

**TOWN OF MORAGA
TOWN COUNCIL REGULAR MEETING**

**April 10, 2013
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 7:01 P.M. by **Mayor Dave Trotter**.

ROLL CALL

Councilmembers present: Mayor Dave Trotter, Vice Mayor Ken Chew, and Councilmembers Phil Arth, Michael Metcalf, and Roger Wykle

Councilmembers absent: None

II. PLEDGE OF ALLEGIANCE

Mayor Trotter led the Pledge of Allegiance.

III. SPECIAL ANNOUNCEMENTS

There were no special announcements.

IV. PROCLAMATIONS AND PRESENTATIONS

A. Proclamation Declaring April 2013 as Alcohol Awareness Month

Mayor Trotter read into the record a proclamation declaring April 2013 Alcohol Awareness Month and presented the proclamation to Jaime Rich, Policy Coordinator, Lamorinda Alcohol Policy Coalition, who distributed flyers and announced an opportunity for concerned residents to discuss major issues surrounding underage alcohol use and influence future services in the community, on April 23, 2013 from 5:30 to 7:30 p.m. at the Mental Health Services Offices located in Concord.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

B. Presentation by Board Member Katy Foulkes Regarding an Update on East Bay Municipal Utility District's (EBMUD) Fiscal Outlook

Katy Foulkes, a member of the EBMUD Board of Directors, updated the Town Council on the EBMUD fiscal outlook; outlined EBMUD's accomplishments over the past ten years; reported that EBMUD's rates were the lowest in the Bay Area, although due to the drought, the State economy and conservation by EBMUD customers, its rating was in jeopardy if it was unable to

show a balanced budget over the next two years. As a result, the Board had determined that it could no longer defer much needed infrastructure renewal and rates were likely to increase. She outlined the proposed increases in 2014 and 2015, noting the Board would meet on April 16 to discuss various options. A Notice of Utility Rate Increase would be sent to all ratepayers and property owners by April 26, with the EBMUD Board to discuss the rate increases during a regular meeting scheduled for June 11, 2013.

Ms. Foulkes explained that EBMUD had not commenced with any capital projects since the drought and the onset of the economic downturn. In the event the increase was adopted by the EBMUD Board that would satisfy the bond rating and allow the employment of an additional 42 workers to repair the pipelines. As to seismic repairs to the pipelines, she acknowledged the repairs would not be adequate in the event of a catastrophic event.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

- C. Presentation by Barbara Flynn, County Librarian, Regarding an Update on the Contra Costa Library's Strategic Plan, Awards, and 100th Birthday

Barbara Flynn, County Librarian, reported on the numerous accomplishments and programs offered by the Moraga Library during 2012; expressed her appreciation to Friends of the Moraga Library, Berkeley Repertory Company, Moraga Garden Club, Moraga Movers, Moraga Kiwanis, partner libraries in Lafayette and Orinda, and all library volunteer efforts. She reported that the Moraga Library had received the Institute of Museum Library Services Medal in November 2012 for the "Discovery to Go" program and a grant to extend the program. She added that 2013 represented the 100th Anniversary of the founding of the Contra Costa County Library and a Centennial Birthday Celebration had been scheduled for July 21 at Pleasant Hill Park in the City of Pleasant Hill. She further reported that the County Library System would be updating its Strategic Plan in 2013; outreach was planned for all communities throughout the summer, with final approval from the Contra Costa Board of Supervisors, approximately a two-year process. She emphasized the importance of the County Library System and thanked the residents and the Town Council for its assistance in keeping the Moraga Library open and operating.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

V. PUBLIC COMMENTS AND SUGGESTIONS

Steve Woehleke, representing the Hacienda Foundation, invited the Town Council, staff, and all residents to attend the Cinco de Mayo celebration on May 5, 2013 at the Hacienda from 3:00 to 7:00 p.m., with refreshments and activities to be provided.

Melissa Petrinj, Moraga, advised of her efforts to open a social outreach play and development center for children with autism entitled "The Friend Tree," to address and serve the needs of families affected by autism, which would work alongside the schools to provide help and resources for parents and children. She asked for Town Council assistance in placing a fundraising sign in Town and requested sponsorship for a Soap Box Derby Race for autism.

Mayor Trotter encouraged Ms. Petrini to contact the Town Manager.

Bob Kennedy, Moraga, spoke to the concept of borrowing \$7 million to be repaid over a 20-year period of time, although most of the road projects may not have a 20 year lifespan, but rather an eight- to ten-year lifespan. He urged the Town Council to consider a tiered financing program that would match the length of the borrowing time to the lifespan of the completed project.

VI. ADOPTION OF CONSENT AGENDA

A. Approval of Consent Items

Consent Agenda Item 7 was removed from the Consent Agenda to be continued to a future meeting of the Town Council.

Vice Mayor Chew advised that he would abstain from Item 2 due to absence.

Speaking to Consent Agenda Item 9, Town Manager Jill Keimach clarified the item was for the approval by motion for up to 40 community event signs.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Arth/Chew) to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 8, 9 and 10. Vote: 5-0.

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| 1) | Accounts Payable Claims for 3/18/13 (\$248,316.53);
3/22/13 (\$127,611.43) | Approved |
| 2) | Approve Minutes for Town Council Special Meetings on
February 27, 2013 and March 21, 2013
(Vice Mayor Chew abstained due to absence) | Approved |
| 3) | Approve by Motion the Cancellation of July 24 and
August 14, 2013 Town Council Meetings | Approved |
| 4) | Approve by Motion Proposed Amendments to League of
California Cities Bylaws and Direct Staff to Submit Ballot by
April 19, 2013 | Approved |
| 5) | Adopt Resolution 17-2013 Approving the On-Call Construction
Management and Inspection Services Consultant Shortlist
that Prequalify Anchor Engineering (Lafayette), BFK Engineering
(Walnut Creek), Cole Management & Engineering (Concord),
Ghiradelli Associates (Oakland), and Harris & Associates
(Concord) for a Term of Three (3) Years | Approved |
| 6) | Accept New Crosswalk Improvements Installed by AJW
Construction (Oakland) for the High Visibility Crosswalk
Improvements Project (CIP 09-13) and Authorize the Town
Manager to File the Certificate of Completion with the County | Approved |

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| 7) | <i>Adopt Resolution __-2013 Authorizing the Town Manager to Grant and Record an Emergency Vehicle Access Easement and a Drainage and Drainage Facilities Easement Crossing Town-owned Moraga Country Club Property to the Moraga Country Club Expansion Development (Subdivisions 7351 and 7747) Located at the End of August Drive (Property Owner: Moraga CC Holdings LLC)</i> | <i>Removed</i> |
| 8) | Adopt Resolution 18-2013 Establishing the Rate per Equivalent Runoff Unit for FY 2013/14 of \$35 per ERU as the Annual Assessment for Drainage Maintenance and the National Pollutant Discharge Elimination System (NPDES) Program | Approved |
| 9) | Approve by Motion "Community Event Signs" for the Community Faire from April 19 to May 13, 2013 and Waive the Sign Permit Fee (approved for up to 40 community event signs) | Approved |
| 10) | Approve by Motion "Community Event Signs" for the 2013 Cinco de Mayo and Oktoberfest Annual Events Hosted by the Hacienda Foundation of Moraga and Waive the Sign Permit Fee | Approved |

B. Consideration of Consent Items Removed for Discussion

1. Adopt Resolution ___-2013 Authorizing the Town Manager to Grant and Record an Emergency Vehicle Access Easement and a Drainage and Drainage Facilities Easement Crossing Town-owned Moraga Country Club Property to the Moraga Country Club Expansion Development (Subdivisions 7351 and 7747) Located at the End of August Drive (Property Owner: Moraga CC Holdings LLC)

Public Works Director/Town Engineer Edric Kwan recommended that the item be continued to a future Town Council meeting. He reported he had recently been notified by the Bruzzone family engineer that there had been an error with the emergency vehicle access (EVA) given that the 20-foot wide EVA crossed another property. The Bruzzone family's engineer had notified Town staff that a granted easement had not been provided by the adjacent property owner. Staff was working with the Bruzzone family and its engineers to determine an appropriate solution; either to potentially obtain additional grant of easement by the adjacent property owner or realign the easement so that it was within the Bruzzone property. In doing so, the existing improvements for the EVA would have to be aligned with the new easement location. He hoped to return to the Town Council with direction at a future meeting.

In response to the Council, Mr. Kwan identified the location of the existing EVA, noting that the EVA was used jointly for the cart path and for emergency vehicles in the future including the Moraga-Orinda Fire District (MOFD), ambulances, and residents who may have to evacuate the subdivision. As to whether the granting and recording of the EVA would impact the Moraga Country Club back-forty area lease, he suggested there would be no impacts other than some concern with maintenance of the storm drain facilities. Additional language had been added to the agreement clarifying the Bruzzones would be responsible for maintaining the storm drain facilities until the subdivision would take over. He added that staff was available to walk the golf course with any interested Councilmember, the Moraga Country Club would be asked to sign the documents, and the Town Attorney had added language to the agreement to protect the Town. Pursuant to the original conditions of approval, the easement must be a 12-foot wide pathway within a 20-foot easement.

Ms. Keimach commented on the history of the matter and the fact that the Bruzzones had initially requested this action. She emphasized the intention from the beginning had been to remove any obstacles that would prevent a sale to any potential buyer, with Town staff working to have all documents ready for Council consideration and action.

Town Attorney Karen Murphy affirmed that the grant of easement agreement would include a page of acknowledgement and agreement of tenant to sign for both easements.

Mayor Trotter reiterated the item would be continued to a future meeting of the Town Council.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

VII. ADOPTION OF MEETING AGENDA

ACTION: It was M/S (Wykle/Arth) to adopt the Meeting Agenda, as shown. Vote: 5-0.
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VIII. REPORTS

A. Mayor's and Councilmembers' Reports:

Mayor Trotter - Reported he had attended meetings of the Central Contra Costa Solid Waste Authority (CCCSWA) New Franchise Subcommittee on March 14 and April 8; a Closed Session of the Town Council on March 27; a regular meeting of the CCCSWA Board on March 28; met with Tim Farley of Saint Mary's College (SMC) around the same time; attended the Mayors' Conference in the City of Brentwood on April 4; the Moraga Kiwanis Breakfast on April 4; and a press conference presided by Derek Zemrak with the California Independent Film Festival (CAIFF) on April 9, to announce the Rheem Theatre would be organizing a Classic Film Museum and Hall of Fame. He also announced that the Friends of the Joaquin Moraga Adobe and J&J Ranch had reached an agreement to acquire the Moraga Adobe and land around the adobe. In addition, he announced that a ribbon cutting ceremony had been scheduled for the new Skatepark parking lot at the Moraga Commons Park on April 8 at 4:30 p.m., with the Lafayette and Orinda City Councils invited to participate.

Vice Mayor Chew - No report.

Councilmember Arth - Reported he had attended the Chamber of Commerce Board meeting on April 3; and had met with representatives from SummerHill Homes at Terzetto Cuisine regarding the Camino Ricardo project.

Councilmember Metcalf - Reported he had attended an East Bay Regional Communications System Authority (EBRCSA) meeting on March 15 along with Chief of Police Priebe, and reported the project was close to conclusion with a ribbon cutting ceremony scheduled for May 17 at the Emergency Operations Center in the City of Dublin following the regular EBRCSA meeting.

Councilmember Wykle - Reported he had attended the Moraga Youth Involvement Committee (MYIC) meeting on March 14, and updated the Council on the numerous activities planned.

- B. Town Manager Update - Ms. Keimach reminded the public and the Town Council of the joint Moraga/Orinda Council meeting to discuss the Moraga-Orinda Fire District on April 29. She added that as of April 1, Moraga businesses had started to collect the local one-cent sales tax which was now at 9.5 percent. She also reported on the status of an appeal from SMC for the intramural playing field lights with the Town Council having directed staff to return with a resolution for denial. She announced that SMC, which had been denied their appeal, had contacted the Town Attorney and staff requesting continued conversation on other ways to address the lighting and noise impacts on the neighbors. Those discussions were ongoing but would be brought back to the Town Council when completed.

IX. DISCUSSION ITEMS

- A. Receive Report on the Town of Moraga's Neighborhood Disaster Radio Loan Program

Chief of Police Robert Priebe reported on the status of the new Moraga Neighborhood Radio Loan Program, intended to support the Community Emergency Response Team (CERT) disaster response by providing radios to residents in an organized neighborhood who had CERT training, and provide training on the use of the radios. Quarterly reports and check-ins would be required to check the system. He described the process for the Neighborhood Disaster Radio Loan Program and how reports would be made to the EOC to assess neighborhoods' needs. The system had been successfully tested in October 2012, and since that time the equipment had been updated with a new repeater located on the Alta Mesa site in compliance with new Federal Communication Commission (FCC) regulations. He noted that the radios, including chargers and batteries, would cost less than \$150 each. He emphasized the importance of the radios for the Town, the ability to lend them out and the Town to control them, and allow access to the government channel, which would enhance disaster responses.

Responding to the Council, Chief Priebe advised that he currently had six radios and a budget for emergency preparedness, which would not be impacted by the cost of the radios. The radio batteries had a similar battery life to the radios in police vehicles, and there was one radio out in the community now with the intent to distribute five more. He hoped to have as many as possible and that the program could expand and generate more interest in neighborhoods to organize and be ready to report. He clarified the radios were not compatible with EBRCSA but were programmed, licensed, and controlled for the Moraga Public Works Radio Channel.

PUBLIC COMMENTS OPENED

Sophie Braccini, Moraga, commented that during the "Great Shake Out Drill" in October 2012, her neighborhood, which was organized with many CERT trainees, had been provided one of the radios. She emphasized there had been a missing link in the neighborhoods in the event of an emergency and the radios would provide the extra security neighborhoods needed.

PUBLIC COMMENTS CLOSED

- B. Receive Progress Update on Livable Moraga Road Project Consultant Selection and Contracting Process for Measure J Transportation for Livable Communities Grant

Planning Director Shawna Brekke-Read updated the Town Council on the Livable Moraga Road Project Consultant Selection and Contracting Process for Measure J Transportation for Livable

Communities Grant. The Town Council had authorized staff to submit an application to the Contra Costa Transportation Authority (CCTA) in November 2011, following recommendations from the Economic Development Advisory Committee (EDAC) enacted in 2011. Following visioning workshops, the community identified improvements desired to allow the Rheem Area to be more viable and provide more economic stimulus. Staff had applied for a Livable Communities Grant through the CCTA and had been awarded the funding. Staff had sent out a Request for Qualifications (RFQ) to firms to build on the community engagement process, utilize the goals and policies of the General Plan, identify the projects that could be constructed along Moraga Road in the future, and position the Town for potential future grants. Four firms responded to the RFQ and staff narrowed the firms down to three. A panel of Department Heads and members of the Town's Boards and Commissions interviewed the three firms. The panel recommended Alta Planning & Design as the most qualified firm that presented a program that would best fit the Town. Staff was negotiating with Alta Planning & Design on the scope and schedule, which would return to the Town Council for the approval of a contract in the near future on consent.

Responding to Council, Ms. Brekke-Read explained that Alta Planning & Design's scope of work would not include narrowing the lanes along Moraga Road, although there would be discussions as to how to accommodate bicyclists and pedestrians and the overall streetscape. The team included DKS Traffic Engineers and traffic analysis and modeling for all forms of transportation.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

X. PUBLIC HEARINGS

There were no public hearings.

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

- A. Adopt Resolution 19-2013 Accepting a CalRecycle Grant and Appropriating CalRecycle Grant (\$126,000) Measure J (\$100,000) and Local One-Cent Sales Tax Revenue (\$250,000) Towards the 2013 Pavement Repair Project (CIP 08-106) Budget with the Expectation that the Proposed FY 13/14 for this CIP Project will be adopted as Part of the FY 13/14 Budget

Mr. Kwan reported that the Town had received a CalRecycle Grant in the amount of \$126,000 to help augment the upcoming Cape Seal Project for 2013, with construction to commence July 1, 2013. The Local One-Cent Sales Tax collected from April 1, 2013 would yield a quarter year's worth of sales taxes for the current fiscal year. An annual projection of \$1 million would equal approximately \$250,000 which was being requested to be added to the project budget. The current Capital Improvement Project (CIP) had already adopted \$200,000 in Gas Tax. As part of this budget amendment, he asked that the \$100,000 in Measure J funds be added to make the project whole.

Responding to the Council, Mr. Kwan advised that the funds were intended for neighborhood streets; the only restriction for the CalRecycle Grant was the requirement for the use of rubberized asphalt emulsion with a grant cap of \$126,000. He described the philosophy of pavement management to ensure the pavement was addressed before it deteriorated to the point of costing more money to repair, with no nexus to the 20-year sales tax.

In response to the Mayor's recommendation to specifically describe how Measure K funds would be used on such programs so that the Town may hopefully match up the Measure K funds to the core activity of construction and pavement, Mr. Kwan identified Page 2 of the Expenditure Plan for 2013 which had identified how the funds would be spent and where the funds originated. He acknowledged the Mayor's request for a more precise allocation of funds and added that the Garbage Transfer Fees had not been shown as a source of funds; and recommended the Administrative Services Director clarify that information.

Administrative Services Director Stephanie Hom reported that the Town's Garbage Franchise Fee Agreement with the CCCSWA was 12 percent. She noted staff would be working with the new Town Treasurer and the Audit and Finance Committee to possibly review the franchise fee agreements and audit the receipts. She added that the collection of the one-cent sales tax should start to be received by the Town in June or July with reports provided after that time.

The Council discussed at length the background and history of the franchise fee with the CCCSWA which had increased from 10 percent to 12 percent.

PUBLIC COMMENTS CLOSED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Metcalf/Wykle) to adopt Resolution 19-2013 Accepting a CalRecycle Grant and Appropriating CalRecycle Grant (\$126,000), Measure J (\$100,000), and Local One-Cent Sales Tax Revenue (\$250,000), Towards the 2013 Pavement Repair Project (CIP 08-106) Budget with the Expectation that the Proposed FY 13/14 for this CIP Project will be adopted as Part of the FY 13/14 Budget. Vote: 5-0.

- B. Adopt Resolution 20-2013 Authorizing the Town Manager to Award a Consultant Services Contract to Harris & Associates (Concord) in an Amount Not to Exceed \$175,000 for Construction Management and Inspection Services for the 2013 Pavement Repair Project (CIP 08-106)

Mr. Kwan reported that staff had conducted an extensive Request for Proposal (RFP) process to select a construction management firm to oversee the Pavement Repair Project. Five proposals had been received in February 2013, and after staff had evaluated the proposals three had been selected to provide a presentation and conduct interviews. Upon conclusion of the interviews, Harris & Associates had been selected as the best candidate and was present in the audience to address the Town Council. He asked that the Town Council adopt Resolution 20-2013 authorizing the Town Manager to award a Consultant Services Contract to Harris & Associates (Concord) in an amount not to exceed \$175,000 for Construction Management and Inspection Services for the 2013 Pavement Repair Project (CIP 08-106).

Mr. Kwan acknowledged concerns with a previous project on Moraga Road which had involved numerous issues and had been addressed in Harris & Associates' RFP. He emphasized all measures would be taken to minimize the past occurrence; the importance of public outreach; a website would be created to identify a street repair schedule; and quality controls would be put into place. In addition, the Town had a qualified design team, Nichols Consultants, and was utilizing and working with neighboring cities' specifications, the County, and the Asphalt Council to evaluate the specifications and technical elements.

PUBLIC COMMENTS OPENED

Ryan Perry, Harris & Associates, explained that Harris & Associates had conducted a breakdown of the last project contained in the RFP and had reached a number of conclusions related to the project on Moraga Road. He emphasized his inspector would monitor the project on a daily basis and would also be involved in the public outreach to ensure a level of comfort in the community.

PUBLIC COMMENTS CLOSED

The Town Council discussed the review of engineering and construction management contracts. **Councilmember Metcalf** disagreed there was a need for Council review of such details and he was confident in staff's ability to do so; **Vice Mayor Chew** stated the contracts should be discussed and reviewed by the Council; **Councilmember Arth** had confidence in the staff expertise to manage that task; **Councilmember Wykle** offered no comment; and **Mayor Trotter** questioned how the Council could be asked to approve a contract it had not seen. He did not suggest the Council micromanage the details but, given the scope of work provided, stated the Council should at least be provided with the entire contract to allow the Council the opportunity to ask questions.

Ms. Keimach advised that staff had a boilerplate document that had been submitted in the RFP, and that all responders to the RFP received the contract as attorneys from different organizations often debated the details, and waiting to bring the contracts to the Town Council could delay projects. She emphasized that contracts were not approved until finalized by the Council.

Councilmember Wykle did not need to see the boilerplate information of the contract, although as part of the Council's fiduciary responsibility stated the Council should be provided information other than construction management services. He suggested that the scope of work the Town Manager was being authorized to approve would be appropriate.

On the discussion, the Mayor identified Council consensus for an understanding of the scope of work the Council was being asked to approve for a particular price.

ACTION: It was M/S (Arth/Metcalf) to adopt Resolution 20-2013 Authorizing the Town Manager to Award a Consultant Services Contract to Harris & Associates (Concord) in an Amount Not to Exceed \$175,000 for Construction Management and Inspection Services for the 2013 Pavement Repair Project (CIP 08-106). Vote 5-0.

- C. Authorize Town Staff to Submit Applications for OneBayArea Grant (OBAG) Funds, Totaling up to \$1,500,000
1. Adopt Resolution 21-2013 Authorizing the Filing of an Application for Funding Assigned to MTC and Committing any Necessary Matching Funds and Stating the Assurance to Complete the Project (Rheem Boulevard/St. Mary's Road Intersection Improvements Project); and
 2. Adopt Resolution 22-2013 Authorizing the Filing of an Application for Funding Assigned to MTC and Committing any Necessary Matching Funds and Stating the Assurance to Complete the Project (Moraga Center Specific Plan Area Pedestrian and Bicycle Infrastructure Improvements)

Ms. Brekke-Read described the background of the OneBayArea Grant (OBAG) which had been created by the Metropolitan Transportation Commission (MTC) in 2011/2012. OBAG consolidated all federal transportation dollars and required all local agencies competitively apply

for the grant funds. 70 percent of the funds must be spent in Priority Development Areas (PDAs) or in proximate access. She reported that she served on the working group with CCTA which determined proximate access and the scoring criteria, as outlined in the April 10, 2013 staff report. She identified two projects for Council consideration: one application in the amount of \$500,000 for bicycle and pedestrian improvements within the Moraga Center Specific Plan Area (MCSP), the one established PDA in Moraga; and the other a request for up to \$1 million to fund the construction of a roundabout at the corner of St. Mary's Road and Rheem Boulevard. She noted that the roundabout study included an alternative with a four-way intersection and a bridge from Bollinger Canyon Road to address the S-curve and safety issues at Bollinger Canyon and St. Mary's Roads. She stated it would be difficult to obtain a grant given the estimated costs of \$3 to \$4 million.

Ms. Brekke-Read advised that there was an 11.47 percent local match. A couple of development projects would be obligated to contribute their fair share which could be used as the match. The Town's obligation would not exceed \$172,000 which could be Measure J funds.

Ms. Brekke-Read commented that a left-turn pocket into Bollinger Canyon Road was not eligible given the emphasis for Transportation for Livable Communities and since it was just beyond a mile from the PDA. She noted the Planning Commission would review the Bollinger Valley Draft Environmental Impact Report (DEIR) on April 17 and the Draft EIR had identified a mitigation measure for a left-turn pocket at Bollinger Canyon Road and a fair share contribution for a roundabout at St. Mary's Road. She acknowledged that was a mitigation measure for the approved SMC Recreation Center.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Chew/Metcalf) to adopt Resolution 21-2013 Authorizing the Filing of an Application for Funding Assigned to MTC and Committing any Necessary Matching Funds and Stating the Assurance to Complete the Project (Rheem Boulevard/St. Mary's Road Intersection Improvements Project). Vote: 5-0.

ACTION: It was M/S (Chew/Arth) to adopt Resolution 22-2013 Authorizing the Filing of an Application for Funding Assigned to MTC and Committing any Necessary Matching Funds and Stating the Assurance to Complete the Project (Moraga Center Specific Plan Area Pedestrian and Bicycle Infrastructure Improvements). Vote: 5-0.

- D. Authorize Town Manager to Fill the Associate Planner Position with a Senior Planner

Ms. Brekke-Read reported that the Planning Department had been short staffed for the past year, with two Temporary Planners at the senior level, and with a new Senior Planner/Economic Development Coordinator having been hired in March 2013. She described the development activity in the Department, and stated it was helpful to have Senior Planners in positions to provide assistance to the community in a more effective and efficient manner. The senior level planners allowed staff to also address some of the projects that had been placed on hold. She asked the Town Council to authorize the Town Manager to fill the vacant Assistant/Associate Planner position with a Senior Planner, and as part of the budget process, she planned to pursue funding the Assistant or Associate Planner in addition to the two Senior Planners given the high level of development activity that was expected to continue.

Ms. Brekke-Read identified the difference in salaries for the positions of Senior Planner and Assistant/Associate Planner, as outlined in the April 10 staff report, with the net difference for the end of the fiscal year being \$25,000, well within the budget for the Planning Department.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Wykle/Chew) to authorize Town Manager to Fill the Associate Planner Position with a Senior Planner. Vote: 5-0.

XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Councilmember Metcalf requested an informational item on conceptual plans/sketches within the MCSP, and a future agenda item more detailed than a Council Report on traffic impacts and garbage trucks as related to the CCCSWA.

Mayor Trotter reported on a road impact fee study prepared by the CCCSWA in 2008 regarding the estimated impact of garbage trucks on the Town's roads, noting that the Town had paid for the study (in the range of \$5,000) to \$10,000 through the General Fund and that the Town's representatives to the CCCSWA ultimately declined to pursue imposition of such a fee on the garbage companies at that time through the annual rate-setting process. The CCCSWA was in the process of developing a Franchise Agreement and a complex RFP would go out if approved in July and be evaluated in the fall.

Vice Mayor Chew recommended the history of the nexus study be provided first and then the Council could consider its next step with a follow-up at a future meeting.

Mayor Trotter suggested the issue was independent of the negotiations. He otherwise requested that a future agenda item include a discussion of plans for a statewide ban on the single use of plastic bags, which ban was supported by the CCCSWA.

XIII. COMMUNICATIONS

There were no communications.

XIV. ADJOURNMENT

ACTION: It was M/S (Wykle/Chew) to adjourn the meeting at 9:45 P.M. to a Special Meeting of the Town Council immediately following adjournment. Vote: 5-0.

Respectfully submitted by:


Marty C. McInturf, Town Clerk

Approved by the Town Council:


Dave Trotter, Mayor