

MINUTES OF THE CITY COUNCIL

Moorpark, California

September 3, 2008

A Regular Meeting of the City Council of the City of Moorpark was held on September 3, 2008, in the Council Chambers of said City located at 799 Moorpark Avenue, Moorpark, California.

1. CALL TO ORDER:

Mayor Pro Tempore Parvin called the meeting to order at 7:14 p.m.

2. PLEDGE OF ALLEGIANCE:

David Bobardt, Planning Director, led the Pledge of Allegiance.

3. ROLL CALL:

Present: Councilmembers Mikos, Millhouse, and Mayor Pro Tempore Parvin.

Absent: Councilmember Van Dam and Mayor Hunter.

Staff Present: Steven Kueny, City Manager; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; Mary Lindley, Parks/Recreation and Community Services Director; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; Captain Ron Nelson, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Assistant City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

None.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:15 p.m. The City Council meeting reconvened at 7:16 p.m.

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

None.

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

Mayor Pro Tempore Parvin announced the City Council requests interested persons submit a Teen Council application for consideration for appointment to fill two vacancies on the Moorpark Teen Council for a one year term ending June 30, 2009. All representatives must be Moorpark City residents and be enrolled in school. Applications may only be submitted to the City Clerk at City Hall and must be received at City Hall no later than Tuesday, September 30, 2008, by 5:00 p.m.

Councilmember Millhouse announced the Teen Photo Exhibit: "Ordinary Can Be Extraordinary" - will be on display from Sunday, September 14 through Saturday, September 27 at Moorpark City Library during business hours. This Teen Photo Essay of Old Town Moorpark is part of a California Council for Humanities grant program that introduced Moorpark teens to photography and writing skills, allowing them to experience Moorpark with a whole new perspective.

Mayor Pro Tempore Parvin announced Free Landfill Day for Moorpark residents will be on Sunday, September 21 from 9:00 a.m. - 3:00 p.m. at the Simi Valley Landfill and Recycling Center located at 2801 Madera Road, north of the 118 freeway. Household waste only can be dumped or recycled without charge. No appointment is necessary; however, proof of residency is required. For more information, contact Moorpark City Hall at 517-6247 or the Simi Valley Landfill and Recycling Center at 579-7267.

Councilmember Mikos asked residents to participate in Coastal Cleanup Day this month and help keep Moorpark's environment beautiful. There will be an Arroyo Simi cleanup Saturday, September 20th at Villa Campesina Park from 9:00 a.m. to 12:00 noon. Volunteers are asked to bring gloves and wear sturdy shoes. For more information, please call 517-6257.

Mayor Pro Tempore Parvin announced the Council has been receiving emails regarding speeding around schools and cautioned motorists to slow down since school is back in session.

Mayor Pro Tempore Parvin announced Country Days is coming up on October 4th and vendors should contact the Moorpark Chamber of Commerce at 529-0322 to register. Councilmember Mikos stated if vendors apply by Friday, September 5th they can save money.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Revisions to the Landscape and Lighting Assessment District Capital Reserve Fund Balance Policy. Staff Recommendation: Approve the Capital Reserve Account cap of one year's operating expense for the City's Landscape and Lighting Assessment Districts.

Councilmember Millhouse gave the staff report.

In response to Mayor Pro Tempore Parvin, Ms. Traffenstedt stated there were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to approve the Capital Reserve Account cap of one year's operating expense for the City's Landscape and Lighting Assessment Districts. The motion carried by voice vote 3-0, Councilmember Van Dam and Mayor Hunter absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to approve the Consent Calendar with the exception of Item 10.J, which was pulled for individual consideration. The motion carried by roll call vote 3-0, Councilmember Van Dam and Mayor Hunter absent.

- A. Consider Special Meeting Minutes of August 20, 2008. Staff Recommendation: Approve the minutes.
- B. Consider Regular Meeting Minutes of August 20, 2008. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2008-2009 – September 3, 2008. Staff Recommendation: Approve the warrant register.
- D. Consider Agreement for Consultant Services for Real Property Services. Staff Recommendation: Authorize the City Manager to sign the agreement for real property services with Hamner, Jewell & Associates (HJA) in an amount not to exceed \$50,000 in Fiscal Year 2008/09, subject to final language approval by the City Manager and City Attorney.
- E. Consider Rejection of Claim: David Acosta. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant. The following items were pulled for individual consideration.

- F. Consider Rejection of Claim: Veronica Tamaru. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- G. Consider Resolution Approving City's Application to Roberti-Z'Berg-Harris Block Grant Program. Staff Recommendation: Adopt Resolution No. 2008-2742.
- H. Consider Resolution Amending the Fiscal Year 2008/09 Budget to Purchase a Water Tank and Trailer for Use in Graffiti Abatement. Staff Recommendation: Adopt Resolution No. 2008-2743. ROLL CALL VOTE REQUIRED
- I. Consider Resolution Granting Designated Period for Two Years Additional Service Credit Retirement Incentive Pursuant to Government Code Section 20903 and Consistent with the City's Contract with California Public Employees' Retirement System (CalPERS). Staff Recommendation: Adopt Resolution No. 2008-2744.
- K. Consider Resolution Rescinding Resolution No. 2006-2511 and Approving Prima Facie Speed Limits for Certain Street Segments and Approving the Posting of Speed Limit Signs on Said Streets. Recommendation: Adopt Resolution No. 2008- 2745, rescinding Resolution No. 2006-2511.
- L. Consider Reduction of Surety Bonds for M & M Development for Campus Plaza (Parcel Map No. 5264, Commercial Planned Development No. 2000-04). Staff Recommendation: 1) Authorize the City Clerk to reduce Grading and Improvements Bond No. 661117836 and Improvements Performance and Payment Bond No. 661118286 to ten percent for M & M Development; and 2) Authorize the City Clerk to fully exonerate Bond Nos. 661117836 and 661118286 for M & M Development one year after this approval of the reduction of the surety bonds and upon written confirmation from the City Engineer that no warranty work is required.
- M. Consider Promotion of Community Development Technician to Assistant Planner I. Staff Recommendation: Approve promotion of the current Community Development Technician (Range 45) to Assistant Planner I (Range 51) effective September 13, 2008.
- N. Consider Report of Annual Development Agreement Review for 34.5 Acres of Land (Tract 5147) Located West of Gabbert Road, North of the Union Pacific Railroad Right-of-Way (A-B Properties). Staff Recommendation: 1) Accept the Planning Director's Report and recommendation, and find, on the basis of substantial evidence, that A-B Properties has complied in good faith with the terms and conditions of their agreement with the City; and 2) Deem the annual review process complete.

- O. Consider Report of Annual Development Agreement Review, Established in Connection with Meridian Hills Development Project, Tract 5187-1&2, Located on the West Side of Walnut Canyon Road, Approximately 3,500 Feet North of Casey Road, on the Application of Resmark Equity Partners, LLC, (Formerly West Point Homes, and William Lyon Homes Inc.). Staff Recommendation: 1) Accept the Planning Director's Report and recommendation, and find, on the basis of substantial evidence, that Resmark Equity Partners, LLC has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.
- P. Consider Establishing an Irrevocable Trust to Comply with Governmental Accounting Standards Board (GASB) #45 and Agreement to Participate in the California Employer's Retiree Benefit Trust Fund Program (CERBT). Staff Recommendation: Approve prefunding of the unfunded liability of \$364,000 with an irrevocable trust managed by CalPERS under their California Employers' Retiree Benefit Trust (CERBT), and authorize the Mayor to sign the CERBT Agreement and Delegation of Authority to Request Disbursements Form.

The following item was pulled for individual consideration.

- J. Consider Approval of Intersection Modifications for Dual Left-Turn Lanes from Southbound Spring Road to Eastbound Los Angeles Avenue (SR-118) – Project 8026. Staff Recommendation: Approve the subject project and authorize the City Manager to execute an agreement for construction.

Councilmember Millhouse stated he pulled this item to notify the public of the plans for this project, which will improve traffic flow at this intersection.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to approve the subject project and authorize the City Manager to execute an agreement for construction. The motion carried by voice vote 3-0, Councilmember Van Dam and Mayor Hunter absent.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to adjourn. The motion carried by voice vote 3-0, Councilmember Van Dam and Mayor Hunter absent. The time was 7:33 p.m.

Patrick Hunter, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk