

**MORAGA TOWN COUNCIL
AGENDA
SPECIAL MEETING**

Wednesday, July 16, 2014

7:00 p.m.

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

Teleconference Location (Trotter)
The Lodge at Suttle Lake
General Manager's Office near Dining Room
13300 Highway 20
Sisters, OR 97759

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. SPECIAL ANNOUNCEMENTS

IV. PROCLAMATIONS AND PRESENTATIONS

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 Chew

Vice Mayor Wykle

Councilmember Arth

Councilmember Metcalf

Councilmember Trotter

B. Town Manager Update

IX. DISCUSSION ITEMS

X. PUBLIC HEARINGS

- A. Consider Introducing and Waiving First Reading of an Ordinance to Amend Moraga Municipal Code (MMC) Title 8, Planning and Zoning:
- 1) Amend MMC Section 8.04.020 (Definitions), Adding Definitions for Supportive and Transitional Housing and Emergency Shelters and Corresponding Amendments to Lists of Permitted Uses in Applicable Districts;
 - 2) Add MMC Chapter 8.164 Allowing Emergency Shelters by Right in the Institutional District;
 - 3) Add MMC Chapter 8.168 Allowing Reasonable Accommodation from the Zoning Ordinance for Individuals with Disabilities; and
 - 4) Add MMC Chapter 8.172 Allowing Density Bonus for Affordable Units Consistent with State Density Bonus Law

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

- A. Consider Resolution _____ - 2014 Authorizing the Town Manager to Award a Construction Contract to Bay Cities Paving & Grading, Inc. (Concord) in the Amount of \$3,289,663 for the Construction of the 2014 Pavement Repair Project (CIP 08-106) and to Execute Contract Change Orders up to 15% of the Contract Amount
- B. Consider Resolution _____ - 2014 Authorizing the Town Manager to Enter Into a Second Amendment of a Right of Entry and License Agreement for an Additional Five Years with Annual CPI Increases with John Hoover for Cattle Grazing on Mulholland Open Space Preserve
- C. Consider Resolution _____ - 2014 Authorizing the Town Manager to Award a Consultant Services Contract to Cole Management & Engineering, Inc. (Concord) in an Amount Not to Exceed \$40,000 for Construction Inspection Services for the Moraga Country Club Remedial Grading Work (Subdivisions 7351 and 7747)
- D. Consider Resolution _____ - 2014 Declaring that the Town of Moraga is Subject to Provisions of Division 17 (Sections 26500 et seq.) of the California Public Resources Code Regarding Geologic Hazard Abatement Districts ("GHAD Law"), and Directing the Town Clerk to Forward a Copy of the Resolution to the State Controller

XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

XIII. COMMUNICATIONS

- A. Certificate of Appreciation for Patty Mills dated June 29, 2014

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, July 16, 2014
7:00 p.m.

| <u>ITEMS</u> | <u>TOWN MANAGER'S RECOMMENDATION</u> |
|---|--|
| 1) <u>Accounts Payable Claims for: 6/26/14 (\$262,033.67); 7/01/14 (\$90,919.30); 7/02/14 (\$28,233.00)</u> | Approve |
| 2) Approve Minutes for the Town Council Special Meetings on May 14, 2014; May 28, 2014 and June 11, 2014 | Approve |
| 3) Approve Minutes for the Town Council Regular Meeting on May 28, 2014 | Approve |
| 4) <u>Review and Accept Second Quarter Update of Town Council Adopted Goals for 2014</u> | Approve |
| 5) <u>Consider Resolution _____ - 2014, Authorizing the Filing of an Application for Funding Assigned to Metropolitan Transportation Commission and Committing any Necessary Matching Funds and Stating the Assurance to Complete the Project (Moraga Center Specific Plan Area Pedestrian and Bicycle Infrastructure Improvements)</u> | Approve |
| 6) <u>Consider Resolution _____ - 2014, Supporting the Town of Moraga's Application to the 2014 Priority Development Area (PDA) Planning Grant Program to the Contra Costa Transportation Authority (CCTA), for Municipal Code Amendments to Implement the Moraga Center Specific Plan</u> | Approve |
| 7) <u>Consider Resolution _____ - 2014 Eliminating the Town's Involvement in and Approving and Authorizing the First Amendment to the Agreement for Construction and Maintenance of a Private Road between the Town of Moraga and Certain Property Owners on Canyon Road and Country Club Drive</u> | Approve |
| 8) <u>Consider Resolution _____ - 2014 Authorizing the Town Manager to Execute an Agreement between East Bay Municipal Utility District (EBMUD) and the Town of Moraga to Reimburse the Town for Adjustment of Gate Valves as part of the 2014 Pavement Repair Project (CIP 08-106) and for Future Town Projects</u> | Approve |

- 9) Consider Resolution _____ -2014 Authorizing the Town Manager to Award Design Professional Services Agreements for On-Call Geotechnical Engineering Services with Cal Engineering & Geology (Walnut Creek), Hultgren-Tillis Engineers (Concord), and WRECO (Walnut Creek) in an Amount Not to Exceed \$75,000 Annually for Three Years for a Total Amount Not to Exceed \$225,000 Per Agreement, Contingent on Available Annual Budget Appropriations **Approve**
- 10) Consider Resolution _____ - 2014 Authorizing the Town Manager to Amend the Purchase Order with JV Lucas Paving, Inc. (Lafayette) to Resurface the Commons Park Pathways as Part of the Commons Park Improvement Program (CIP 14-304) in an Amount Not to Exceed \$33,175 for a Total Amount of \$48,597 **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.