

## MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaFebruary 20, 2008

A Regular Meeting of the City Council of the City of Moorpark was held on February 20, 2008, in the Council Chambers of said City located at 799 Moorpark Avenue, Moorpark, California.

## 1. CALL TO ORDER:

Mayor Hunter called the meeting to order at 7:10 p.m.

## 2. PLEDGE OF ALLEGIANCE:

Peter Foy, Ventura County Board Supervisor, led the Pledge of Allegiance.

## 3. ROLL CALL:

Present: Councilmembers Mikos, Millhouse, Parvin, Van Dam, and Mayor Hunter.

Staff Present: Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; Mary Lindley, Parks/Recreation and Community Services Director; Johnny Ea, Finance Director; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; Captain Jeff Matson, Sheriff's Department; David Moe, Redevelopment Manager; Deborah Traffenstedt, Michael Atkin, Recreation/Community Services Manager; Administrative Services Director/City Clerk; Maureen Benson, Assistant City Clerk; and Tracy Moe, Deputy City Clerk.

## 4. PROCLAMATIONS AND COMMENDATIONS:

## A. City Manager's Monthly Report.

Mr. Kueny deferred the monthly report.

## 5. PUBLIC COMMENT:

David Tuttle, Meridian Hills tract resident, expressed concerns over the sudden sale of Meridian Hills by William Lyon Homes to Resmark Equity Partners, LLC and the need for completion of streets, recreational areas, landscaping upkeep, security issues, how Homeowners Association members will be appointed, and a time table for addressing these.

Mayor Hunter stated this subject is covered under Consent Item 10.M. on the agenda and it is his belief this item will be pulled for individual consideration at a later point in the meeting.

Lisa Pope, Meridian Hills tract resident, expressed concerns about the recent sale of her development by William Lyon Homes to Resmark Equity Partners, LLC and requested the Council keep the residents in mind when enforcing the standards of the Development Agreement.

In response to Mayor Hunter, Farzin Joshghani, Meridian Hills resident stated he would defer his comments until Item 10.M. is to be heard.

AT THIS POINT in the meeting, the City Council waived rules and moved Item 6. to be heard prior to recessing to the Moorpark Redevelopment Agency meeting.

6. REORDERING OF, AND ADDITIONS TO, THE AGENDA:

CONSENSUS: It was the consensus of the Council to pull Item 10.M. from the Consent Calendar for individual consideration to be heard prior to Item 9.A. on the agenda upon the request of Mayor Hunter and Councilmember Millhouse.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:17 p.m. The City Council meeting reconvened at 10:05 p.m.

7. ANNOUNCEMENTS, FUTURE AGENDA ITEMS, AND REPORTS ON MEETINGS/CONFERENCES ATTENDED BY COUNCILMEMBERS AND MAYOR:

Councilmember Millhouse commended Security Paving on the opening of the northbound 23 freeway, which has alleviated afternoon congestion, and stated they are working diligently to get the southbound lanes open. He also commended staff from the Ventura County Transportation Commission for expediting the project.

Councilmember Mikos announced she has met with the Watershed Protection District staff and will be meeting again with County staff to ensure the dirt stock pile caused by flooding will be removed from behind the block walls on Cambridge Street.

Mayor Hunter, on behalf of the Council, congratulated Administrative Services Director/City Clerk, Deborah Traffenstedt, who was recognized by the Public Human Resource Certification Council for her continued commitment to public human resource management and upon the occasion of the renewal of her designation as a Certified Professional of the International Public Management Association for Human Resources.

8. PUBLIC HEARINGS:

None.

AT THIS POINT in the meeting, Consent Calendar Item 10.M. was heard:

10. M. Status Report on Transfer of Ownership of Meridian Hills Development Project; Tracts 5187-1&2 and 5405 from William Lyon Homes to Resmark Equity Partners, LLC. Staff Recommendation: Receive and file.

Councilmember Millhouse stated this item was pulled as Council has received comments and concerns from residents of Meridian Hills, which the City also shares, in regard to the transfer of ownership. He requested a brief update from staff and asked Council to consider creating an ad hoc committee to deal with this subject.

Mr. Bobardt gave the staff report. He stated a letter had been received today from William Lyon Homes indicating the Assignment and Assumption Agreement will provide for the completion of all of the items listed in the agenda report; with some specific requirement of the Homeowners Association in regard to maintenance costs for the private recreation facility.

A discussion followed among the Councilmembers and staff regarding making the William Lyon documentation for the HOA set-up and operating budget, both current and projected, available to Council prior to the first Meridian Homeowners Association meeting scheduled for early March.

CONSENSUS: It was the consensus of the Council to waive rules and hear from the Public Comment speakers on this agenda item.

Lisa Pope, Meridian Hills resident, stated Resmark has stated they will bring to the first HOA meeting, the proposed costs for maintenance of the second recreation area and an additional cost for placing sod in that area. She stated the homeowners understand the cost for maintenance will be spread over a much smaller group of homeowners than originally intended. Ms. Pope outlined remaining issues of concern to be completion of the curbs, gutters, and walkways; and the need to address dust and soil erosion.

Farzin Joshghani, Meridian Hills resident, stated there are many residents from the development who were unable to attend this meeting who share his concerns about William Lyons' abandonment of this project. He identified some concerns with gates that don't operate, fences placed across roadways, and soil erosion.

discussion among the Councilmembers and staff followed regarding the lack of notification by William Lyons of the sale, as required by the Development Agreement; prior experience with other developments in this situation; encouraging residents to communicate with the Council even though there are limits as to what the City can do; holding parties to all the obligations of the Development Agreement; and an explanation that the final capping of the streets will include the curbs, gutters, and sidewalks.

CONSENSUS: It was the consensus of the Council to form the Meridian Hills Ad Hoc Committee with Councilmembers Millhouse and Parvin volunteering to serve.

AT THIS POINT in the meeting, the remainder of the Consent Calendar was considered.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Parvin moved and Councilmember Van Dam seconded a motion to approve the Consent Calendar with the exception of Item 10.M, which was previously pulled for individual consideration. The motion carried by unanimous roll call vote.

- A. Consider Approval of the Special Meeting Minutes of February 6, 2008. Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2007-2008 – February 20, 2008. Staff Recommendation: Approve the warrant register.
- C. Consider Authorizing Recruitment for Delegate and Alternate to Serve on the System Advisory Board of the Metropolitan Cooperative Library System. Staff Recommendation: 1) Authorize staff to commence recruitment for a delegate and an alternate to serve on the System Advisory Board of the Metropolitan Cooperative Library System for a term expiring June 30, 2009; and 2) Approve requirement for the delegate and alternate to reside within the City limits.
- D. Consider Resolution Authorizing the Destruction of Parks, Recreation and Community Services Department Records. Staff Recommendation: Adopt Resolution No. 2008-2686.
- E. Consider Resolution Authorizing the Destruction of City Council and Redevelopment Agency Records on File with the City Clerk, City Manager's Office Records, and Administrative Services Department Records. Staff Recommendation: Adopt Resolution No. 2008-2687.
- F. Consider Resolution Amending the Fiscal Year 2007/08 Budget by Appropriating General Funds (Union Pacific Foundation Funds) to Fund

25th Anniversary "My Hometown" Photography Exhibit at the Moorpark Arts Festival. Staff Recommendation: Adopt Resolution No. 2008-2688.  
ROLL CALL VOTE REQUIRED

- G. Consider Request for Proposals to Provide Bus Excursion Services and Authorization to Advertise for Proposals. Staff Recommendation: Approve the Request for Proposal and authorize staff to advertise for receipt of the bids.
- H. Consider Award of Contract for Professional Services Agreement to Bartel Associates, LLC to Perform Actuarial Consulting Services Related to Governmental Accounting Standards Board (GASB) Statement No. 45. Staff Recommendation: Authorize the City Manager to execute the agreement with Bartel Associates, LLC, subject to final language approval by the City Manager and City Attorney.
- I. Consider Reduction of Surety Bonds for The Village at Moorpark, LLC (Lot 2 of Tract 4973, CPD 2004-01). Staff Recommendation: Authorize the City Clerk to reduce bonds #720529S and #720532C for The Village at Moorpark.
- J. Consider Notice of Completion for the Pedestrian Smart Crosswalk Project on Moorpark Avenue at Second Street (Project 8064). Staff Recommendation: Accept the work as complete and direct the City Clerk to record the Notice of Completion.
- K. Consider Award of Contract for Construction of Electronic Marquees. Staff Recommendation: 1) Award contract to Signature Signs for the fabrication and installation of two (2) electronic marquees at a cost not to exceed \$53,735.25 and authorize the City Manager to execute the contract; and 2) Authorize the City Manager to execute an amendment to the City's existing contract with DNA Electric for electrical work at a cost not to exceed \$23,395.00.
- L. Consider Second Lowest Bidder for Purchase of a Ford E-350 Commercial Van. Staff Recommendation: Award the purchase of the commercial utility van (Ford E-350) to Vista Ford of Oxnard.
- N. Consider Resolution Establishing an Internal Revenue Service (IRS) 125 Flexible Spending Account Plan and Authorizing the City Manager to Execute Plan Documents. Staff Recommendation: Adopt Resolution 2008-2689 and authorize the City Manager to make revisions to the FSA Plan Administrative Services Agreement with Benesyst prior to finalizing the resolution.

AT THIS POINT in the meeting, the remainder of the agenda was heard.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Appointment to the Active Adult Center Advisory Committee to Fill One Vacancy. Staff Recommendation: Appoint one City representative to fill the vacancy on the Active Adult Center Advisory Committee for a term ending December 31, 2008.

Ms. Traffenstedt gave the staff report.

Mayor Hunter stated this vacancy was created by the resignation of Carole Woolsey, who provided countless hours of service to the Active Adult Center. He expressed the Council's gratitude for her efforts and stated she would be greatly missed.

In response to Mayor Hunter, Ms. Traffenstedt stated there were no speakers.

MOTION: Mayor Hunter moved and Councilmember Millhouse seconded a motion to nominate Orval Edwards to serve as the City's representative on the Active Adult Center Advisory Committee for a term ending December 31, 2008. The motion carried by unanimous voice vote.

- B. Consider Mobilehome Rehabilitation Program and Resolution Amending Fiscal Year 2007/08 Budget to Fund the Program. Staff Recommendation: 1) Authorize reinstating the Mobilehome Rehabilitation Program for low and very-low income owner-occupied mobilehomes as described in the agenda report; and 2) Adopt Resolution No. 2008-2685. ROLL CALL VOTE REQUIRED

Ms. Burns gave the staff report.

In response to Mayor Hunter, Ms. Traffenstedt stated there were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to: 1) Authorize reinstating the Mobilehome Rehabilitation Program for low and very-low income owner-occupied mobilehomes as described in the agenda report; and 2) Adopt Resolution No. 2008-2685. The motion carried by unanimous roll call vote.

- C. Consider Increasing Moorpark Beach Bus Fare. Staff Recommendation: Approve Beach Bus fare increase from \$1.00 one-way to \$3.00 round-trip. ROLL CALL VOTE REQUIRED

Mr. Atkin gave the staff report.

In response to Mayor Hunter, Ms. Traffenstedt stated there were no speakers.

MOTION: Councilmember Parvin moved and Councilmember Mikos seconded a motion to approve Beach Bus fare increase from \$1.00 one-way to \$3.00 round-trip. The motion carried by unanimous roll call vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Parvin moved and Councilmember Van Dam seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 10:28 p.m.

---

Patrick Hunter, Mayor

ATTEST:

---

Maureen Benson, Assistant City Clerk