

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Authorizing the Town Manager to )  
Execute a Contract with Kleinfelder, Inc. )  
for Laguna Creek Embankment Repair, )  
CIP Project 08-202 )  
\_\_\_\_\_ )

Resolution No. XX-2010

**WHEREAS**, the Town sustained damage to the Town Grounds, including damage to paths, fences, and banks at Laguna Creek downstream of the Hacienda were washed away and the slope failed during the Federally Declared Winter Storms Disaster of 2005-2006; and

**WHEREAS**, on June 27, 2007, the Town Council awarded a professional services contract to Kleinfelder, Inc. for design and geotechnical engineering services for the Creek Embankment Repairs on Laguna Creek below the Pavilion; and

**WHEREAS**, Laguna Creek has been determined to be habitat for the threatened California Red-Legged Frog, and environmental permitting review by regulatory agencies as been longer than originally foreseen; and

**WHEREAS**, the original contract has expired due to permitting time delays beyond the control of the Town or Kleinfelder, Inc.; and

**WHEREAS**, the project expenses related to the repair of the damaged creek facilities are reimbursable through CalEMA and FEMA; and

**WHEREAS**, this repair is necessary to restore Town facilities at the Hacienda.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Moraga authorizes the Town Manager to execute a contract with Kleinfelder, Inc. for design and geotechnical services related to the Laguna Creek Embankment Repair in the amount of \$30,000.

**PASSED AND ADOPTED** by the Town Council of the Town of Moraga at a regular meeting held on January 27, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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Ken Chew, Mayor

Attest:

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Marty C. McInturf, Town Clerk