



**TOWN OF MORAGA  
REGULAR MEETING**

**June 22, 2016  
MINUTES**

**7:00 P.M. Regular Meeting**

Council Chambers and Community Meeting Room  
335 Rheem Boulevard, Moraga, California 94556

**1. CALL TO ORDER**

The regular meeting was called to order at 7:00 P.M. by **Mayor Michael Metcalf**.

**ROLL CALL**

Councilmembers present: Mayor Michael Metcalf, Vice Mayor Dave Trotter, and Councilmembers Teresa Onoda and Roger Wykle

Councilmembers absent: Councilmember Phil Arth

**2. PLEDGE OF ALLEGIANCE**

Moraga Acting Chief of Police Jon King led the Pledge of Allegiance.

**3. SPECIAL ANNOUNCEMENTS**

There were no special announcements.

**4. PROCLAMATIONS AND PRESENTATIONS**

**A.** Proclamation Declaring July 2016 to be Parks and Recreation Month

**Mayor Metcalf** read into the record a proclamation declaring July 2016 as Parks and Recreation Month and presented the proclamation to the Chair of the Park and Recreation Commission.

**PUBLIC COMMENTS OPENED**

Jeanette Fritzky, Chair, Park and Recreation Commission, accepted the proclamation and reminded everyone of the Town's recreation activities planned for the month of July.

**PUBLIC COMMENTS CLOSED**

**5. PUBLIC COMMENTS AND SUGGESTIONS**

There were no comments from the public.

**6. ADOPTION OF CONSENT AGENDA**

Consent Agenda Items 6.7 and 6.8 were removed from the Consent Agenda.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

**ACTION: It was M/S (Wykle/Trotter) to adopt Consent Agenda Items 6.1, 6.2, 6.3, 6.4, 6.5, and 6.6. Vote: 4-0-1. Absent: Arth**

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|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 6.1 | Accounts Payable Claims for: 06/10/2016 (\$126.15);<br>06/10/2016 (\$474,927.71)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Approved       |
| 6.2 | Approve <u>Minutes</u> for the Regular Town Council Meeting on<br>April 13, 2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Approved       |
| 6.3 | <u>Continuation of Local Emergency Due to Storm Damage</u><br>Consider Resolution 59-2016 Renewing and Continuing the<br>Local Emergency due to El Niño Storm Damage Pursuant to<br>Public Contract Code Section 22050 and as Proclaimed by the<br>Director of Emergency Services on March 14, 2016 and Ratified<br>by Town Council on March 16, 2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Approved       |
| 6.4 | <u>Park and Recreation Commission Meeting Location</u><br>Consider Resolution 60-2016 Changing the Meeting<br>Location of the Town of Moraga Park and Recreation<br>Commission to the Town Council Chambers/Community<br>Meeting Room Located at 335 Rheem Boulevard, Moraga                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Approved       |
| 6.5 | <u>Gann Appropriations Limit</u><br>Consider Resolution 61-2016 Establishing the Annual Gann<br>Appropriation Limit for the Fiscal Year 2016/17 Budget                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Approved       |
| 6.6 | <u>2015 Pavement Reconstruction Project Acceptance</u><br>Accept Pavement Improvements Completed by Bay Cities<br>Paving and Grading, Inc. (Concord) for the 2015 Pavement<br>Reconstruction Project (CIP 08-106) and Authorize the Interim<br>Town Manager to File the Certificate of Completion with the<br>County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Approved       |
| 6.7 | <u>Construction Management Contracts with Park Engineering</u><br><i>Consider Resolutions 64-2016, 65-2016, and 66-<br/>2016 Authorizing the Interim Town Manager to Approve a<br/>Consultant Services Contract for Construction Management and<br/>Inspection Services to Park Engineering, Inc. (Orinda) for the<br/>Following Projects:</i><br><br><ol style="list-style-type: none"><li>1. <i>Moraga Road Underground Utility Conversion Phase 1A<br/>Project (CIP 16-04) in an Amount of \$109,236.05, Plus a<br/>10% Contingency, for a Total Amount Not to Exceed<br/>\$120,159.66;</i></li><br/><li>2. <i>Moraga Road Bicycle and Pedestrian Improvements Project<br/>(Federal Project No. CML-5415(013), Town CIP No. 15-103)<br/>in an Amount of \$9,731.11, Plus 10% Contingency, for a Total</i></li></ol> | <i>Removed</i> |

Amount Not to Exceed \$10,704.22; and

3. *Moraga Various Streets and Road Preservation – Moraga Road, St. Mary’s Road to Draeger Drive Project (Federal Project No. STPL-5415(012), Town CIP No. 15-201) in an Amount of \$49,421.56, Plus a 10% Contingency, for a Total Amount Not to Exceed \$54,363.72*

6.8 Underground Utility District Project

Removed

*Consider Resolution 70-2016 Authorizing the Interim Town Manager to Award a Construction Contract to Tennyson Electric, Inc. (Livermore) in the Amount of \$1,670,142.00 for the Moraga Road Underground Utility Conversion Project Phase 1A (CIP 16-104) and to Execute Contract Change Orders up to 15% of the Contract Amount*

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

1. Construction Management Contracts with Park Engineering

Consider Resolutions 64-2016, 65-2016, and 66-2016 Authorizing the Interim Town Manager to Approve a Consultant Services Contract for Construction Management and Inspection Services to Park Engineering, Inc. (Orinda) for the Following Projects:

- a. Moraga Road Underground Utility Conversion Phase 1A Project (CIP 16-04) in an Amount of \$109,236.05, Plus a 10% Contingency, for a Total Amount Not to Exceed \$120,159.66;
- b. Moraga Road Bicycle and Pedestrian Improvements Project (Federal Project No. CML-5415(013), Town CIP No. 15-103) in an Amount of \$9,731.11, Plus 10% Contingency, for a Total Amount Not to Exceed \$10,704.22; and
- c. Moraga Various Streets and Road Preservation – Moraga Road, St. Mary’s Road to Draeger Drive Project (Federal Project No. STPL-5415(012) Town CIP No. 15-201) in an Amount of \$49,421.56, Plus a 10% Contingency, for a Total Amount Not to Exceed \$54,363.72

**Vice Mayor Trotter** explained that he had removed the item because he believed it was premature to approve a number of contracts with respect to various projects, including the Livable Moraga Road Project, which was also on the agenda. He asked that the item be considered under Item 11. Ordinances, Resolutions and Requests for Action as Item 11. C.

2. Underground Utility District Project

Consider Resolutions 70-2016, Authorizing the Interim Town Manager to Award a Construction Contract to Tennyson Electric, Inc. (Livermore) in the Amount of \$1,670,142.00 for the Moraga Road Underground Utility Conversion Project Phase 1A (CIP 16-104) and to Execute Contract Change Orders up to 15% of the Contract Amount

Graig Crossley, Moraga, had asked that the item be removed from the Consent Agenda given the item involved over \$6 million with no discussion of the source of funding. He acknowledged

he had spoken with Town staff to identify the project funding source, which should have been identified on the meeting agenda for both Consent Agenda Items 6.7 and 6.8.

Administrative Services Director Amy Cunningham verified the request to include the amount and source of funding in the description of items on the Consent Agenda.

**Mayor Metcalf** recommended that the item be moved for consideration as Agenda Item 11. E. after the discussion of the budget.

## 7. ADOPTION OF MEETING AGENDA

### PUBLIC COMMENTS OPENED

**Councilmember Onoda** requested that Agenda Item 11. B. be moved to 11. A. given the number of people present to speak to the item.

**Vice Mayor Trotter** recommended Consent Agenda Item 6.7 be considered as Item 11. B. after the discussion of the Livable Moraga Road Project, with item 11. A. to be renumbered as 11. C.

The Town Council clarified that the meeting agenda would be modified to change Item 11. B. to 11. A.; Consent Agenda Item 6.7 would become Item 11. B.; Item 11. A. would become 11. C.; 11. C. would become 11. D.; Consent Agenda Item 6.8 would become 11. E.; and 11. D. would become 11. F.

### PUBLIC COMMENTS CLOSED

**ACTION: It was M/S (Trotter/Onoda) to adopt the Meeting Agenda, as follows: Item 11. B. would become 11. A.; Consent Agenda Item 6.7 would become Item 11. B.; Item 11. A. would become 11. C.; 11. C. would become 11. D.; Consent Agenda Item 6.8 would become 11. E.; and 11. D. would become 11. F. Vote: 4-0-1. Absent: Arth.**

## 8. REPORTS

### A. Mayor's and Councilmembers' Reports

**Mayor Metcalf** – No report.

**Vice Mayor Trotter** – No report.

**Councilmember Arth** – Absent.

**Councilmember Onoda** – No report.

**Councilmember Wykle** – No report.

### B. Town Manager Update – Planning Director Ellen Clark reported that the Interim Town Manager was on vacation, and although it had been reported that Councilmember Arth would be late, he would not be in attendance at the Town Council meeting. She added that signage had been in place for the detours on Rheem Boulevard; SummerHill Homes received final approval of the remediation repairs and had been given permission to start the road closure this date with detours in effect on Rheem Boulevard between Moraga Road and St. Mary's Road; the Town had submitted an appeal on the denial of the claim to the Federal Highway Administration (FHWA) regarding the Rheem Boulevard

Sinkhole through Caltrans on June 13, with an update from Caltrans expected on June 23, and with the schedule of the work date to be confirmed based on the results of the appeal.

## 9. DISCUSSION ITEMS

There were no discussion items.

## 10. PUBLIC HEARINGS

### A. Hardie Drive Annexation to Lighting Assessment District 1979-1

Consider Resolution 62-2016 Determining Lack of Majority Protest and Ordering Territory Annexed to Assessment District No. 1979-1, Town of Moraga Street Lighting Annexation 2016-1, Hardie Drive

Public Works Director/Town Engineer Edric Kwan presented the staff report and recommended the Town Council adopt a resolution approving the Hardie Drive Annexation to Lighting Assessment District 1979-1, as presented

Randy Leptien, LCC Engineering & Surveying, Inc., reported the Town Council would be proceeding under the Streets and Highways Code, Landscape and Lighting Act of 1972, and in accordance with the State Constitution Article 13 (d), Proposition 218, which required the levying of an assessment against a property where there had been an opportunity to submit a ballot either for or against, and testify in a public hearing. Ballots could not be counted until the public hearing had been opened and closed, with ballots allowed to be submitted up to the close of the public hearing. He recommended the Town Council open the public hearing, allow any interested person(s) or property owner(s) to speak or file a written protest, close the public hearing, and at that time ask the ballots to be counted, signed signatures verified, with a formal report of whether a formal protest did or did not exist. He added that the property owners had submitted a formal petition for the installation of the lights.

For the record, **Mayor Metcalf** also detailed the legal process for the public hearing and ballot counting procedures.

### PUBLIC HEARING OPENED

Harold Freedman, Moraga, supported the Hardie Drive Annexation.

### PUBLIC HEARING CLOSED

Mr. Leptien clarified with the Planning Senior Administrative Assistant that the tabulations were complete; five affirmative votes had been received with zero votes against the annexation.

**ACTION: It was M/S (Trotter/Onoda) to adopt Resolution 62-2016, Determining the Lack of Majority Protest and Ordering Territory Annexed to Assessment District No. 1979-1, Town of Moraga Street Lighting, Annexation 2016-1, Hardie Drive. Vote: 4-0-1. Absent: Arth.**

## 11. ORDINANCES, RESOLUTIONS AND REQUESTS FOR ACTION

### A. Livable Moraga Road Corridor-Wide Concept

Consider Endorsement of Livable Moraga Road Corridor-Wide Concept for Preparation of 35% Design Drawings and Environmental Review, and Consider

Resolution 63-2016 Confirming the Selection of Option 1 as the Preferred Striping Configuration for Segment 3 of the Livable Moraga Road Project

Planning Director Ellen Clark advised that the item to be presented was the entirety of the Livable Moraga Road Corridor-Wide Concept Project, which had been initiated three years ago. Staff sought direction on the corridor concept preferred configuration for all segments under study; recommendation on priority projects for implementation; and consideration of a resolution confirming Segment 3 Striping Configuration (Modification to Project Plans for Moraga Road Resurfacing). She identified the process that had been taken over the past three years including information gathering, concepts and alternatives, draft preferred concept designs, and results from the public survey.

The Town Council had considered the item on January 14, 2015, and had provided direction to staff; the survey results had been reported to the Town Council on April 13, 2016, at which time the Town Council had considered the results; and although contrary to the survey results, the Town Council had voted 3-2 to recommend Option 1, consistent with the 2015 recommendation.

Nora Daley-Peng, Alta Planning + Design, detailed the recommended Corridor Concept; the corridor-wide concept from Campolindo High School to Commons Park to include new pedestrian facilities, and intersection improvements to improve the connectivity, safety, and beauty of the corridor. The Preferred Concept Segment 1 included a multi-use path enhancing pedestrian and bicycle access to Campolindo High School, separate bike lanes resolving circulation conflicts between vehicular drop off and bus stops, streetscape improvements along the school's frontage and Laguna Creek, and a crosswalk configuration at Woodford Drive and Moraga Road.

Preferred Concept Segment 2 included Rheem/Moraga Road, incorporation of pedestrian/bicycle improvements into the intersection reconstruction, multi-use path, bike lanes, and crosswalks, and streetscape enhancements and gateway features.

Segment 3 Existing Conditions included the Donald Drive to Corliss Drive segment which was the most constrained and had the most significant gaps and deficiencies, with Laguna Creek running along the western side of the corner creating an environmental constraint; private improvements were situated along the right-of-way (ROW), with capacity found in both the a. m. and p. m. peak periods to consider a lane configuration.

Ms. Daley-Peng advised that a quick build solution for Segment 3 Preferred Option 1 could be achieved at less cost through signage and striping, with a separated multi-use path. The long-term solution included creating a vegetated buffer along the multi-use path over time, bringing in the landscape elements, preserving bicycle lanes on the street, and separating the travel modes. A center turn lane would be introduced and improve safety with the protected turn pockets turned into driveways with potential access to a new Hacienda de las Flores entry, alternating sides for on-street parking, and allowing the multi-use path bringing the concept from Commons Park to Campolindo High School.

The Segment 3 Corliss Drive Intersection included signaling the Corliss Drive and Moraga Road Intersection, enhancing bus stops (seating and shelter), and improving the transition to Spur Trail.

Preferred Concept Segment 4, Corliss Drive south to St. Mary's Road included a new sidewalk or pedestrian path on the west side, a bicycle lane on the west side, a buffered bicycle lane on the east side converting to on-street parking during the peak events at Commons Park, a Camino Ricardo mid-block crossing to Commons Park with a protected left turn to the Skate Park, and a four-way intersection with a School Street Extension pursuant to the Moraga Center

Specific Plan (MCSP), and pursuant to the Moraga Pedestrian and Bicycle Master Plan Update, which included a bicycle tracking path with striping, to be considered in the intersection.

The entire Livable Moraga Road Corridor-Wide Concept included phased implementation, positioning for grant opportunities, and moving into 35 percent design drawings and the California Environmental Quality Act (CEQA) process to allow for shovel-ready projects to consider grant applications and consider leveraging existing funding and planned and proposed projects.

In the short term for Segment 1, the priority projects were identified as the Woodford Drive reconfiguration of the crosswalk to the north, the Rheem Boulevard Intersection, and incorporate the pedestrian and bicycle improvements into the current intersection reconstruction project. Segment 3 Short Term Option 1 would convert one travel lane to a center turn lane, narrow the lanes, create a northbound bicycle lane, a west side multiuse path, parking on alternating sides, and signalize the Corliss Drive Intersection in the near term.

Responding to the Vice Mayor, Ms. Clark advised that the Godbe Research survey had included about 1,200 respondents from the 5,700 surveys that had been distributed.

Tom Krakow, DKS Associates, spoke to the review of the volumes and lane capacity of the roadways with throttling at specific locations to be addressed through the proposed recommendations. One of the throttle locations was the Woodford Drive entrance/exit into Campolindo High School during the peak periods, which had been confirmed by other traffic studies. The traffic demand at the school had a ripple effect northbound, running south along Moraga Road, which at times fed to the Rheem Boulevard Intersection with constraints occurring at the node points. The ripple effect had not been observed occurring at Corliss Drive, although he acknowledged that issue had been raised.

Ms. Clark referenced the Godbe Research survey results, reported that about 22 percent of the respondents had recommended no change in the existing conditions, 43 percent wanted to retain four lanes with Option 3, and confirmed that 65 percent of the respondents wanted no reduction in travel lanes.

In response to the Vice Mayor, Ms. Daley-Peng clarified that the recommendation to relocate the existing high visibility crosswalk to the north side of the Moraga Road/Woodford Drive intersection had come directly from the Safe Routes to Schools (SR2S) study that Fehr & Peers had prepared for the Town.

Ms. Clark clarified that Alta Planning + Design had not been involved in the Fehr & Peers Traffic Consultant study. The Contra Costa Transportation Authority (CCTA) had funding available as part of the SR2S study and Town staff had asked that the Campolindo High School area be studied as well as all of the options presented.

Mr. Krakow explained he had been a participant of the observations conducted in the subsequent SR2S study and it had been evident quite a few activities caused by pedestrians/bicyclists to the school would benefit by the relocation of the crosswalk, which he characterized as a safety issue. When the crosswalk had initially been installed, the benefit to the neighborhood was that pedestrians crossing interrupted the traffic flow allowing an opportunity for drivers to exit the side streets onto the main road, which he recognized as a concern when he had been briefed by the Police Chief.

The Town Council discussed the fact that the existing high visibility crosswalk at Moraga Road/Woodford Drive was currently on the north side, and while the proposal was to relocate it at the driveway rather than the intersection, there was currently no commitment from the

Acalanes Union High School District (AUHSD) or authority on the part of the Town to remove part of the playing field at Campolindo High School to reorient the driveway, which would require further study and more conversations with the AUHSD.

Ms. Clark affirmed with Mr. Krakow that safety would still be provided irrespective of the location of the high visibility crosswalk at Moraga Road/Woodford Drive; however, based on the opinions of the traffic engineers, its relocation would offer a better and safer position. If the Town decided not to spend the money to relocate the crosswalk, the other improvements could still function and would improve the safety of the corridor in that segment.

Public Works Director/Town Engineer Edric Kwan also restated the long-term improvements proposed for Segment 4, affirmed the creek was close to the road in some areas of that segment, and suggested that Segment 4 was safe for the improvements proposed along the west side where the Town's electronic community sign was located.

The Town Council questioned whether the area immediately south on the west side of Segment 4 had the real estate for the improvements, and staff was to look more carefully at that segment during the discussion.

As to Segment 3 and concerns with removing a southbound lane, Ms. Daley-Peng identified the distance between Donald and Devin Drives at 750 feet, proposed to be reduced to one lane in the southbound direction, and Devin to Corliss Drives was about the same at 750 feet. The area between Draeger and Corliss Drives was described as almost entirely a transition lane, and between Donald and Devin Drives was two lanes in each direction with bus stops at Ascot, Devin, and Corliss Drives. There was no bus stop at Donald Drive, although there was parking for day workers.

In terms of Segment 2, Ms. Clark identified a striped, non-signalized crosswalk to Lucas Drive and explained that the developer for Via Moraga Subdivision would install a crosswalk farther down the block at the shopping center driveway, with part of Segment 2 to add turn lanes and medians where possible.

#### PUBLIC COMMENTS OPENED

Al Dessayer, Moraga, as the Town representative to County Connection, advised that County Connection staff were unaware of any proposed changes to the roadway which could impact access to the bus stops, particularly at Corliss and Devin Drives. Given those concerns, he wanted the Town Council to be aware of the potential impediment to traffic if the roadway was reduced to a single lane.

Lance Larsen, Moraga, a local bicycle advocate, supported the road realignment and emphasized the need to link the existing shopping centers more effectively for pedestrians and bicyclists; the proposed improvements would also improve real estate values with a high walking and riding score; the improvements would be multimodal providing a dedicated right turn lane and through lane at Corliss Drive preventing weaving on a currently dangerous stretch of road; and walking and bicycling to school was healthy for children and got people out of their vehicles.

Dave Campbell, Advocacy Director, Bike East Bay, worked with cities in both Alameda and Contra Costa counties to make them more pedestrian and bicycle friendly. He supported the project; reported the Town of Moraga had 27 members in Bike East Bay; appreciated the continuous and wider bicycle lanes in the plans, the buffer between vehicular and bicycle traffic, consideration of the busy Rheem Boulevard intersection, and recognized that opposition to repurposing a travel lane was normal although emphasized that adjustments could be made

given the improvements were just paint and there were re-funding opportunities through Measure J, which would have a call for projects in the next year.

Stan Oberg, Moraga, stated as a frequent runner and bicyclist on Segment 3, he was familiar with the route where runners, pedestrians, and bicyclists were obligated to be in the traffic lanes where vehicles were parked on either side of the street, which was unsafe. While he had initially supported a different option, in response to the survey he now liked Option 1 since the traffic from Corliss Drive towards Donald Drive would still be two lanes, and would not cause a backup in the morning.

Brad Lew, Moraga, as a bicyclist, appreciated the goals for a multi-use path, sought the maintenance of two southbound lanes by restricting parking, and suggested the Town move the work party parking at the Hacienda to allow a multi-use path and two lanes.

Jackie Lew, Moraga, expressed concern with the intersection of Corliss Drive at Moraga Road, and agreed there could be problems with stopped buses obstructing through lanes of traffic southbound, with the recommendation to eliminate the parking lane on the west side of Moraga Road which would allow two southbound lanes, a center turning lane, and a bicycle and pedestrian path. She expressed concern with the proposed signal at Moraga Road and the potential for stopped traffic in order to allow for cross traffic out of Corliss Drive, and the left turn going into Corliss Drive on Moraga Road going north since drivers were using the protected right turn lane to avoid congestion at the signal, creating more traffic and speed on Corliss Drive.

Scott Bowhay, Moraga, opposed lane reductions and noted that the former Beautification and Tree Planting Commission had discussed a reduction in traffic lanes. He spoke to the time spent on the project; opposed a merge of two lanes southbound farther up the road resulting in impacts at Donald and Ascot Drives; noted the majority of residents opposed lane reductions as confirmed by the recent survey; and asked the Town Council to maintain a fourth traffic lane and still retain the bicycle lanes.

Dave Bruzzone, Moraga, reported he had submitted a letter to the Town Council for the record. He emphasized the vast majority of residents wanted to preserve two lanes in each direction, with negative and positive survey comments about Option 1. He urged the Town Council not to consider the type of traffic improvements that had been made in the City of Lafayette; suggested Option 3 could accommodate bicycle lanes and pedestrian safety with two lanes in each direction; Option 1 would result in a level of service (LOS) D contrary to Town policies; and urged support for Option 3, as opposed to Option 1.

Ravi Singh, Moraga, supported Option 1; cited the number of accidents on the roadway which included three fatalities; spoke to the excessive speed of traffic on the road; noted that over 300 children from Campolindo High School regularly ran along the roadway which was a safety hazard; and stated the prime responsibility of the Town was to ensure the safety of residents. He added that 50 Campolindo High School parents had attended a workshop in September 2014, requesting two rather than four lanes.

Dr. Susan Van de Bittner, Moraga, supported Option 1. She had been one of the 43 percent of the survey respondents who had preferred four lanes, but had changed her opinion having walked the route. She pointed out the road was not really four lanes but three lanes with a turning lane for most of the route; the west side of the road currently allowed street parking, and if that was eliminated overflow parking could occur on Draeger Drive with people walking across three or four lanes of traffic. She urged the preservation of on-street parking.

Randy Rosso, Moraga, agreed with the opposition to Option 1. Based on his perspective and history of the Town, Corliss Drive had been one lane in the late 1970s but had been expanded to two lanes to accommodate the increase in traffic; with more new housing constructed and planned in the future, traffic would only increase. He encouraged a reconsideration of the project; recognized the bicycle community supported Option 1, but suggested a compromise. In terms of Option 3, he urged the preservation of the four lanes and a way to accommodate pedestrian and bicycle traffic at the same time.

Larry Beans, Moraga, as a bicyclist found it difficult to maneuver around vehicles and supported three lanes for that reason; did not support the relocation of the existing high visibility crosswalk at Woodford Drive given the money the Town had spent on its installation when the long-term plan could mean changing it again, and suggested it remain as is.

Bill Simpson, Moraga, also initially supported four lanes, although having read more information he now agreed that Option 1 would be acceptable, with the left turn lane at Corliss Drive an asset; however, he urged more review of the proposal for two lanes into one lane at Ascot Drive since there could be the same traffic gridlock issues as at Rheem Boulevard towards Campolindo High School.

Andy Scheck, Moraga, referenced Segment 3, with Draeger Drive the entrance to a large neighborhood where left hand turns during normal traffic periods would block the lane completely, and urged a count of the number of vehicles turning left, which could prove to be a safety issue. In terms of Segment 1, he suggested the relocation of the high visibility crosswalk could do with the fact that people must leave the Campolindo High School parking lot in order for others to come in, and currently traffic could turn right when someone was in the crosswalk, an issue he understood Campolindo High School was well aware.

Keith Katzman, Moraga, a real estate professional, and explained that due to the Town's distance from the freeway, a decision that could add more traffic time out of Moraga could impact property values.

Michael Carradine, Moraga, suggested the short-term improvements as part of the preferred option for restriping the pavement would not work in that there was inadequate width to do all of the proposed improvements, and it would place the southbound traffic close to the parking lane now being used for pedestrian and bicycle use, and closer to homes creating more of a hazard. In the short term, the road should remain as is. For the long term, he supported two traffic lanes and a center turn lane which could be done with striping at little expense.

Tim Meltzer, Moraga, opposed a reduction of traffic lanes to two lanes southbound as part of Segment 3, and noted that 80 percent of the postings in the Next Door website opposed a reduction of the lanes to one lane on the south side. He had walked the site, had viewed diagrams, and had come away with a different view based on the long-term access and accessibility needed by pedestrians and bicyclists where the current configuration was no longer safe and viable. He questioned where the merge would occur, understood the need for the stoplight at Corliss Drive, asked that the signal timing be set to ensure a steady flow of traffic, and expressed concern that buses could obstruct the flow of traffic if there was only one lane.

#### PUBLIC COMMENTS CLOSED

Responding to the Council, Mr. Krakow explained the options when considering a dropped lane at a signalized intersection; one of the lanes, the southbound Moraga Road lane could be a dedicated right lane and be dropped in advance of the intersection, or from the intersection beyond subject to a mathematical calculation based on the speed of the road and road width to be designed in the next phase of 35 percent design drawings. With respect to bus traffic, his

work with County Connection had determined that the front entrance of the bus must be at the curb to unload any passengers with disabilities; in some cases the buses actually stop in traffic since it was safer to come out although that was not practiced in suburban areas where a diagonal maneuver was typically utilized; and with the two-way left turn adjacent to that, it was likely vehicles would "cheat" and get into the turn lane to bypass the bus. He pointed out that County Connection ran buses infrequently in Moraga and buses not a real concern from a traffic standpoint other than during the peak periods.

Ms. Clark added she had a conversation with County Connection on this issue; based on County Connection's rider statistics, the bus stop at Ascot Drive before the segment was the most heavily used of the three bus stops in the vicinity, with the other bus stops experiencing less traffic and oftentimes the buses did not stop at all.

Mr. Krakow addressed the fact there would be LOS D during the peak periods with two lanes southbound as reported in the traffic reports, and stated that traffic counts had been calculated at Donald Drive, Rheem Boulevard, Corliss Drive, Campolindo Drive, and St. Mary's Road but not the intersection of Draeger Drive. He detailed how gridlock and traffic congestion occurred, with congestion at Campolindo High School due to the active circulation pattern with conflicts between pedestrian, bicycle, and vehicular traffic, and in this case the traffic had been observed during both bell and peak period times.

**Councilmember Wykle** sought a compromise option with the multi-use path and parking aisle to remain as part of Option 1, and asked whether a dedicated turn lane turning back into a southbound lane for Option 1 had been considered.

In response, Mr. Krakow stated that Option 1 would provide a left turn lane which would help those residing on the side streets, and provide the opportunity for motorists who resided on Moraga Road to have a driveway and use that area with uninterrupted flow into their driveways. He acknowledged the tradeoff was LOS D; if there was a single lane of traffic it would tend to slow vehicles down.

**Councilmember Wykle** again sought a compromise for what he defined as Option 1A; rather than the dedicated turn lane, he would add back the southbound lane resulting in two southbound and two northbound lanes.

**Councilmember Onoda** recommended a turn lane for Devin Drive, which could be used as an entrance into the Hacienda de las Flores, which would allow the residents of Draeger Drive to turn left onto Devin Drive and the remainder could be like Option 1A, including the multi-use path from Campolindo to Corliss Drive and a turn lane repeating that for the next block and then continue the two southbound lanes.

Mr. Krakow stated while there could be a left turn pocket at Devin Drive on Moraga Road in both directions, a left hand turn pocket would have to go from where the two lanes were in opposite directions and bring them back together again, requiring taper and prescribed dimension in order to meet the standards.

**Vice Mayor Trotter** understood only one southbound travel lane in Segment 3 on Moraga Road would be better for those who had driveways directly on Moraga Road, although with only a through travel lane closest to the west side, he questioned what that would do to those trying to back out and get into traffic along Moraga Road and into the only southbound travel lane as part of Segment 1, which he questioned in terms of safety.

Mr. Krakow clarified from the curb line there would be a bike lane, parking, the travel lane, and adjacent to the travel lane, a two-way turn lane. In this case, there would be a refuge for the

vehicle backing up, and before entering the lane visibility would be improved. Based on what he had observed, there were not a significant number of vehicles parked on the street along that segment of the roadway, although if a vehicle was parked in that area the line of sight would be obscured. In his professional opinion, the area would be safe given a two-way left turn lane which offered a relief area for vehicles to get around.

**Vice Mayor Trotter** suggested Option 3, which had received substantial support, would narrow the travel lanes and would pick up some additional pedestrian/bicycle space, which was one of the reasons he had supported that option. He commented that the compromise offered by Councilmember Wykle was unclear.

**Councilmember Wykle** restated his recommendation for a compromise, he defined as Option 1A. Rather than the dedicated turn lane, he recommended adding back the southbound lane resulting in two south and two northbound lanes which he suggested would be better than Option 3 since the bicycle lane would be adjacent to the travel lane. He preferred a separation between the parking and the multi-use path to provide the safest route to school.

Ms. Daley-Peng explained that alternating the parking from the east to the west side of the street had been evaluated, with the houses that had front doors facing Moraga Road, strategically placing the parking on the side of the street with the demand. Since meeting in January 2015, the idea of an entrance to the Hacienda from Moraga Road had been presented and the parking placed on the west side to serve those accessing the Hacienda from that side.

**Mayor Metcalf** stated that Option 1 made the most sense and had been his position since the Town Council had last discussed the item. He questioned making a situation even more complicated with more revisions and found the problem with the flow of traffic to be consistent with what the traffic professionals had stated, not so much the lane capacity but an opportunity for an interruption in the flow as evidenced in the City of Lafayette, as an example. He suggested what interrupted the flow the most in this case were the left turns into the Draeger and Devin Drives neighborhoods, with homes abutting the road on the west side, leading to placing a left turn lane in the middle, which would eliminate one of the southbound lanes that many in the community coveted. He did not see that lane was important since it was only approximately 1,400 feet total; around 750 feet between Corliss and Devin Drives, with 600 or so feet a merge lane between Draeger and Corliss Drives, with vehicles at Corliss Drive trying to merge into the traffic from the Commons Park area, although the traffic light would likely stop that issue. He doubted there was a problem in the 750 feet or so between Donald and Devin Drives, but was not entirely certain. He liked the fact that the approach for Option 1 involved just paint and pylons, which was being done now around the Rheem Boulevard sinkhole, and he was confident the community would become used to the configuration.

**Mayor Metcalf** referenced the discussions of the focus groups for the preferred options, which had ultimately led to Option 1. He had found the lengthy survey to be confusing, containing contradictory messages, and contrary to the perception of the public. Now there was a controversy with 80 percent of the respondents opposed to Option 1. At this time, he had heard no reason to change his original opinion in support of Option 1, suggested a compromise would only infuriate people, and suggested waiting to see how it worked and if additional lanes southbound were needed they could then be considered.

**Councilmember Onoda** found that 80 percent of the respondents to the survey were of the opinion Option 1 was somewhat safe; and 74 percent found Option 1 to be safe for drivers. She supported voting for the future, which was an 8-foot wide multi-use path all the way from Campolindo to Commons Park, with families and children who lived on one side of Town able to ride their bikes and reach Commons Park safely.

**Vice Mayor Trotter** supported Councilmember Wykle's recommended compromise for Option 1A; agreed there should be an 8-foot wide multi-use path from Campolindo all the way down to Commons Park, which would be achieved with Councilmember Wykle's proposal; and while he remained a supporter of Option 3 which had wide support from a vast majority of those in Town, given that only four Councilmembers were present, he suggested no action could be taken on the matter at this time. He recommended that the item be continued until July when a full quorum was present. In the meantime, he asked that Councilmember Wykle's proposal be studied further by staff.

**Councilmember Onoda** disagreed the Town Council could not take action at this time; she remained a supporter of the multi-use path but would be willing to support Councilmember Wykle's recommendation in order to get the project done.

**Mayor Metcalf** opposed giving away left turn opportunities to have 750 feet of additional capacity southbound, although **Councilmember Wykle** noted if the road went down to one lane at Donald Drive it was actually 1,500 feet.

**Vice Mayor Trotter** sought a discussion of Segment 1 and whether the high visibility crosswalk should be relocated as proposed by the traffic consultants. If the recommendation to relocate the high visibility crosswalk was removed from Segment 1, the rest of the option would be acceptable and it would save money.

**Mayor Metcalf** opposed any changes to the high visibility crosswalk at this time, particularly if something was done with the AUHSD in the future.

Speaking to Segment 4, Mr. Kwan acknowledged the area was fairly constrained although there might be opportunities to pinch some of the areas which would have to be evaluated further in terms of the 35 percent design drawing submittal. The 35 percent design drawings would provide the plan view of the alignment of the road and take more information from the surrounding areas to determine the pinch points, provide proper design, and provide additional details on the concept, as presented.

**Vice Mayor Trotter** suggested the resolution presented was not in a form that could be adopted.

Assistant Town Attorney Karen Murphy advised that staff could return with a modified resolution on consent at the next meeting.

**ACTION: It was M/S (Trotter/Wykle) to endorse the Livable Moraga Road Concept, as presented with the following changes:**

**Proceed with modified Option 1 proposed by Councilmember Wykle to remove the central turning lane and restore it to a full southbound travel lane in Segment 3;**

**No movement of the high visibility crosswalk at the intersection at Woodford Drive and Moraga Road adjacent to Campolindo High School for the time being; and**

**Staff continue to investigate whether there was actual real estate available adjacent to Laguna Creek for the proposed west side pedestrian/bicycle path to be viable and return to the Town Council with a further report on that segment at a future Town Council meeting.**

**Vote: 3-1-1. Noes: Metcalf. Absent: Arth.**

After the motion and vote, Ms. Murphy understood in speaking with Mr. Kwan there could be some timing constraints with respect to Caltrans in terms of the adoption of the resolution.

**Vice Mayor Trotter** recommended that the Town Council proceed with the meeting and allow staff to modify the resolution and return before the end of the meeting.

Mr. Kwan clarified the process with Caltrans and the timing involved with that process and explained that if continued, it would be difficult for him to deliver the projects on time.

By consensus, the Town Council proceeded with the next agenda item, to then return to Item 11. A. for additional discussion of a revised resolution.

**B. Construction Management Contracts with Park Engineering**

Consider Resolutions 64-2016, 65-2016, and 66-2016 Authorizing the Interim Town Manager to Approve a Consultant Services Contract for Construction Management and Inspection Services to Park Engineering, Inc. (Orinda) for the Following Projects:

- a. Moraga Road Underground Utility Conversion Phase 1A Project (CIP 16-04) in an Amount of \$109,236.05, Plus a 10% Contingency, for a Total Amount Not to Exceed \$120,159.66;
- b. Moraga Road Bicycle and Pedestrian Improvements Project (Federal Project No. CML-5415(013), Town CIP No. 15-103) in an Amount of \$9,731.11, Plus 10% Contingency, for a Total Amount Not to Exceed \$10,704.22; and
- c. Moraga Various Streets and Road Preservation – Moraga Road, St. Mary's Road to Draeger Drive Project (Federal Project No. STPL-5415(012) Town CIP No. 15-201) in an Amount of \$49,421.56, Plus a 10% Contingency, for a Total Amount Not to Exceed \$54,363.72

Public Works Director/Town Engineer Edric Kwan presented the staff report and recommended the Town Council adopt a resolution approving the Construction Management Contracts with Park Engineering, as presented.

**Vice Mayor Trotter** explained he had removed the item from the Consent Agenda since he was of the opinion the item was linked to Item 11. A., the Livable Moraga Road Project. He referenced Item 2, the Moraga Road Bicycle and Pedestrian Improvements, and found some of the changes could implicate the Livable Moraga Road Project.

Mr. Kwan clarified the project would not affect the Livable Moraga Road Project and was intended to close the sidewalk gap. Item 3, Moraga Various Streets and Road Preservation would move forward as an overlay project regardless of whatever option was chosen for the striping, with construction management needed to manage those projects properly. He reiterated the time constraints with Caltrans related to Item 11. A., with some changes required to the road striping improvement page of the contract in order to get it ready to bid, which had no impact on the cost of the construction management services required.

**PUBLIC COMMENTS OPENED**

There were no comments from the public.

**PUBLIC COMMENTS CLOSED**

**ACTION:** It was M/S (Trotter/Onoda) to adopt Resolutions 64-2016, 65-2016, and 66-2016 Authorizing the Interim Town Manager to Approve a Consultant Services Contract for Construction Management and Inspection Services to Park Engineering, Inc. (Orinda) for the Following Projects:

a. Moraga Road Underground Utility Conversion Phase 1A Project (CIP 16-104) in an Amount of \$109,236.05, Plus 10% Contingency, for a Total Amount Not to Exceed \$120,159.66

b. Moraga Road Bicycle and Pedestrian Improvements Project (Federal Project No. CML-5415(013), Town CIP No. 15-103) in an Amount of \$9,731.11, Plus 10% Contingency, for a Total Amount Not to Exceed \$10,704.22; and

c. Moraga Various Streets and Road Preservation – Moraga Road, St. Mary’s Road to Draeger Drive Project (Federal Project No. STPL-5415(012) Town CIP No. 15-102) in an Amount of \$49,421.56, Plus a 10% Contingency, for a Total Amount Not to Exceed \$54,363.72

**Vote: 4-0-1. Absent: Arth.**

The Town Council returned to agenda Item 11. A. at this time.

Ms. Murphy referenced Attachment A, the Draft Resolution, and recommended the following revisions:

- Revise the title of the Resolution to read:

*Confirming the Selection of Modified Option 1 as the Preferred Striping Configuration for Segment 3 of the Livable Moraga Road Project;*

- Revise the first WHEREAS clause to read:

*WHEREAS, on June 22, 2016, Town Council considered various options for restriping the segment of Moraga Road between Donald Drive and Corliss Drive, proposed as part of the Livable Moraga Road project; and*

- Revise the second WHEREAS clause to read:

*WHEREAS, the Town Council considered public safety, existing and future traffic conditions, and the outcomes of the extensive public input gathered for the Livable Moraga Road project through public meetings, a community survey, focus groups, and the recommendations of professional consultants, the project Advisory Committee, the Design Review Board and Planning Commission, in selecting a preferred restriping option.*

- Revise the third WHEREAS clause to read:

*WHEREAS, Modified Option 1, as shown in Exhibit 1, includes two southbound lanes, two northbound lanes, as well as a bike lane, parking, and a separated eight-foot wide path for pedestrians and cyclists, with such improvements accommodated within the existing pavement width; and*

- Revise the sixth WHEREAS clause to read:

WHEREAS, the Town Council desires a modified version of the preferred Option 1 configuration which replaces the turn lane with a second southbound lane to be incorporated into the Moraga Road (St. Mary's Road to Draeger Drive) resurfacing project; and

- Delete the last WHEREAS clause entirely;
- Revise the operative provision to read:

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Moraga that Modified Option 1 as shown in Exhibit 1 is determined to be the preferred striping configuration for the segment of Moraga Road between Donald Drive and Corliss Drive; and

- Revise Exhibit 1, Segment 3 Preferred Striping Configuration, with the turn lane to be replaced with a southbound travel lane, and with the same arrow as shown in the other southbound travel lane.

**ACTION: It was M/S (Trotter/Wykle) to Adopt Attachment A Resolution 63-2016 Confirming the Selection of Modified Option 1 as the Preferred Striping Configuration for Segment 3 of the Livable Moraga Road Project; as modified, and as identified by the Assistant Town Attorney. Vote: 3-1-1. Noes: Metcalf. Absent: Arth.**

**C. Temporary Signage During Sinkhole-Related Road Closures**

Consider Adopting Resolution 67-2016 Approving, for a Period of Four Months, Ending October 31, 2016: 1) Installation of Temporary Signage within Town-Owned Property to Indicate Businesses are Open During Sinkhole-Related Road Closures; and 2) Waiver of Permit Fees for Temporary Wall Signs and Banner Signs and for Portable Signs on Private Property, within Commercial Zoning Districts

Planning Director Ellen Clark presented the staff report and asked that the Town Council adopt a resolution approving the temporary signage during sinkhole-related road closures, as presented. She acknowledged there were concerns and confusion in the community as to what part of Rheem Boulevard would be closed and when; the Public Works Director/Town Engineer was coordinating with SummerHill Homes on the reconstruction signage, and staff could look into that signage and make sure it was clear to identify what was being closed and when, with banners also providing that opportunity.

In response to a recommendation from the Vice Mayor to use the Town's electronic sign board on a regular basis to report that Moraga remained open for business, Ms. Clark suggested that would not require special action of the Town Council and could be done as part of the scope of work.

PUBLIC HEARING OPENED

Kathe Nelson, Moraga Chamber of Commerce, commented on the lack of signage when the Rheem Boulevard sinkhole had first occurred, urged the Town Council to approve the item, and suggested the Chamber of Commerce could assist in disseminating information to ensure everyone understood the temporary nature of the signage.

PUBLIC HEARING CLOSED

Speaking to the resolution, **Vice Mayor Trotter** recommended a new paragraph 3 be inserted after the operative provision on Page 2, to read:

*The Town Council also authorizes the use of the Town's electronic sign board to communicate on a regular basis the clear message that Moraga remains "Open for Business" in a manner consistent with the temporary signage authorized by this resolution.*

And with existing paragraph 3 to be renumbered to 4.

**ACTION: It was M/S (Trotter/Onoda) to adopt Resolution 67-2016 Approving, for a Period of Four Months, Ending October 31, 2016: 1) Installation of Temporary Signage within Town-Owned Property to Indicate Businesses are Open During Sinkhole-Related Road Closures; and 2) Waiver of Permit Fees for Temporary Wall Signs and Banner Signs and for Portable Signs on Private Property, within Commercial Zoning Districts, as modified. Vote: 4-0-1. Absent: Arth.**

**Mayor Metcalf** declared a recess at 10:00 p.m. The Town Council reconvened at 10:07 p.m. with Councilmembers Onoda, Wykle, and Mayor Metcalf present, and with the Vice Mayor arriving shortly after the meeting reconvened.

**D. FY 2016/17 Operating and Capital Improvement Program Budgets**

Consider Resolution 68-2016 Adopting the Fiscal Year 2016/17 Operating and Capital Improvement Budgets, Including the Five-Year Financial Plan, and Five-Year Capital Improvement Program and Consider Resolution 69-2016 Amending the Salary Schedule for Fiscal Year 2016/17

Administrative Services Director Amy Cunningham presented the staff report and reported the operating budget was structurally balanced at \$8.1 million; ongoing annual expenditures did not exceed annual revenue; the budget as presented continued essential services at current levels; the updated operating budget had a surplus of \$24,741; the Capital Improvement Program (CIP) budget had \$6.7 million for the upcoming year with the different funding sources identified; and the operating budget and CIP included changes and modifications the Town Council had requested be incorporated at its June 8, 2016 meeting. She recommended Town Council approval of the resolution as contained in Attachment B, approving the FY 2016/17 Operating and Capital Improvement Program Budgets, and the Five-Year Financial Plan.

**PUBLIC COMMENTS OPENED**

Mary Bruns, Manager of the Lamorinda Spirit Van Program, which served the Tri-City Lamorinda area, reported she had provided statistical information to the Town Council on the population the program served; the senior population continued to increase; and while she recognized the Town's financial constraints because of the Rheem Boulevard Sinkhole she emphasized the importance of the program. The Town Council had been provided with letters of support for the continued funding for the program, and after the Council's action not to fund on June 8, she reported that a Lamorinda family had offered to match donations up to \$4,500. She urged the Town Council to reconsider funding.

**Vice Mayor Trotter** stated he would continue to support the Lamorinda Spirit Van Program privately, although he could not commit public funds at this time. He emphasized the Town Council would reconsider the request at the Mid-Year Budget review.

David Cummins, Moraga, a driver for the Lamorinda Spirit Van Program, questioned the Town expending funds for pedestrian and bicycle improvements for people who might not be Moraga residents rather than expend \$9,000 for a program that served residents in need.

Keith Katzman, Moraga, the Town representative to the Advisory Council on Aging, echoed the comments from Ms. Bruns, offered statistical information on the increasing senior population, was pleased the Town Council was open to reconsidering the request in the future, and urged the Town Council to continue to support the project and actually increase funding.

Warren Garrison, Orinda, a driver for the Lamorinda Spirit Van Program, described the services drivers provided to the elderly, emphasized the need, and acknowledged, when asked, that he had been unable to offer the same comments to the Orinda City Council about the value of these services and the importance of providing financial support.

**Mayor Metcalf** stated, as previously discussed, that the City of Orinda did not financially support the Lamorinda Spirit Van Program although the Orinda Community Foundation did. He suggested the Moraga Community Foundation could also be approached as a potential funding source, emphasized that the Town Council had deferred its consideration of funding given the repair of the Rheem Boulevard sinkhole, and clarified that none of the costs for the Livable Moraga Road Project were coming from the General Fund. On June 8, the Town Council had agreed to revisit the funding request for the Lamorinda Spirit Van Program during the Mid-Year budget review.

When asked by the Mayor if \$9,000 was currently available in the budget to fund the Lamorinda Spirit Van Program, Ms. Cunningham advised that staff had reviewed the budget thoroughly and the surplus was minimal. She acknowledged there would be some salary savings with the Town Manager and Police Chief positions, and once direction was provided by the Town Council, staff would have a better idea of the potential savings. More information would be available during the Mid-Year budget review.

Mr. Kwan stated, when asked, he anticipated Caltrans would provide an update on the Rheem Boulevard Sinkhole Appeal on June 23.

**Councilmember Wykle** suggested if the Town received relief for the repairs of the Rheem Boulevard sinkhole, he could support funding for the Lamorinda Spirit Van Program; however, if the Town did not succeed with the appeal the funding request would become an unfunded request. He affirmed with Ms. Bruns that the program would be able to survive until December if it did not receive funding from the Town of Moraga.

**Mayor Metcalf** clarified that even if the Town received relief from the federal government for the costs of the Rheem Boulevard Sinkhole, the Town would not realize any funds for years, and the Town would still have to finance the repairs.

Ms. Bruns reported that the Orinda Community Foundation supported the program with \$3,500 a year, which was not enough for what was provided. She planned to make a proposal to the Lafayette City Council to reflect the lack of funding received from the City of Orinda. She appreciated the Town's situation and looked forward to working with the Vice Mayor on private funding efforts.

PUBLIC COMMENTS CLOSED

**ACTION: It was M/S (Trotter/Metcalf) to adopt Resolution 68-2016 Adopting the FY 2016/17 Operating and Capital Improvement Budgets, including updated Five-Year Financial Projections, Financial Policies, and the Five-Year Capital Improvement Program. Vote: 4-0-1. Absent: Arth**

**ACTION: It was M/S (Wykle/Onoda) to adopt Resolution 69-2016 Amending the Town of Moraga Salary Schedule for Fiscal Year 2016/17 Providing for a Three and One-Quarter Percent (3.25%) Increase for the Moraga Police Officers Association (MPOA); Three Percent (3%) Increase for All Other Classifications; Providing for an Additional One Percent (1%) Employee Payment to CalPERS for the Employer Share of Pension in Exchange for an Additional One Percent (1%) Increase in Salary for all Town of Moraga Employees; Amending the Fair Labor Standards Act status of the Administrative Services Technician; and Adding the Position Classification of Police Services Technician Effective July 1, 2016. Vote: 4-0-1. Absent: Arth**

**E. Undergrounding Utility District Project**

Consider Resolution 70-2016, Authorizing the Interim Town Manager to Award a Construction Contract to Tennyson Electric, Inc. (Livermore) in the Amount of \$1,670,142.00 for the Moraga Road Underground Utility Conversion Project Phase 1A (CIP 16-104) and to Execute Contract Change Orders up to 15% of the Contract Amount

Public Works Director/Town Engineer Edric Kwan presented the staff report and recommended the Town Council adopt a resolution approving the Undergrounding Utility District Project, as presented. He affirmed he had spoken with Moraga resident Graig Crossley who had asked the item be removed from the Consent Agenda. He had directed Mr. Crossley to the fiscal impact section of the staff report, which had identified the four funding sources and the amount for the contract.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

**ACTION: It was M/S (Metcalf/Onoda) to adopt Resolution 70-2016 Authorizing the Interim Town Manager to Award a Construction Contract to Tennyson Electric, Inc. (Livermore) in the Amount of \$1,670,142.00 for the Moraga Road Underground Utility Conversion Project Phase 1A (CIP 16-104) and to Execute Contract Change Orders up to 15% of the Contract Amount. Vote: 4-0-1. Absent: Arth.**

**F. Amend CalPERS Contract for Cost Sharing Ordinance**

Consider Waiving Second Reading and Adopting Ordinance 263 Authorizing an Amendment to the Contract Between the Town Council of the Town of Moraga and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to Provide Section 20516 (2% employee cost sharing) Applicable to Section 21362 (2%@50) for Local Safety Members and Section 20516 (2% Employee Cost Sharing) Applicable to Section 21354 (2%@55) for Local Miscellaneous Members

Administrative Services Director Amy Cunningham presented the staff report and recommended the Town Council waive the second reading and adopt Ordinance 263, amending the CalPERS Contract for Cost Sharing Ordinance, as presented.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

**ACTION: It was M/S (Trotter/Metcalf) to waive the Second Reading and Adopt Ordinance 263 Authorizing an Amendment to the Contract Between the Town Council of the Town of Moraga and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to Provide Section 20516 (2% employee cost sharing) Applicable to Section 21362 (2%@50) for Local Safety Members and Section 20516 (2% Employee Cost Sharing) Applicable to Section 21354 (2%@55) for Local Miscellaneous Members. Roll Call Vote: 4-0-1. Absent: Arth.**

Ms. Cunningham confirmed the Town Councilmembers would receive a bound copy of the Town budget once finalized.

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

There were no Council requests for future agenda items.

**13. COMMUNICATIONS**

There were no communications.

**14. ADJOURNMENT**

**ACTION: It was M/S (Trotter/Wykle) to adjourn the meeting at 10:42 P.M. Vote: 5-0.**

Respectfully submitted by:

  
\_\_\_\_\_  
Marty C. McInturf, Town Clerk

Approved by the Town Council:

  
\_\_\_\_\_  
Michael Metcalf, Mayor