggested that Mr. Carmen's plan should be considered, and she urged the Town Council not to rush a decision but to address the concerns with respect to liability, ADA issues, the use of the park for sports, the safety of the parking lot, the cleaning of dog waste; the potential involvement of the Department of Fish and Game given the proximity to the creek, and that Callander Associates did not appear to be knowledgeable about the park itself. She added that the park already had a temporal and spatial separation.

Rich Avanzino, Moraga, and former elected official for the Town of Moraga, discussed the creation and vision of the park. He suggested that it would be a tragedy to eliminate the bicycle paths or bicycle rights-of-way on Town streets due to the potential safety issues. He suggested that dogs had value for a number of reasons as assist dogs, for search and rescue operations, to improve the quality of life, and were considered to be family members with a need to live, play, and exercise off leash.

Suellen Winegar, Moraga, explained that she resided near the park and while not a dog owner she was a regular user of the park. She enjoyed the camaraderie and social life and enjoyed the use of the park in a positive way. Rather than the Town spending money on fencing which would destroy the use and aesthetics of the park, she asked that the Town consider the option of testing a different approach for off-leash hours by extending the morning hours to 10:00 or 11:00 a.m., and during May through September allowing off-leash dog hours during alternative evenings, which she suggested be considered during a test period next summer. She also suggested that if fencing must be installed the north side of the park had old and diseased walnut trees that could be removed with the area planted in lawn and utilized by the dogs.

Tom Coull, Lamorinda Dogs, Inc., stated that, as a regular user of the park and a dog owner, he would not bring his dogs to the park if it were fenced since they needed a lawn area to run. He sought a lawn area for the dogs and suggested if the dog owners were compressed into one area near the creek an EIR and Civil Engineer may be required to review the potential impacts to that area.

Mary Buggun, Moraga, explained that she was a responsible dog owner and did not use Rancho Laguna Park until 8:00 or 8:30 a.m. when there were fewer people. She emphasized

that dogs needed something to run on like turf or grass and not dirt or chips since their pads could be become raw.

Diane Renton, Moraga, stated that she was not a dog owner but used Rancho Laguna Park. She commented that Rancho Laguna Park was beautiful and rustic but would not meet all needs since it had a slope and poor drainage. She acknowledged that there were also people that used the park during the non off-leash hours and there would likely be those that did not follow the rules even if the dog area was fenced. While she would like the park to remain as it was, she would like to see better signage and enforcement. If dogs were fenced in, she urged the Town Council to consider Mr. Carmen's proposal which included two walking paths; one around the sports area and the other around the dog area. She asked the Town Council to consider the number of trees and suggested there was not enough space to accommodate a dog park.

Jim Renton, Moraga, a frequent user of Rancho Laguna Park commended the social aspects of the park, acknowledged that there was a consensus that there would be changes in the park, but questioned the concept to enclose the dog park with the barbecue pits. He pointed out that there were a lot of mobility impaired and elderly persons using the park and if the dog park was enclosed in the barbecue pit area it would impede access to the restroom area. He liked the idea of Mr. Carmen's design which would integrate well with the other uses in the park.

Greg Simonoff, Moraga, owner of two dogs, used Rancho Laguna Park and commented it would be inconvenient to access the dog park from the parking lot if the dog park was enclosed with fencing and gates. He sought a turf area for the dogs, questioned why the areas that must be protected for children were not just fenced off with the dog area to remain as it was.

Graig Crossley, Moraga, did not want to see people and children fenced off, suggested that parks were for people, agreed that there were safety issues in terms of potential for dog bites, acknowledged the concerns with respect to clean up, and suggested that there should be restrictions for the off-leash dog owners. He did not want to see dogs removed from Rancho Laguna Park, recognized that any approach would not be supported by everyone, and encouraged the modification of off-leash dog hours. He did not want to see Rancho Laguna Park become a maze of fences but remain a rustic park for the community.

Jim Vranesh, Moraga, commented that he had younger children who needed parks to play sports. Rancho Laguna Park had become mainly a dog park and although the off-leash dog hours were posted the grass area had been damaged preventing other users' ability to use the area. He pointed out the poor drainage and the fact that dog waste was not always removed, the fact that dogs had jumped on his children and he had witnessed dog bites in the play area, and the lack of field space in the Town for youth sports causing many to travel outside of Moraga. He recommended that the dog area be enclosed with fencing that opened and closed when the park closed. He disputed that dogs would not run on dirt or chips.

Jeanne Moreau, Moraga, would like Rancho Laguna Park to remain as it was although she acknowledged that a compromise may be necessary. She noted that the Council had been presented with an alternative plan which she would like the Council to consider, suggested that the people had not been considered as part of the Callander Associates concept with no ADA paths for seniors to walk with their dogs, the proposed concept had not included any turf or grass area or consideration for a small dog park, and she suggested that an enclosed dog area would not improve the clean-up of dog waste.

Blair Newel, Lafayette, Lamorinda Dogs, Inc., emphasized the need for cooperation for the shared areas and times for the park which she suggested could be done well. She remained a proponent of keeping the park the way it was but also working as a collective group and

possibly forming a Rancho Laguna Park group to solve issues that may arise. She cited the 2010 Census with seniors as the only age group growing in Moraga and suggested that keeping the park was an important part of seniors' ability to use the park and walk their dogs. She noted that the Town had multiple playgrounds and there were two other large park areas for picnicking. She asked the Town Council to consider its limited resources and noted that Callander Associates had also considered other conceptual plans which had recommended AKC compliant surface areas for dogs.

Ms. Newel presented an alternate plan to the Council that included fencing to the top of the grove along the existing path and along the back of the main playing field similar to what had been proposed by Callander Associates while also providing a turf area for the dogs. The concept appeared to have been one of the original Callander Associates plans with a separate area behind the front field.

Ann Kletz, representing the Eclipse Soccer Club, did not wish to speak but provided correspondence to the Council.

PUBLIC COMMENTS CLOSED

Mayor Mendonca declared a recess at 10:43 p.m. The Town Council meeting reconvened at 10:55 p.m. with all Councilmembers present.

ACTION: It was M/S (Metcalf/Chew) to extend the Town Council meeting to 11:30 P.M. Vote 5-0.

Mr. Carmen described his proposed concept and presented a photograph of Rancho Laguna Park from 1993. He identified amenities in his concept. He would add a U-10 or U-11 sports field, a children's athletic turf area of approximately 1.22 acres, a non-dog park path in the southern area with the creation of a loop approximately .25 miles long. He identified the existing group picnic area and dog park path of approximately .2 miles and noted that his plan was flexible and could be modified at the Council's desire.

In response to the Council, Mr. Ingram explained that the issues at Rancho Laguna Park had arisen from a citation received by an individual from a County Animal Control Officer in 2008 since the Town's current off-leash dog hours were ambiguous. That issue had been addressed with posted hours for off-leash dogs. Since that time, there had been minimal use of the fields for youth sports activities. He reported that there had been a fair number of calls to Town staff from the public raising concerns with dog waste on the turf. During the weekends from 2008 to the present the current lawn areas had not been used for sports activities although staff had been contacted by local sports groups that were interested in using the fields but concerned about the off-leash dogs. The Council packet had also included information from the sports user groups booking all of the Moraga School District (MSD) fields with the MSD turning away sports groups given the limited sports fields for use.

Mr. Slichter stated that as part of the conceptual plan from Callander Associates, the barbecue pits had not been intended to be inside the enclosed dog area.

The Town Council discussed the Park and Recreation Commission and made the following comments and/or recommendations to staff:

Councilmember Trotter stated that for decades the Town had allowed off-leash dogs at Rancho Laguna Park during morning and evening hours and dogs had full run of the lawn area, the issue had arisen because of a complaint from one citation with the issue having morphed from enforcement of vague off-leash dog hours to something different. He expressed concern

that for decades off-leash dog hours had been permitted and the lawn area had been used. He suggested it was not fair or reasonable to deprive dog owners of the use of the lawn and he would not support any proposal that did so. He liked the ambience of Rancho Laguna Park, he did not like the idea of slicing the lawn in half to accommodate different uses, but would understand if it had to be done.

Vice Mayor Metcalf sought maximization of the use of the acreage for the wider community while acknowledging that the demographics of the Town had changed over the years. He recognized that there could be some safety issues and the potential for incidents and suggested that safety was an issue and not a myth. He agreed that the dog area should be enclosed with a physical separation and suggested that the temporal separation had not worked. He noted that he and Councilmember Chew had been members of the Sports Field Committee and had reviewed the acreage in the Town for possible sports use and had found that the only piece of Town-owned property to handle sports fields was Rancho Laguna Park although the park had fundamental problems; was too small for something other than practice or use by smaller children; there were drainage problems that would be expensive to repair; and there were issues associated with the dogs' use of the park. He noted that there were opportunities for playing fields other than Rancho Laguna Park.

As to the bifurcation of the grass area, **Vice Mayor Metcalf** did not like the idea although he suggested something must be done to have a turf area for dog owners which may be the avenue for compromise. He suggested that Mr. Carmen's sketches had captured the possibilities of what could be done at Rancho Laguna Park but would not be an inexpensive solution. He proposed that the Town Council seriously consider the thought of bifurcating the grass area, essentially a modification to the Park and Recreation Commission recommendation.

Councilmember Harpham suggested that the Park and Recreation Commission was right in stating that safety was paramount and while not a liability issue safety was a serious issue. He recognized that the current state of Rancho Laguna Park was convenient for dog owners, stated that dogs must be leashed from the vehicles in the parking lot to the park, recognized the desire for many users to use the park for different reasons, suggested that Rancho Laguna Park should not be more than a casual playing field for all types of sports given that the drainage and slope would not allow the field to function properly for a competitive sports field, recognized the low probability for dog incidents but emphasized safety as a paramount concern, and recognized the need for a compromise.

Vice Mayor Metcalf made a motion, seconded by **Councilmember Harpham** to extend the Town Council meeting to 12:00 a.m.

On the motion, **Councilmember Trotter** asked that all discussion on Rancho Laguna Park cease at 11:50 p.m., and the Council consider continuing the item to a date certain in order to allow the Town Council to act on the remainder of the agenda.

ACTION: It was M/S (Metcalf/Harpham) to extend the Town Council meeting to 12:00 A.M. and that all discussion on Rancho Laguna Park cease at 11:50 P.M. with the Town Council to consider continuing the item to a date certain in order to allow the Council to act on the remainder of the agenda. Vote: 5-0.

Councilmember Harpham referred to Concepts 1, 2, and 3 that were developed at the Park and Recreation Commission workshop facilitated by Callander Associates which he rejected as being unreasonable; the dog park area was too small and/or the park would be divided in half. He supported the concept proposed by Mr. Carmen, described as the Mickey Mouse ear design, which would be fenced as statutorily required; with a fence around the dog area which could be easily implemented. However, he preferred the design he received that night from Blair

Newel which was more proportional. While the park would be broken up to some degree, he felt it was a compromise that the Council should consider.

Councilmember Chew emphasized the need for the Council to consider a permanent solution for all users at Rancho Laguna Park. He recognized the importance of dogs for families, was a dog owner himself, he had concerns with respect to safety and liability, had reviewed the plans that had been presented and recognized the need for a spatial separation. He asked that the Town Council accept the Park and Recreation Commission recommendation for a spatial separation and consider installing turf for the dog users which had not been included in the plan. He acknowledged the time spent by staff and the Park and Recreation Commission, and urged the Town Council to consider the recommended phased approach for a spatial separation.

Mayor Mendonca commented that good policy emphasized both safety and access to the widest variety of users. She described Rancho Laguna Park as a gem in the community, was moved by the testimony of those groups that wanted to use the park at the same time, and agreed in this case that there was a need for spatial separation. She also recognized that the dog users at Rancho Laguna Park were not used to a dirt only area. She opposed the use of the fields for soccer leagues but supported summer practices and use by children, did not believe that the field would have to be revamped at great cost, and suggested that this could be another way to share resources and ensure that everyone could use the park safely. She commended the work of the Park and Recreation Commission, suggested that the Commission had tried to come up with a solution to serve the needs of the entire community, and expressed her appreciation to the Parks and Recreation Director for his work on the issue.

Ms. Keimach sought direction from the Council as to whether there was a preference between the two concepts, or a combination of elements the Council desired, which could be submitted to Callander Associates as a third option to resolve the matter.

Vice Mayor Metcalf suggested that the only difference between the concept presented by Blair Newel and Mr. Carmen's proposal was where the fence line would be located in the grass area showing how much turf area would go to the dogs and non-dog users. He asked the consultant to determine a reasonable location for that fence including the walkway interior and envisioned a merging of both concepts resulting in a design that preserved as much of the existing character of the lawn area as possible. He recognized that some of the lawn area may be lost as a result and he sought a compromise in terms of how much existing lawn would be allowed in the interior fence area.

Councilmember Chew expressed concern that the Council was only re-evaluating what had already been discussed over the past several months. He recommended that the Council accept the recommendation from the Park and Recreation Commission and at the least make a decision at this time recognizing the need for a spatial separation. He suggested that the details on the concept could be worked out in the next phase.

Councilmember Trotter emphasized that it was impossible for the Town Council to address the details at this late hour. He recommended that the item be continued to a date certain to allow the Council to continue deliberations, suggested that if a large portion of the turf was to be preserved for the dog owners that the Park and Recreation Commission recommendation as part of Phase I include south side fencing to protect the most vulnerable of children which could be an interim step while the Council determined where the fence crossed through the lawn area. He suggested that the cost of that option was not high and would allow the Council to work on the spatial separation concept which should require future Council dialogue.

Ms. Keimach reported that the next meeting of the Town Council would be November 9 and would not include a full quorum of the Council. The Town Council and Planning Commission

would meet jointly on November 30. The meeting of December 14 would be Council reorganization.

Mayor Mendonca reiterated her opinion that the Park and Recreation Commission had done a good job. If the turf area were added to the dog area it would be a two acre park although she expressed concern with a cut away from the existing path and the creation of other paths which would increase costs. She sought a spatial separation that could also include turf.

Ms. Keimach recommended direction to staff to come back with a third alternative to generally reflect the Park and Recreation Commission separation of the dog park but look at amenities in the dog park which would include a cost estimate and conceptual design for an ADA pathway; the lawn in that area, and address seating, picnic areas, and the like.

Councilmember Chew recommended that staff be directed to return with a more refined version of the Park and Recreation Commission recommendation with details on ADA pathways, fencing on the southern side of the park, cost estimates and how to install turf in the enclosed dog area.

Given the lateness of the hour and the discussion of adding more details, **Councilmember Trotter** suggested that the process would benefit from more time. He recommended more discussion on the Mayor's recommendation to add more turf in the existing woodchip area, something he did not support as it was, although the Council needed further dialogue on that matter which could be done during the Town Council meeting of December 14. He did not see that the Council was close to any consensus on the issue.

Councilmember Chew suggested that the Council had reached a consensus on the need for a spatial separation. Regardless of the recommendation being supported, modification to the plan was required mandating further discussion of the Council. He suggested that the Council could take the Park and Recreation Commission recommendation and move forward from there.

Councilmember Trotter and **Vice Mayor Metcalf** both disagreed with the use of the Park and Recreation Commission recommendation as a starting point.

Councilmember Harpham was willing to follow that direction if it was understood that the revised concept plan was still available to the Council as a choice. He agreed with the need for a spatial separation, suggested that the Park and Recreation had done a good job but stressed that the revised concept plan they received that night deserved further consideration.

Councilmember Trotter reiterated that the Council did not have to decide between the Park and Recreation Commission recommendation and the new proposal in that there were points about both that the Council had not had the opportunity to fully debate. He sought a continuance to the December 14 Town Council meeting at a more appropriate time for discussion. He made a motion to continue the item to a date certain to the regularly scheduled Town Council meeting on December 14, 2011.

ACTION: It was M/S (Chew/Harpham) to extend the Town Council Meeting to 12:15 A.M. Vote: 5-0.

ACTION: It was M/S (Trotter/Metcalf) to continue Resolution __-2011, accepting the Park and Recreation Commission Recommendation to Provide Spatial Separation at Rancho Laguna Park, to the Town Council meeting on December 14, 2011. Vote: 3-2. Noes: Chew, Mendonca

Vice Mayor Metcalf requested that staff agendize the item as the first item of business for the December 14, 2011 Town Council meeting.

Ms. Keimach advised that the item was a continuation of an agendized item with public comments closed.

XII. COUNCIL REQUESTS AND FUTURE AGENDA ITEMS

There were no Council requests for future agenda items.

XIII. COMMUNICATIONS

- A. League of California Cities Final Report of Resolutions Approved from the 113th Annual Conference of September 23, 2011

XIV. CONSIDERATION OF CONSENT ITEMS REMOVED FOR DISCUSSION

- A. Minutes for the Town Council Regular Meeting October 12, 2011 and Special Meeting on October 12, 2011

The following revisions were requested to the Minutes from the Regular Town Council meeting of October 12, 2011:

To Page 5, expand the comments made by Planning Director Shawna Brekke-Read regarding the net proceeds from the sale of the two lots;

To Page 7, expand the comments made by **Vice Mayor Metcalf** to explain his position;

To Page 9, revise the fourth paragraph to read:

Vice Mayor Metcalf - Given the circumstances with projects involving retrofitting of existing buildings, he recommended a more robust contingency in the future.

To Page 4, revise the fourth paragraph to read:

Councilmember Chew also reported on the recent passage of legislation banning the sale of shark fins in the State of California.

To Page 5, add **Councilmember Chew's** comments regarding the process before the Planning Commission.

The minutes of the October 12, 2011 Regular Town Council meeting were to be brought back to the Council in redline strikeout format for approval at the next meeting.

- B. Resolution No. 38-2011:

- (A) Authorizing the Town Attorney and Town staff to prepare and sign an Amendment to the 2006 Reimbursement Agreement with the Bruzzone family (applicant) consistent with Resolution No. 34-2011, including but not limited to requiring an additional \$24,000 for geotechnical consulting and EIR management and editing; and
- (B) Authorizing the Town Manager to Sign a Contract with Cal Engineering & Geology in the Amount of \$9,000 with amendments not to exceed an

additional \$1,000 provided the applicant submits funds in the amount of \$10,000; and

- (C) Authorizing the Town Manager to Sign a Contract with Jerry Haag in the Amount of \$12,000 with amendments not to exceed an additional \$2,000, provided the applicant submits funds in the amount of \$14,000

The Council requested that the heading of Resolution 38-2011 be amended as follows:

In the Matter of:

Authorizing the Town Attorney and Town Staff to Prepare and Sign an Amendment to the 2006 Reimbursement Agreement with the Bruzzone Family (Applicant) Regarding the Proposed Bollinger Valley Development, Consistent with Resolution No. 34-2011, Including but not Limited to Requiring an Additional \$24,000 for Geotechnical Consulting and EIR Management and Editing, Authorizing the Town Manager to Sign a Contract with Cal Engineering & Geology in the Amount of \$9,000 with Amendments Not to Exceed an Additional \$1,000 and Authorizing the Town Manager to Sign a Contract with Jerry Haag in the Amount of \$12,000 with Amendments Not to Exceed an Additional \$2,000

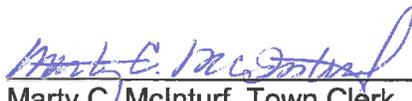
ACTION: It was M/S (Trotter/Harpham) to adopt Resolution 38-2011:

- (A) Authorizing the Town Attorney and Town staff to prepare and sign an Amendment to the 2006 Reimbursement Agreement with the Bruzzone family (applicant) regarding the proposed Bollinger Valley development consistent with Resolution No. 34-2011, including but not limited to requiring an additional \$24,000 for geotechnical consulting and EIR management and editing; and**
- (B) Authorizing the Town Manager to Sign a Contract with Cal Engineering & Geology in the Amount of \$9,000 with amendments not to exceed an additional \$1,000 provided the applicant submits funds in the amount of \$10,000; and**
- (C) Authorizing the Town Manager to Sign a Contract with Jerry Haag in the Amount of \$12,000 with amendments not to exceed an additional \$2,000, provided the applicant submits funds in the amount of \$14,000, as amended. Vote: 5-0.**

XV. ADJOURNMENT

ACTION: It was M/S (Trotter/Chew) to adjourn the meeting at 12:10 A.M. Vote: 5-0.

Respectfully submitted by:


Marty C. McInturf, Town Clerk

Approved by the Town Council:


Karen Mendonca, Mayor