

MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaOctober 8, 2008

An Adjourned Regular Meeting of October 1, 2008, of the City Council of the City of Moorpark was held on October 8, 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 7:05 p.m.

2. PLEDGE OF ALLEGIANCE:

Hugh Riley, Assistant City Manager, 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; 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 time.

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

None.

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

None.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- C. Consider Introduction and Adoption of an Ordinance to Repeal Moorpark Municipal Code Section 2.04.050 Entitled, "Filling of Vacancies". Staff Recommendation: Direct staff as deemed appropriate. (Staff: Joseph Montes) INTRODUCED ORDINANCE NO. 372 FOR FIRST READING WITH DIRECTION TO ADJOURN THIS ITEM TO AN ADJOURNED REGULAR MEETING AT 7:00 P.M. ON OCTOBER 8, 2008, FOR SECOND READING AND ADOPTION. (VOICE VOTE: 3-2, MAYOR HUNTER AND COUNCILMEMBER MIKOS DISSENTING)

Mr. Montes read the title of Ordinance No. 372.

In response to Council questions, Mr. Montes stated if the Council determines not to adopt Ordinance No. 372 then Municipal Code Section 2.04.050 remains in effect; requiring an interim appointment to fill the vacancy on the Council until a Special Election is conducted within a specified period of time.

The following Moorpark residents spoke in favor of adopting Ordinance No. 372, citing the expense of a Special Election as a concern:

Jolene Escalante
Glen White

The following Moorpark residents spoke in opposition to adopting Ordinance No. 372, citing their right to vote for elected officials and that sufficient funds are available in the General Fund Reserve to cover the cost of the election:

Christian Coleman
Bernardo Perez
Carolyn Poleri
Bill Poleri
Linda Shishino-Cruz
Chris Evans
Sharonmarie Fisher
Nathan Sweet

Lisa Leal, a Moorpark resident, suggested an alternative way to fill the vacancy by allowing citizens to send in nominations for candidates and the

Council to make an appointment based upon the individual receiving the largest number of those nominations.

In response to Mayor Hunter, Ms. Traffenstedt summarized the four Written Statement cards as three in opposition to adopting Ordinance No. 373 and one in favor.

Mayor Hunter stated the Council had received 23 emails as of 5:00 p.m. today, concerning Item 9.C. with 22 in opposition to adopting Ordinance No. 372 and one in favor.

A discussion followed in which Councilmembers Millhouse and Parvin stated they would be changing their position based upon feedback from the citizens of Moorpark and will not support adoption of the new ordinance; Mayor Hunter and Councilmember Mikos both reiterated their position to defend the public's right to vote; and Councilmember Van Dam requested a future agenda item after the Special Election and the new Council is seated to re-evaluate options for dealing with appointments to fill vacancies based upon the length of term remaining.

CONSENSUS: It was the consensus of the Council to take no action on Ordinance No. 372.

AT THIS POINT in the meeting the Council waived rules and returned to Item 5.

5. PUBLIC COMMENT:

Lisa Leal, representing the Chamber of Commerce thanked all those who participated in the Country Days event on Saturday, October 4, 2008.

David Tuttle, a Meridian Hills resident, provided an update on continuing issues in the Meridian Hills development.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

None.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Parvin moved and Councilmember Millhouse seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 8:10 p.m.

Patrick Hunter, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk