

**TOWN OF MORAGA
TOWN COUNCIL REGULAR MEETING**

**July 8, 2015
MINUTES**

7:00 P.M. Regular Meeting

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

Teleconference Location (Metcalf)
Hyatt Carmel Highlands, Main Lobby
120 Highlands Drive, Carmel, California 93923

I. CALL TO ORDER

The regular meeting was called to order at 7:11 p.m. by **Mayor Roger Wykle**.

ROLL CALL

Councilmembers present: Mayor Roger Wykle, Vice Mayor Michael Metcalf,* and Councilmembers Phil Arth, Teresa Onoda and Dave Trotter
* Teleconference Location

Councilmembers absent: None

II. PLEDGE OF ALLEGIANCE

Town Manager Jill Keimach led the Pledge of Allegiance.

III. SPECIAL ANNOUNCEMENTS

Mayor Wykle reported that the Town Council had met in Closed Session, and there was no reportable action from the Closed Session.

IV. PROCLAMATIONS AND PRESENTATIONS

- A. Proclamation Honoring Orinda-Moraga Pool Association's 59th Anniversary of the OMPA Championship Meet from August 7 to 9, 2015

Mayor Wykle read into the record a proclamation honoring the Orinda-Moraga Pool Association (OMPA) 59th Anniversary of the OMPA Championship Meet from August 7 to 9, 2015 and declared August 7, 8 and 9, 2015 "Full Speed Ahead Weekend" in the Town of Moraga. He presented the proclamation to Tom VanderBrink, OMPA President, and Lee Hayes, OMPA 2015 Meet Director.

Tom VanderBrink, OMPA President, thanked the Town Council for the proclamation and recognition of the OMPA, and commented there had been interest from other swim leagues to model the OMPA.

Lee Hayes, OMPA 2015 Meet Director, also thanked the Town Council for the recognition. He commended all of the volunteer efforts to make the OMPA Championship Meet a success.

PUBLIC COMMENTS OPENED

There were no comments from the public at either location.

PUBLIC COMMENTS CLOSED

V. PUBLIC COMMENTS

There were no comments from the public at either location.

VI. ADOPTION OF CONSENT AGENDA

A. Approval of Consent Items

Ms. Keimach asked that Consent Agenda Item 8, the reinstatement of the Town of Moraga Regular Town Council meeting on July 22, 2015, be removed from the Consent Agenda given that the County Elections Department had not completed certification of the signatures for the referendum by July 8. Since the certification by the County had not yet occurred, the item would not be ready in time. Certification of signatures for the referendum would be scheduled for the next regular meeting of the Town Council after the legislative break.

Consent Items 2 and 6 were also removed from the Consent Agenda.

PUBLIC COMMENTS OPENED

There were no comments from the public at either location.

PUBLIC COMMENTS CLOSED

**ACTION: It was M/S (Trotter/Onoda) to adopt Consent Agenda Items 1, 3, 4, 5, and 7.
Roll Call Vote: 5-0.**

- | | | |
|----|--|----------------|
| 1) | Accounts Payable Claims for: 6/26/15 (\$223,716.15);
6/26/15 (\$2,632.50) | Approved |
| 2) | <i>Approve Minutes for the Special Town Council Meeting on
May 20, 2015</i> | <i>Removed</i> |
| 3) | Approve Minutes for the Regular Town Council Meeting on
May 27, 2015 | Approved |
| 4) | Review and Accept Second Quarter Update of Town Council
Adopted Goals for 2015 | Approved |
| 5) | Consider Resolution 71-2015 Authorizing the Town Manager
to Award a Professional Services Contract to BKF Engineers
(Walnut Creek) in an Amount Not to Exceed \$104,000 for Civil
Engineering Services for the Moraga Road Underground Utility
District (CIP No. 11-102) | Approved |
| 6) | <i>Consider Resolution 72-2015 Authorizing the Public Works
Director to Submit an Application for Grant Funds for the
California River Parkways Grant Program for the Laguna Creek
Restoration Project</i> | <i>Removed</i> |

7) Consider a Letter of Opposition to Assembly Member Quirk's AB 57 Wireless Telecommunications Facilities, Regarding Review and Approval of Colocation or Siting of Wireless Telecommunications Facilities dated July 8, 2015 Approved

8) Approve by Motion the Reinstatement of the Town of Moraga Regular Town Council Meeting on July 22, 2015 Removed

B. Consideration of Consent Items Removed for Discussion

1. Approve Minutes for the Special Town Council Meeting on May 20, 2015

Councilmember Trotter advised that redline changes had been made to Pages 5, 6 and 8 of the minutes of the May 20, 2015 Special Town Council meeting, although a redline version of Page 6 had not been included in the copies provided to the Town Council and the public. He asked that the following change be made to the first sentence of the fifth paragraph on Page 6, as follows:

Councilmember Trotter referenced Attachment C, the Charles Salter & Associates Intramural Field Noise Analysis, and questioned whether the data truly reflected the actual difference in noise levels.

ACTION: It was M/S (Trotter/Onoda) to approve the minutes for the Town Council Special Meeting on May 20, 2015, subject to the redline changes provided to the Town Council, as further modified. Roll Call Vote: 4-1-0. Abstain: Wykle.

2. Consider Resolution 72-2015 Authorizing the Public Works Director to Submit an Application for Grant Funds for the California River Parkways Grant Program for the Laguna Creek Restoration Project

Given that the Laguna Creek Restoration Project was located on the grounds of the Hacienda, and since there was an agenda item to discuss future plans for the Hacienda, **Councilmember Trotter** requested that the item be considered in conjunction with, or after that agenda item.

Assistant Town Attorney Karen Murphy advised that direction could be incorporated into the adoption of the meeting agenda.

VII. ADOPTION OF MEETING AGENDA

By consensus, the Town Council modified the meeting agenda and moved Consent Agenda Item 6 to Ordinances, Resolutions and Requests for Action as Item B.

PUBLIC COMMENTS OPENED

There were no comments from the public at either location.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Trotter/Wykle) to modify the meeting agenda and move Consent Agenda Item 6 to Agenda Item XI. Ordinances, Resolutions and Requests for Action, as Item B. Roll Call Vote: 4-0-1. Absent: Metcalf.

VIII. REPORTS

A. Mayor's and Councilmembers' Reports

Mayor Wykle – Reported that he had attended a Recycle Smart (formerly the Central Contra Costa Solid Waste Authority Board) meeting on June 25.

Vice Mayor Metcalf – No report.

Councilmember Arth – No report.

Councilmember Onoda – Reported that she had attended the Moraga Center Specific Plan (MCSP) Implementation Committee meeting on June 25; and had participated in the Fourth of July festivities.

Councilmember Trotter – Reported that he had chaired the meeting of Recycle Smart on June 25; attended the second meeting of the MCSP Implementation Committee on June 25; represented the Town Council at the going away event for departing Administrative Services Director Stephanie Hom on June 29; had attended a Hillside and Ridgeline Steering Committee meeting on June 30; and had participated in the Fourth of July festivities during the morning Fun Run, and having raised funds to help the Town reach its goal to cover fireworks expenses.

Parks and Recreation Director Jay Ingram reported that the Town had exceeded its goal of \$25,000 for the Town's fireworks display and \$26,190 had been raised. He thanked Councilmembers Onoda and Trotter for their efforts during the Fourth of July festivities.

- B. Town Manager Update** – Town Manager Keimach thanked staff for all their work during the Fourth of July festivities, and the Town Council for helping the Town reach its fireworks display goal. She also reported that the focus group request for the community preference surveys for the Livable Moraga Road Project had commenced, although absent an incentive for focus group members only three of the twelve spots had been filled. As a result, and with the Town Council's approval, which would not change the budget or scope of the project, the incentive process would be used as part of the recruitment effort to keep the focus group moving forward. She added that the Town Treasurer, Bradley Ward, had agreed to serve as the Interim Administrative Services Director.

IX. DISCUSSION ITEMS

There were no discussion items.

X. PUBLIC HEARINGS

There were no public hearings.

XI. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

A. Hacienda de las Flores Conceptual Plans

Consider Gould Evans Conceptual Plans for the Hacienda de las Flores and Provide Direction to Staff

Parks and Recreation Director Ingram presented the staff report and introduced Gould Evans, the Consultant selected by the Town Council to prepare conceptual plans for the Hacienda de

las Flores. He asked that the Town Council provide direction to Gould Evans and staff on a preferred concept and proceed with the second phase of the conceptual plan process.

Lauren Maass, Associate Vice President, Gould Evans, presented a PowerPoint presentation and reported that Gould Evans had developed the conceptual ideas through community meetings, and meetings with the Hacienda Foundation and Saint Mary's College (SMC). While Gould Evans had not met with the Lamorinda Wine Growers Association (LWGA), a wish list from the LWGA had been provided.

Ms. Maass detailed the discussions from the two community meetings and identified the numerous goals for the Hacienda as; respect the neighbors in the neighborhood; consider a different location for the entrance into the facility; enhance the historic beauty of the Hacienda; and consider a wine cave, a place to gather such as an inn or lodge, a café, and a community center with community-centric uses. The meeting with the Hacienda Foundation found that many of the ideas from the two community meetings were consistent with their goals. A meeting with SMC verified that SMC was open to explore ways to partner in the use of the Hacienda site, although SMC's primary need was for lodging facilities which were currently being provided in nearby cities.

Ms. Maass reported that Gould Evans had been in discussion with developers and hotel operators, specifically Pacific Union Development Company. There had also been discussions with a hotel marketing analyst, and a hotel operator and developer. Since a wine cave had been raised as a conceptual idea, a geologist had been invited to look at the site and conducted extensive research. The geologist found that the hillside would be an excellent site for a new wine cave, and had the potential for 20 to 30 feet of unsupported structure for a larger gathering space in the hillside, which would require a second exit. It was recommended that the existing wine cave be left as a historic exhibit, which could be explored further if that was the direction from the Town Council.

Mark Hulbert, Architect, Preservation Architecture, described the Hacienda as a hidden gem with a beautiful site and structure. He read into the record the historic resource goals of the Town's General Plan, and noted that the Town had no specific historic register, but was under the requirements of the California Environmental Quality Act (CEQA). In terms of historic significance, the Hacienda was considered to be a cluster/grouping of historic buildings consisting of four primary structures; the La Sala, the main house, the Pavilion, and the Casita. He described the interior and exterior of the structure, the circulation patterns of the property, and offered photographic images of the site.

Douglas Thornley, Principal, Gould Evans, presented the two conceptual ideas for the Hacienda and reiterated the community input for two distinctly different ideas, which included a public/private partnership. The public/private partnership would allow the property to receive private investment to preserve the beauty and historic nature of the building. The second conceptual idea would introduce art in order to make the site a true community center and a viable alternative for the community.

Mr. Thornley described Concept A, emphasizing the importance of maintaining the character and open space of the site, with thoughtful ways to improve the building and remove part of the structures to enhance functionality. A new clear entry was recommended, with Moraga Road the best location, which would take the pressure off the two neighborhood roads. A new entrance into the Hacienda had been proposed to establish a main entrance with a prominent open space and removal of the La Sala building to provide a courtyard in front of the Hacienda. This would lead to the wine cave which could support LWGA activities, with a potential reception area to be used for rentals to support and provide access to the community. He suggested the Hacienda itself could be a viable inn, which would be a good investment for the property.

Speaking with a potential developer and hotel operators, he explained that the number of rooms would be critical for success. Rather than chop the Hacienda into little rooms, and to preserve its character and historic spaces, it was recommended that additional cottages be built to increase the room count, with the cottages to serve as a buffer between the Hacienda and the neighborhood. The restaurant component could also be successful if there was an inn and could be a venue for catering events and meeting rooms.

Mr. Thornley stated the Pavilion could be used as a spa and fitness area. Historically, a pool could be a big part of the character of the Hacienda with the opportunity to bring the pool back with changing rooms for the spa, and with additional meeting rooms, which could also function as offices for the Parks and Recreation Department. The Pavilion kitchen area could be enhanced and made into a catering area and possible teaching kitchen. The structures would also need to be Americans with Disabilities Act (ADA) accessible. The Casita would have the opportunity to function as part of the inn with two to three rooms leading to a room count in the 25 to 30 range, which would have to be studied further to ensure viability.

April Phillips, Landscape Architect, April Phillips Design Works, explained that the new entry road would take what was currently the maintenance/back entry off of Moraga Road and make it part of the scenic entry. It would also enhance the entrance; relocate the gates on Devin Drive/Moraga Road to emphasize the entrance setting the historic nature and Spanish heritage; clean up undergrowth and buffer all of the edges; use low level lighting to create a nice entrance experience; comply with ADA; and focus on the plaza at the wine cave creating a European and pedestrian scale court where vehicles would have to travel slowly to allow vehicles and pedestrians to co-exist. Valet parking could also be considered.

Ms. Phillips added that the cracked walls of the building could be enhanced; native landscaping could be maintained; trails could be connected and improved to provide access to the botanical garden; and ADA access from the Hacienda to the Pavilion and through to the trees could be created, while enriching the pedestrian experience on the trails. They could also build on the Spanish character and integrate the garden rim and create a nice terrace and open space that would allow for larger events while integrating the heritage trees, using drought tolerant plants and landscaping, a more sophisticated irrigation system, and integrating the original heritage of the Saklan native Americans into the use of the trails while balancing all different generations into the landscaping concept for the community. She offered images of the existing landscaping, how a pool would appear in the setting, and the structure of the proposed pathways and low level lighting opportunities.

Mr. Thornley explained that if the Hacienda was a community center or inn, the entrance would be from the new plaza/courtyard into the reception. The Fireside Room could be refurbished; a real commercial kitchen would enlarge the existing kitchen; a smaller café could be located in the existing structure; a garden room could be added to define the plaza and allow for larger events, a restaurant and meeting space; and existing rooms could be refurbished to allow use as meeting rooms and as community center facilities. Given that the Hacienda was on four levels, an elevator could be strategically placed in the building to the right of the fireplace, with access to all four levels allowing full accessibility. Based on the advice of the developer and hotel operators, several of the rooms would be left intact and have six rooms with the concept of developing the cottages to increase the number of rooms to make the project viable.

Mr. Thornley offered visual renderings of the new garden room which could be a contemporary design, and described the enhanced plaza area to support weddings and other events, which could be a very active space day and night, accessible, and used by the community.

Concept B would consist of a community arts/park, influenced by the Marin Art and Garden Center, with an opportunity to support the art community and integrate art into the environment.

The concept would be primarily for a community center with art as the theme. The Hacienda would be renovated to be fully accessible; the upper floor would not be converted into hotel suites; the Pavilion would be upgraded with fewer improvements but not include the catering kitchen; the courtyard would be improved; a tented area would be provided for outdoor events during inclement weather with a green space as an art park; the Casitas would be converted to an artist-in-residence structure, which could be used as a teaching component in the community; and the main entrance off Moraga Road would be improved similar to the first concept. To support the LWGA, there would be an opportunity to convert one of the rooms into a wine bar to feature the growers and makers in the Lamorinda area. While the La Sala building could remain, up to 3,000 square feet of meeting room could be accommodated if the building was removed.

Ms. Phillips explained that Concept B would have many of the same schemes with the trails, open space, and entrances. She commented that a well was on the property and there had been a suggestion to explore the use of that well, which could be made a special focal point at the entrance road. She identified the entry court with bollards to a quiet courtyard, taking advantage of an old drive to be made a gravel trail and used to bring art in, to be used as the main theme. This concept, exploring the idea with the LWGA, was to bring in edibles, such as an herb wall to tie in the culinary components and possibly historic ideas that had been used in the past. There would also be management of the hill, which would be a big focal point in the beginning to set the theme and use drought tolerant landscaping to close the gap between the existing trees and the new landscaping. The Pavilion could also allow a place for a year round tent, which would allow weddings in the off-season. Images of how art and the environment could be special and respectful of the character were provided, with examples of an herb wall from the Atlanta Botanical Garden and culinary kitchen, exploring the importance of food, people, and health.

Bob Baum, Principal, Gould Evans, explained that Gould Evans had worked with its cost estimator on the two concepts. He described the estimates as high level cost estimates to allow an understanding of what could be involved, divided into hard and soft costs. Estimation of hard construction costs for Concept A, the conference center/inn concept, was \$17 million with contingencies from a design point of view. Concept B, the art/park concept, would have hard construction estimated costs of \$9 million. As part of the discussions with potential development partners, soft costs had been identified as consultant costs, fees, architect and engineering costs, possible development management, furniture, and fixture and equipment, as examples. For Concept A, the soft costs were estimated at \$5 million; and for Concept B, \$3 million. An alternate art/park/community room concept could add \$2 million more. The estimates would be fine-tuned when moving forward; there could be changes as the viability was better known and phasing may be considered.

Mr. Baum reiterated that Gould Evans had met with Pacific Union Development and two hotel operators, one of which was also a developer/hotel operator and had conversations with an expert in marketing analysis for this type of development. He noted the size of the inn concept had been challenging, pushed to allow more rooms given that 12 to 13 rooms would be too small to manage. The cottage concept had been proposed since it would buffer the site from the existing residences, and would offer a balance point. He cited the development of the Presidio in San Francisco, as an example, which had included incentives in the early years of that arrangement with later benefits to the public entity. In addition, there were historic tax credits available for the preservation and enhancement of a property such as the Hacienda, subject to specific requirements on how the resource was treated. He acknowledged the art/park concept was not amendable to a full public private partnership, although some part could generate revenue and should be considered a possibility. He suggested that Concept A was more attractive for the involvement of a private partner.

PUBLIC COMMENTS OPENED

Dale Walwark, Moraga, understood there would likely have to be a public/private partnership, and would like to see the details of the cost estimates since the money would have to come from private money, such as risk capital. He sought solid views from someone who would get the job done, someone who would seriously look at the main building, which was in poor condition. He questioned whether the structure would have to be gutted, but was confident the Spanish architectural style would not be lost. He disagreed the Hacienda had any historic significance other than being 50 years old. He questioned special protection for buildings in the Town that were over 50 years of age which could limit the potential for development.

Carol Haag, Moraga, Vice President, LWGA, and owner of a backyard vineyard, described the background and history of the LWGA; the current effort to form an American Viticulture Area (AVA) to be called Lamorinda AVA; and advised that the LWGA Board fully supported the new plan for the Hacienda as recently approved by the Town Council and under development by Gould Evans; and would support a wine tasting room, wine cave, tours, venue for food and wine pairings, and a demonstration wine making facility. The LWGA would like to see the Hacienda be self-supporting and create a revenue stream for the Town.

Andy Scheck, Moraga, President, Moraga Community Foundation, congratulated the Town Council for getting the project going and was excited about the proposal.

Susan Captain, Moraga, representing Captain Vineyards, supported the Hacienda as a unique location for Moraga and the Lamorinda area; referenced the fact the Town Council had given the LWGA six months to have a location at the Hacienda although that had not yet occurred; and while the building was a wonderful place to have events and meetings, much of the space was in need of upgrades. She was pleased the Town Council would be considering taking steps for Moraga residents to have a place for venues and showcase local artists.

Judy Dinkle, Moraga, President, Hacienda Foundation, applauded the Town Council for supporting the project and was pleased to see both concepts offered many opportunities for increased community involvement and programming, particularly the first concept which would offer more space for community gatherings, meeting rooms, and year round functions. She looked forward to seeing the process move forward and thanked Gould Evans for its creativity.

May Kay Drennan, Moraga, was familiar with the Hacienda and the Town's financial challenge to keep the facility operating with limited budgets and few capital improvements. She thanked the Council for considering the proposals, and while she agreed that Gould Evans had recommended wonderful ideas, suggested it was beyond the capacity of the Town to operate a private business.

Ellen Beans, Moraga, loved both concepts which were interesting and intriguing but questioned whether there was enough income/revenue to support Concept B. Concept B also did not appear to include a place to eat or meeting space and she wanted to see those opportunities be included in either plan when moving forward.

John Burgess, Moraga, also would like to see a restaurant/café and meeting room included in Concept B. He could support a combination of the two concepts.

Gail Tsuboi, Moraga, Hacienda Foundation member, stated that the Foundation board had not come to a consensus on the proposed concepts. The Hacienda Foundation would be meeting in the next week and she expected the concepts to be discussed. Having attended both community meetings, it was clear there was a desire for a space that would sit 150 to 200 people year round, regardless of the weather.

Ms. Tsuboi believed the call for the art park concept was limited, and she was uncertain how that concept had come to fruition. She suggested there had been little emphasis on a flexible community center concept that would seat so many people, understood a multi-use room could cost \$2 million and could be done with the Town's own resources without bringing in other partners, and suggested that other elements could be phased in if it was found that a large space was not generating sufficient year around revenue. She commended the LWGA for getting its voice out, although she found it disproportionate to the general thought of the Town. She noted there were only 11 wineries bonded in Moraga that were legally allowed to sell and bottle wine, commented that she and her husband were wine collectors, and suggested there had been an over emphasis on the wine aspect. She also questioned the historic status of the property and questioned how CEQA would impact any proposal.

Mr. Walwark emphasized that public activity was needed although that involved cost, and the Town needed revenue. He agreed that the wine aspect had been overplayed and was a cost, not a revenue. He recognized the need to have someone interested to invest in either concept to be able to bring revenue to the Town.

PUBLIC COMMENTS CLOSED

Councilmember Trotter thanked everyone for the comments and Gould Evans for the presentation. Based on the public/private enterprise, Concept A was more conducive for that while Concept B, the art park concept, did not have the revenue opportunity. He clarified with Mr. Baum that the garden room area as part of Concept A could accommodate 150 people; the garden room could have large glazed doors to open all the way, with weddings or other functions to take place on the patio of the garden room; and the space between the paved and lawn area would be large enough to accommodate a wedding without the need to remove the existing mature trees.

Ms. Phillips suggested the space offered a lot of flexibility, and there was the flexibility to use the existing mature trees to have a different kind of wedding, with details yet to be resolved.

Mr. Baum added as part of Concept A, it was not necessarily the intent to move the Parks and Recreation Department off the site. The Department could be accommodated in the meeting room near the Pavilion, which was approximately 500 square feet in size.

Councilmember Trotter noted that the meeting rooms for Concept A may not be large enough, with limited parking. He liked the use of the Casita as a meeting room since the parking lot was nearby, although the consultant had recommended that area be used for lodging.

Mr. Baum recommended a low key use for the Casita since it was adjacent to the residential area. He also suggested the garden room could have a movable partition wall allowing it to be divided into two spaces with access to the outdoor space and parking lot. The other meeting rooms would allow for meetings to occur at one time. As part of Concept A, it may be possible to use golf carts to transport people to their rooms, with accessible paths between the meeting rooms. Also, given the location of the kitchen, the location of the garden room would serve that function better allowing for a catering kitchen near the Pavilion. He affirmed the garden room could also be a community space.

In response to Councilmember Trotter who supported a new entrance off of Moraga Road, Mr. Baum explained that area could allow for additional parking although a parking analysis had yet to be prepared, and valet parking could also be considered. He affirmed as part of Concept A that the intent was to preserve the existing trail points to the Cindy Waxman Trail, and affirmed there was the opportunity to integrate a public art function into Concept A. Art could also be sprinkled throughout the property.

Councilmember Trotter identified existing frontage off and at the top of Devin Drive pursuant to the map, which was a graded area that had been flattened on the top, and which could potentially be used. He clarified with Mr. Baum that Gould Evans had not spent time on that parcel due to the lack of accessibility and ability to tie it together.

Councilmember Onoda found that Gould Evans had done a great job offering two distinct ideas. She liked the sculptures and art as part of Concept B, which could be incorporated naturally into Concept A. She referenced the existing amphitheater area which had not been discussed and suggested it could be included in the plans. The trails to Mulholland Ridge could also be enhanced and made safer for everyone. She recognized that the LWGA was a small part of the community, although like art, would enhance the community. She otherwise clarified with Mr. Baum the location of the proposed restaurant which would be integrated as part of the inn concept, and which could also function as an event space while still being maintained as a small café/bar off the inner courtyard area.

Mr. Baum noted the need to have more conversations with restaurateurs who were visionaries and who could envision a special/distinctive restaurant. He suggested for the inn to work well the restaurant must also be a caterer.

Councilmember Onoda suggested the Casita could be a nice meeting place, the structure adjacent could also be used as meeting space, and the garden room could be great as a restaurant. She recommended fewer rooms, and supported the suggestion for a public pool.

Councilmember Arth thanked and complimented Gould Evans on the two visions. Although he liked the solitude provided by Concept B, the Town could not afford that option and it was not commercially viable. He also opposed a hybrid and adding meeting space to that plan as providing enough financial strength to make that option viable. He liked Concept A and agreed that the Town would have to provide a framework to attract developers. He liked Concept A as the only financially viable concept.

Vice Mayor Metcalf emphasized the importance of recognizing that the Hacienda was aging, the buildings were not ADA compliant and had been financially challenging to be maintained. He had become more convinced the property was beyond the means of the Town to maintain in any reasonable condition and he emphasized the need to find the right people to maintain the property and make it pay for itself. He noted the upper Hacienda access road on Devin Drive had a graded pad; the land had been intended to serve as the Town Manager's home in the past although that had proven to be unsuccessful. While pedestrian access would be a challenge there was no reason that lot could not be considered and included in the plans.

Vice Mayor Metcalf liked Concept A, and agreed that Concept B could be merged into Concept A. He suggested that Concept A did exactly what was needed, solved the need for accommodations in the Town, and offered a place for SMC family members to stay. Concept A also satisfied the restaurant need, particularly since the Café Hacienda had demonstrated the desire for a restaurant such as this in the Town. Concept A also provided the opportunity for a community center, although he recognized the concerns with the number of rooms and scheduling conflicts, which would be worked out through the consultant as to what was operationally feasible.

Vice Mayor Metcalf suggested Concept A had the greatest potential for attracting investors since it had several revenue potential options as opposed to Concept B. He was confident people could be found to invest and make that concept work, and would like to see how that could be achieved without the Town losing control. He challenged Gould Evans to provide models as to how that had been done before.

Referencing the Cindy Waxman Trail, **Vice Mayor Metcalf** noted he liked the concept for the trail, but suggested it should be cleaned up and be incorporated into the plan. He otherwise clarified with Mr. Baum that the proposed elevator would have a front and back door to allow accommodations for the multiple levels and the two levels on the ground floor, and would be situated behind the fireplace, with one of the doors to open into the Fireside Room. He supported Gould Evans continuing to define Concept A to provide something that could be presented to the community definitively, including renderings and models, to allow the concept to be better explained to the community. He also wanted to see how Concept A would be operated, with an operation model prepared to determine how the concept would be financed and maintained to ensure it would be a self-sustainable facility. He asked Gould Evans to provide that information on paper.

Mr. Ingram also supported Concept A with a pool/spa component and looked forward to working with Gould Evans to bring something special to the Town.

Mr. Baum referenced Manka's Inverness Lodge, which had a restaurant and catering, which balanced well. Once an operator had been identified, that component could be worked out within the concept.

Mayor Wykle agreed with the need to have models and build on what others had done. He clarified with Mr. Baum the cost estimates for the concepts had been discussed with the interested developer and hotel developer/operator and would depend on the structure of the Request for Proposal (RFP). Phasing could also be an option. He suggested it would be natural to do the work at the Pavilion later since it could be done while the inn was operating and still have plenty of community spaces. He characterized Concept A as a great plan, liked the Casita as an inn keeping the function in one area, although he did have concern with the number of rooms since it appeared to be over built at this time.

Councilmember Trotter could see transient occupancy tax as a way to generate revenue for the Town, possibly a revenue sharing component on some aspects of the operation, with the Town not to pay for the community use of certain facilities. He understood the intent for the proposed improvements to the Casitas to be done within the existing footprint, although there could be a way to have a community functionality since it was close to the parking lot. He supported the number of units but if made larger one of the cottages could be lost, although he suggested a couple of cottages could be placed on the more secluded Devin Drive side of the upper hill. He also supported community functionality near the Casita as long as it was indoors, not outdoors, given potential noise impact concerns.

Mr. Baum explained that the cottage layout had been kept all one-story and some of the Casitas could potentially be two-story to add to the picturesque category.

Mayor Wykle also wanted Gould Evans to continue to define Concept A, how it would be operated and financed, with models to be provided in the future.

Councilmember Trotter clarified with Gould Evans a preference for a more natural looking creek, provided it did not flood the Pavilion on a regular basis.

Mayor Wykle declared a recess at 9:40 p.m. The Town Council meeting reconvened at 9:47 p.m. with all Councilmembers present, and with the Vice Mayor present via teleconference location.

- B. Consider Resolution 72-2015 Authorizing the Public Works Director to Submit an Application for Grant Funds for the California River Parkways Grant Program for the Laguna Creek Restoration Project

Public Works Director/Town Engineer Edric Kwan presented the staff report for consideration of a resolution to authorize the Public Works Director to submit an application for grant funds for the California River Parkways Grant Program for the Laguna Creek Restoration Project. The subject grant had a maximum amount of \$500,000, with staff to continue to consider other grant opportunities. If the Town succeeded in obtaining the subject grant, it would make the project more attractive to other grantees. The Town could receive additional monetary opportunities given that the capacity would be increased more than needed, and the Town could sell off the capacity to other projects. He was not certain of the next grant cycle for the Urban Streams Restoration Grant Program.

PUBLIC HEARING OPENED

There were no comments from the public at either location.

PUBLIC HEARING CLOSED

ACTION: It was M/S (Trotter/Arth/) to adopt Resolution 72-2015 Authorizing the Public Works Director to Submit an Application for Grant Funds for the California River Parkways Grant Program for the Laguna Creek Restoration Project, with staff directed to seek other funds for the matching sources aside from the General Fund or existing funds that are part of the Town budget. Roll Call Vote: 5-0.

C. Storm Drain Master Plan Project

Receive a Presentation on the Findings and Conclusions of the Storm Drain Master Plan Project (CIP 14-201) and Consider Resolution 73-2015:

- 1) Adopting the Storm Drain Master Plan (Project) and Directing Staff to Proceed with its Recommendation to Investigate Property Ownership for High and Moderate Priority Storm Drain Improvement Projects Involving Private Property (Study); and
- 2) Authorizing the Town Manager to Appropriate \$38,200 of National Pollutant Discharge Elimination System Funds (Fund 510) Towards the Project and Amend the Consultant Services Agreement with Schaaf & Wheeler (San Francisco) in an Amount Not to Exceed \$38,200 for a Total Amount of \$254,400 to Complete the Recommended Study

Mr. Kwan introduced the consultant team from Schaaf & Wheeler to make the presentation on the Town of Moraga's Storm Drain Master Plan.

Dan Schaaf, Principal, Schaaf & Wheeler, presented a PowerPoint presentation on the Town of Moraga's Storm Drain Master Plan and Capital Improvement Program Overview, with a backlog of work estimated at \$26 million. He explained that next steps included title search for property easements, funding, identification of the project schedule, design, and construction projects.

Ms. Murphy advised that any responsibility for a private property owner would be something that would have to be looked into further. The first step would be a title search.

Mr. Schaaf was unaware of any potential grants for storm water repairs, and Mr. Kwan acknowledged there were no available grants for such repair improvements other than a Hazard Mitigation Grant through the Federal Emergency Management Agency (FEMA) in the event of a disaster. There could be some State loans available although they would have to be paid back.

Mr. Schaaf added they would be looking into the potential to bypass the private/public owned system to determine whether there would be potential increased risk on the property or anyone else, if that part of the storm drain system was not improved.

PUBLIC COMMENTS OPENED

There were no comments from the public at either location.

PUBLIC COMMENTS CLOSED

Mr. Kwan explained that the work would be coordinated with the Town's paving program.

Mr. Schaaf clarified that \$380,000 had been set aside for 2015/16 street repairs.

Ms. Keimach added that the top of Joseph Drive, as an example, was under pavement that had already been done, and there could be an opportunity to use Measure K funds for that work, which could be brought back for future consideration.

Mr. Kwan further clarified that it was unknown how much of the \$26 million work was underneath the streets, although when repaving, storm drain work could be incorporated as part of the pavement project.

Responding to the Mayor, Mr. Kwan suggested it may be \$26 million of work minus creek and private property storm drain projects, although how much sales tax would be used would not be known until the study had been completed. For the paving program, it was known what streets would be addressed on a year-by-year basis although they did not have a full plan as to which streets would coincide with the storm drain improvements, and how much would be coming out of Measure K. Staff requested approval of funds for an additional study outside of the Master Plan, with staff working with the Town Attorney to determine how to address storm drains on private properties.

ACTION: It was M/S (Trotter/Onoda) to adopt Resolution 73-2015, to Adopt the Storm Drain Master Plan (Project) and Directing Staff to Proceed with its Recommendation to Investigate Property Ownership for High and Moderate Priority Storm Drain Improvement Projects Involving Private Property (Study); and Authorizing the Town Manager to Appropriate \$38,200 of National Pollutant Discharge Elimination System Funds (Fund 510) Towards the Project and Amend the Consultant Services Agreement with Schaaf & Wheeler (San Francisco) in an Amount Not to Exceed \$38,200 for a Total Amount of \$254,400 to Complete the Recommended Study. Roll Call Vote: 5-0.

- D. **Consulting Services Agreements for Planning and Environmental Review**
Consider Resolution 74-2015 Authorizing the Town Manager to Enter into an On-Call Consulting Services Agreement with Douglas Herring and Associates, Jerry Haag, and Amy Skewes-Cox for On-Call Planning and Environmental Review Services, in a Total Amount Not to Exceed \$250,000 Each for a Total Contract Period of Three Years

Planning Director Ellen Clark presented the staff report and recommended the Town Council adopt a resolution authorizing the Town Manager to enter into an On-Call Consulting Services Agreement with Douglas Herring and Associates, Jerry Haag, and Amy Skewes-Cox for On-Call Planning and Environmental Review Services, in a total amount not to exceed \$250,000 each, for a total contract period of three years.

She acknowledged the Town had not used Mr. Haag's services much in the last couple of years, given that there had been little environmental work initiated, however, there had been an increase in applications where those services would now be needed.

PUBLIC COMMENTS OPENED

There were no comments from the public at either location.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Arth/Onoda) to adopt Resolution 74-2015 Authorizing the Town Manager to Enter into an On-Call Consulting Services Agreement with Douglas Herring and Associates, Jerry Haag, and Amy Skewes-Cox for On-Call Planning and Environmental Review Services, in a Total Amount Not to Exceed \$250,000 Each for a Total Contract Period of Three Years. Roll Call Vote: 5-0.

E. Conformance of the Moraga Municipal Code to the California Public Contract Code

Consider Waiving the Second Reading and Adopting Ordinance No. 253 Amending by Deletion and Replacement, Chapter 3.06 Uniform Construction Cost Accounting Act Procedures of the Town of Moraga Municipal Code to Conform to the California Public Contract Code

Mr. Kwan advised that the Town Council and the public had been provided with a new copy of redline revisions to the ordinance, which had inadvertently been omitted and included changes previously requested by the Town Council. He recommended that the Town Council waive the second reading and adopt Ordinance No. 253 amending by deletion and replacement, Chapter 3.06 Uniform Construction Cost Accounting Act Procedures of the Town of Moraga Municipal Code to conform to the California Public Contract Code.

Ms. Murphy clarified that the redline revisions were consistent with the first reading that had been introduced.

PUBLIC COMMENTS OPENED

There were no comments from the public at either location.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S (Trotter/Metcalf) to Waive the Second Reading and Adopt Ordinance No. 253, in the form provided by staff, without the redlines reflecting those changes, Amending by Deletion and Replacement, Chapter 3.06 Uniform Construction Cost Accounting Act Procedures of the Town of Moraga Municipal Code to Conform to the California Public Contract Code. Roll Call Vote: 5-0.

XII. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

There were no requests for future agenda items.

XIII. COMMUNICATIONS

There were no communications.

XIV. ADJOURNMENT

ACTION: It was M/S (Trotter/Arth) to adjourn the meeting at 10:13 P.M. Roll Call Vote: 5-0.

Respectfully submitted by:



Marty C. McInturf, Town Clerk

Approved by the Town Council:



Roger N. Wykle, Mayor

