

**MORAGA TOWN COUNCIL
AGENDA
REGULAR MEETING**

Wednesday, June 26, 2013

7:00 p.m.

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

I. CALL TO ORDER

ROLL CALL: Mayor Trotter, Vice Mayor Chew and
Councilmembers: Arth, Metcalf and Wykle

II. PLEDGE OF ALLEGIANCE

III. SPECIAL ANNOUNCEMENTS

IV. PROCLAMATIONS AND PRESENTATIONS

- A. [Proclamation Honoring Campolindo High School Girls Softball Team](#)
- B. [Proclamation Honoring Campolindo High School Boys Volleyball Team](#)
- C. [Proclamation Honoring Campolindo High School Boys Baseball Team](#)
- D. [Proclamation Declaring July 2013 as Park and Recreation Month](#)

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

VI. ADOPTION OF CONSENT AGENDA

- A. Approval of Consent Items
- B. Consideration of Consent Items Removed for Discussion

VII. ADOPTION OF MEETING AGENDA

VIII. REPORTS

- A. Mayor's and Councilmembers' Reports
Mayor Trotter
Vice Mayor Chew
Councilmember Arth
Councilmember Metcalf
Councilmember Wykle
- B. Town Manager Update

IX. DISCUSSION ITEMS

X. PUBLIC HEARINGS

- A. [Consideration of Appeal of the Planning Commission Approval of a Conditional Use Permit, a Hillside Development Permit, and a Tree Removal Permit of a 4,270.5-square foot Single-family Residence on a Vacant 13,203-square foot Hillside Parcel Located at 1800 Donald Drive \(Staff Recommends this Item be Continued to the Town Council Meeting of September 25, 2013\)](#)

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

- A. [Adopt Resolution _____ - 2013 Deeming the Bid Submitted by HM Construction as Non-responsive and not a Responsible Bidder for the Purposes of this Project, Authorizing the Town Manager to Award a Construction Contract to Pavex Construction \(San Jose\) in the Amount of \\$603,940 for the Construction of the Laguna Creek Wall Repair and Bank Stabilization Project \(CIP 08-203\), and Executing Contract Change Orders up to 15% of the Contract Amount](#)
- B. [Consideration of VSS International, Inc. Bid Protest and Possible Action Regarding 2013 Pavement Repair Project to Rescind Contract Award of June 12, 2013, Award Contract for this Project and/or Other Related Actions Related to Award of Contract and Possible Adoption of Appropriate Resolution _____ - 2013](#)
- C. [Adopt Resolution _____ - 2013 Approving the Fiscal Year 2013/14 Operating and Capital Improvement Program Budgets](#)
- D. [Adopt Resolution _____ - 2013 Accepting the Annual Gann Appropriations Limit for the FY2013/14 Operating Budget](#)

XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

XIII. COMMUNICATIONS

- A. [Receive Grand Jury Report No. 1308, "Encouraging Citizens to Apply for Grand Jury Service" by the 2012/13 Contra Costa Grand Jury dated June 3, 2013 \(no response required from Moraga\)](#)

XIV. ADJOURNMENT

Notices of Town Council Meetings are posted at 2100 Donald Drive, The Moraga Commons, 329 Rheem Blvd and the Moraga Library. Copies of the Agenda packets can be viewed prior to the meeting at the Town Offices, 329 Rheem Blvd, Second Floor. NOTICE: If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the public hearing. Judging review of any Town administrative decision may be had only if petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environment determination may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision. The Town of Moraga will provide special assistance for disabled citizens upon at least 72 hours advance notice to the Town Manager's office (888-7050). If you need sign assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

CONSENT AGENDA
Wednesday, June 26, 2013
7:00 p.m.

<u>ITEMS</u>	<u>TOWN MANAGER'S RECOMMENDATION</u>
1) <u>Accounts Payable Claims for: 6/14/2013 (\$316,755.15)</u>	Approve
2) Approve Revised Minutes for Town Council Regular Meeting on May 8, 2013	Approve
3) Approve Minutes for Town Council Regular Meeting on May 22, 2013	Approve
4) <u>Adopt Resolution _____ -2013 Authorizing Submission of a Revised Biennial Compliance Checklist for Measure J Calendar Years 2010 and 2011 Growth Management Program for Allocation of Fiscal Years 2011/12 and 2012/13 Local Street Maintenance and Improvement Funds to the Contra Costa Transportation Authority</u>	Approve
5) <u>Adopt and Waive Second Reading of Ordinance 240 Adding Chapter 12.06 "Street Excavation and Pavement Restoration Regulations" to the Moraga Municipal Code to Establish a Pavement Cut Moratorium to Preserve Newly Paved Streets</u>	Approve
6) <u>Adopt Resolution _____ - 2013 Authorizing the Town Manager to Execute an On-call Consulting Services Agreement with Kennedy and Associates (Walnut Creek) for Land Development Reviews, Engineering Services, and Stormwater Program Assistance in an Amount Not to Exceed \$108,000 for a Term of Three (3) Years</u>	Approve
7) <u>Adopt Resolution _____ - 2013 Authorizing the Town Manager to Amend the Consulting Services Agreement with MacKay & Soms (Pleasanton) for Design Engineering Services During Construction in an Amount Not to Exceed \$1,000 for the Moraga Commons Off-Street Parking Project (CIP No. 10-301)</u>	Approve

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