

**TOWN OF MORAGA SUMMARY OF COUNCIL ACTION  
TOWN COUNCIL REGULAR MEETING  
Wednesday, August 28, 2013 7:00 p.m.**

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

Teleconference Location (Chew)  
Pot Strandby 302, 7130 Juelsminde, Denmark

**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 Declaring September 28, 2013 as Arbor Day in the Town of Moraga

**V. PUBLIC COMMENTS AND SUGGESTIONS –**

**VI. ADOPTION OF CONSENT AGENDA**

**A.** Approval of Consent Items

**COUNCIL ACTION**

Approval of Consent Items 1, 3, 4, 5, 7, 8 & 9  
Ayes: 5 (Trotter, Chew, Arth, Metcalf, Wykle)

**B.** Consideration of Consent Items Removed for Discussion

**COUNCIL ACTION**

Approval of Consent Item 2, as Amended  
Ayes: 5 (Trotter, Chew, Arth, Metcalf, Wykle)

**COUNCIL ACTION**

Approval of Consent Item 6  
Ayes: 5 (Trotter, Chew, Arth, Metcalf, Wykle)

**VII. ADOPTION OF MEETING AGENDA**

**COUNCIL ACTION**

Adoption of Meeting Agenda  
Ayes: 5 (Trotter, Chew, Arth, Metcalf, Wykle)

**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.** Consider Resolution \_\_\_\_ - 2013 Denying the Appeal, Upholding the Planning Commission's Decision, and Approving a Conditional Use Permit, a Hillside Development Permit, and a Tree Removal Permit, to Allow Construction of a 4,270.5-square foot Single-Family Residence at 1800 Donald Drive (APN 255-183-011) (*Staff Recommends this Item be Continued to the Town Council Meeting of November 13, 2013*)

**COUNCIL ACTION**

Continued Item to November 13, 2013

Ayes: 5 (Trotter, Chew, Arth, Metcalf, Wykle)

**XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION**

- A.** Consider Endorsement of Moraga School District's Proposed Parcel Tax, Measure B, on the November 5, 2013 Ballot

**COUNCIL ACTION**

Adopted Resolution, as Amended

Ayes: 5 (Trotter, Chew, Arth, Metcalf, Wykle)

- B.** Consider Town Council 2013 Goal to Protect Ridgelines and Hillsides from Development Consistent with Moraga Open Space Ordinance (MOSO) by Discussing the Existing Regulations and Policies and Provide Direction to Staff

**COUNCIL ACTION**

Provided Direction to Staff

- C.** Consider Resolution \_\_\_\_ - 2013 Implementing the 199 Calle La Mesa / 677 Moraga Road Storm Drainage Repair Project ("Project") in Coordination with the City of Lafayette, with the Town and City of Lafayette to Share Equally in the Cost of the Project by Authorizing the Town Manager to:

- 1) Approve and Authorize the Execution of a Memorandum of Understanding with the City of Lafayette in a Form Approved by the Town Manager in Consultation with the Town Attorney Regarding the Project;
- 2) Appropriate up to \$98,301.37 from the Town's Fund 510-NPDES Towards the Project;
- 3) Amend the On-call Design Consultant Services Agreement to Complete the Engineering Design with Cal Engineering & Geology (Walnut Creek) for an Increased Amount of \$31,000; and

- 4) Amend the Contract Services Agreement with Siteworks Construction, Inc. (Lafayette) for Construction as the Lowest Bidder of the Town's On-Call Excavation Contractors to Complete the Repair for Both Moraga and Lafayette in an Amount Not to Exceed \$133,132.82 plus a Town-Administered Contingency of 15% for Contract Change Orders

**COUNCIL ACTION**

Adopted Resolution, as Amended

Ayes: 3 (Trotter, Arth, Metcalf)

Abstain: 1 (Wykle)

Absent: 1 (Chew)

- D. Consider Resolution \_\_\_\_ - 2013 Authorizing the Town Manager to Sign a Contract Amendment with Hauge Brueck Associates (HBA) in the Amount Not to Exceed \$130,000 and Authorizing the Town Manager to Sign a Contract with Fehr & Peers in the Amount Not to Exceed \$55,000 to Complete Work Necessary to Respond to Comments on the Draft Environmental Impact Report (DEIR) for Bollinger Valley Applications

**COUNCIL ACTION**

Adopted Resolution

Ayes: 4 (Trotter, Arth, Metcalf, Wykle)

Absent: 1 (Chew)

- E. Consider Resolution \_\_\_\_ - 2013 Authorizing the Town Manager to Award a Professional Services Contract to Nichols Consulting Engineers (Richmond) in the Amount Not to Exceed \$200,000 for Pavement Management and Design Services for the 2014 Pavement Repair Project (CIP 08-106)

**COUNCIL ACTION**

Adopted Resolution

Ayes: 4 (Trotter, Arth, Metcalf, Wykle)

Absent: 1 (Chew)

- F. Consider Adopting and Waiving Second Reading of Ordinance No. 241 Amending Section 2.20.090, Appointment and Duties of Design Review Administrator, of Title 2, and Amending Section 8.08.070, Design Review Administrator, and Chapter 8.72, Design Review, of Title 8, of the Moraga Municipal Code to Clarify and Streamline the Design Review Process

**COUNCIL ACTION**

Adopted Ordinance

Ayes: 4 (Trotter, Arth, Metcalf, Wykle)

Absent: 1 (Chew)

**XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

**XIII. COMMUNICATIONS**

- A. Letter of Condolence to Lonjina Treat from the Moraga Town Council dated September 5, 2013
- B. Acknowledgment of Support of a Resolution for the U.S. Conference of Mayors "America Fast Forward Transportation Bonds" dated August 28, 2013

**XIV. ADJOURNMENT**

**CONSENT AGENDA  
Wednesday, September 25, 2013  
7:00 p.m.**

<u>ITEMS</u>	<b>TOWN MANAGER'S <u>REC</u> <u>OMMENDATION</u></b>
1) Accounts Payable Claims for: 8/23/13 (\$266,394.33); 9/06/13 (\$221,061.50)	<b>Approved</b>
2) Approve Minutes for Town Council Regular and Special Meetings on August 28, 2013	<b>Approved as Amended</b>
3) Approve Minutes for Town Council Special Meeting on September 11, 2013	<b>Approved</b>
4) Approve by Motion Proclamation Declaring Fall Prevention Awareness Week to be September 22 to 28, 2013	<b>Approved</b>
5) Approve by Motion the Cancellation of the November 27 and December 25, 2013 Town Council Meetings and Direct Staff to Schedule a Special Meeting if Needed	<b>Approved</b>
6) Consider Resolution ____ - 2013 Authorizing the Town Manager to Amend the Consulting Services Agreement with LSA Associates, Inc. (Richmond) for Biological Monitoring During Construction in an Amount Not to Exceed \$13,000 for a Total Amount of \$25,500 for the Laguna Creek Wall Repair and Bank Stabilization Project (CIP 08-203)	<b>Approved</b>
7) Consider Resolution ____ - 2013 Adopting a Defined Contribution Plan for Town of Moraga Employees	<b>Approved</b>
8) Consider Resolution ____ - 2013 Approving and Authorizing the Third Amendment to the Employment Agreement between the Town of Moraga and Jill Keimach, Town Manager	<b>Approved</b>
9) Consider Resolution ____ - 2013 Approving Changes to Employer Paid Member Contributions under the California Public Employees' Retirement System (CalPERS) for Town of Moraga Miscellaneous Employees and Rescission of Resolution 41-2013	<b>Approved</b>

