

AGENDA
TOWN COUNCIL REGULAR MEETING
Wednesday, January 27, 2010

7:00 p.m. Closed Session
7:30 p.m. Regular Meeting

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

I. CALL TO ORDER

ROLL CALL: Mayor Chew, Vice Mayor Mendonca, and
Council Members: Harpham, Metcalf, and Trotter

II. CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8
Property: 331 Rheem Boulevard, Moraga
Agency Negotiator: Mike Segrest, Town Manager
Negotiating Parties: 114 Royce, LLC
Under Negotiation: Price and Terms of Payment

III. RETURN TO OPEN SESSION

A. Mayor's Report on Town Council Closed Session

IV. PLEDGE OF ALLEGIANCE

V. ANNOUNCEMENTS AND PRESENTATIONS

- A.** Swearing In of New Police Officer Michael Foley
- B.** Proclamation Declaring the Month of January a National Blood Donor Month
- C.** Administer Oath of Office for New Moraga Youth Involvement Committee (MYIC) Members for the 2009-2010 Term
- D.** Proclamation Thanking Moraga Rotary for Demolition and Installation of the Upper Commons Play Structure

VI. ADOPTION OF CONSENT AGENDA

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

VII. ADOPTION OF MEETING AGENDA

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

IX. SPECIAL ORDERS – PUBLIC HEARINGS

A. Request for Continuance of the Appeal of the August 17, 2009, Decision of the Planning Commission Approving the Rancho Laguna II Residential Development Proposal with 27 lots, per Resolutions Certifying the Final Environmental Impact Report (Final EIR) and Approving a Conceptual Development Plan (CDP) and Conditional Use Permit (CUP) *(continued from October 28 and November 4, 2009)*

B. Public Hearing to Consider the Moraga Center Specific Plan (MCSP) and Housing Element Update and including the following actions:

1. Adopt Resolution ____-2010 Certifying the EIR for the MCSP;
2. Adopt Resolution ____-2010 Approving the Draft Mitigated Negative Declaration (MND) for the Housing Element Update with Conforming Changes in the General Plan and adopting the Housing Element Update with Conforming Changes in the General Plan;
3. Adopt Resolution ____-2010 Making Findings of Fact Pursuant to CEQA and Adopting the Moraga Center Specific Plan;
4. Introduction and First Reading of a Draft Ordinance to Re-zone 24 acres within the Moraga Center Specific Plan area to a new 20 Dwelling Units per Acre Zone.
5. Introduction and First Reading of a Draft Ordinance to Establish the Zoning Requirements for the new 20 Dwelling Units per Acre Zone *(continued from December 2, 2009 and January 13, 2010)*

X. UNFINISHED BUSINESS

A. Adopt Resolution ____-2010 Authorizing the Town Manager to Proceed with the Purchase of 331 Rheem Blvd. and to Secure the Necessary Financing for this Purchase and the Remodel of 329 Rheem Blvd

XI. NEW BUSINESS

XII. ORDINANCES

XIII. REPORTS

- A.** Council Requests for Future Agenda Items
- B.** Mayor's and Council Members' Reports

Mayor Chew
Vice Mayor Mendonca
Councilmember Harpham
Councilmember Metcalf
Councilmember Trotter

C. Town Manager Update

XIV. COMMUNICATIONS

XV. ADJOURNMENT

Notices of Town Council Meetings are posted at 2100 Donald Drive, The Moraga Commons, 329 Rheem Blvd and the Moraga Library. Copies of the Agenda packets can be viewed prior to the meeting at the Town Offices, 329 Rheem Blvd, Second Floor and the Moraga Public Library.

NOTICE: If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the public hearing. Judging review of any Town administrative decision may be had only if petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environment determination may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The Town of Moraga will provide special assistance for disabled citizens upon at least 24 hours advance notice to the Town Manager's office (888-7050). If you need sign assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection the fifth day before each regularly scheduled Town Council meeting located at the Town Clerk Department, 329 Rheem Blvd, Second Floor, Moraga, CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Town Council regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at 329 Rheem Blvd, Second Floor, Moraga, CA, during regular business hours.

CONSENT AGENDA
Wednesday, January 27, 2010
7:30 p.m.

<u>ITEMS</u>	<u>TOWN MANAGER'S RECOMMENDATION</u>
1) Accounts Payable Claims for 1/15/2010 (\$123,504.02); 1/15/2010 (\$83,662.44)	Approve
2) Approve Minutes from the Town Council Meeting January 13, 2010	Approve
3) Adopt Resolution ____-2010 Amending the Town's Design Guidelines to Incorporate the Moraga Transportation Corridor Streetscape Plan (aka the Gates Report) in Accordance with the Recommendation of the Design Review Board and Planning Commission	Approve
4) Adopt Resolution No. __-2010 Awarding a New Professional Services Contract not to exceed \$30,000 to Kleinfelder, Inc. for Laguna Creek Embankment Repairs CIP 08-202, for continuation of work previously awarded in June 2007	Approve
5) Adopt Resolution ____-2010 Awarding a New Professional Services Contract not to exceed \$75,000 to Cal Engineering and Geology, Inc. for Laguna Creek Retaining Wall Repair, CIP Project No. 08-203, for continuation of work previously awarded in December 2007	Approve
6) Adopt Resolution ____-2010 Awarding a New Professional Services Contract not to Exceed \$9,000 to LSA Associates, Inc. for Laguna Creek Embankment Repair, CIP 08-202, for continuation of work previously awarded in June 2007	Approve
7) Adopt Resolution ____-2010 Awarding a New Professional Services Contract not to Exceed \$9,000 to LSA Associates, Inc. for Laguna Creek Retaining Wall Repair, CIP 08-203, for continuation of work previously awarded in November 2007	Approve

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