

## MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaMay 3, 2006

A Regular Meeting of the City Council of the City of Moorpark was held on May 3, 2006, 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 7:15 p.m.

## 2. PLEDGE OF ALLEGIANCE:

Barry Hogan, Community Development Director, led the Pledge of Allegiance.

## 3. ROLL CALL:

Present: Councilmembers Harper, Mikos, Millhouse, Parvin, and Mayor Hunter.

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

## 4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Recognizing the 50<sup>th</sup> Anniversary of the Moorpark Rotary Club.

Mayor Hunter presented Barry Hogan, Community Development Director and Board Member of the Moorpark Rotary Club, with a proclamation honoring the club's 50<sup>th</sup> anniversary.

## B. Proclamation Declaring May 2006 Veteran Appreciation Month.

Mayor Hunter presented former Councilmember and Marine Corps veteran, John Wozniak, and Parks/Recreation Commissioner and Air Force veteran, Joseph Catrambone, with a proclamation declaring May 2006 Veteran Appreciation Month.

## C. Proclamation Recognizing May 7 through May 13, 2006, as Building Safety Week.

Mayor Hunter presented Barry Hogan, Community Development Director, with a proclamation recognizing May 7 through May 13, 2006, as Building Safety Week.

5. PUBLIC COMMENT:

Teresa Cortes thanked the Council, City staff, and Moorpark police officers for treating the participants of the immigration rally on May 1, 2006, with dignity and respect.

Arturo Nito thanked the City and law enforcement for their assistance during the May 1, 2006, immigration rally.

Claudio Jose Sante thanked the City and police officers stating he has never had any trouble here in Moorpark.

Pedro Sanabria thanked the community for their support of Monday's march.

Bernardo Perez spoke about Monday's event and stated he takes pride in how the group conducted the rally. He presented 30 Written Statement cards from individuals thanking the City, Ventura County Sheriff's Department, California Highway Patrol, and Moorpark Police Department for protecting the participants during their march. He also thanked the Council for providing a Spanish translator for the Project Area Committee meetings.

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

It was the consensus of the Council to pull Item 10.B. from the Consent Calendar for individual consideration at the request of Councilmember Mikos.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Councilmember Harper requested a future agenda item regarding a social host ordinance, which would impose penalties on hosts of parties where underage drinking occurs. Mr. Kueny stated this subject will be going before the Public Safety Committee and then on to Council for the June 7 meeting.

Councilmember Millhouse requested the Public Safety Committee study plans for preparing the community to deal with an outbreak of avian influenza.

8. PUBLIC HEARINGS:

- A. Consider Resolution to Vacate a Certain Segment of Magnolia Street.  
Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; and 2) Adopt Resolution No. 2006-2457.

Mr. Lall gave the staff report.

Mayor Hunter opened the public hearing.

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

Mayor Hunter closed the public hearing.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to adopt Resolution No. 2006-2457, vacating the street right-of-way for a portion of Magnolia Street, south of Charles Street. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider the Applicant's Appeal of the Community Development Director's Denial of Administrative Permit No. 2005-19, a Request to Convert an Existing Residence into a Dog Wellness Center with Veterinary Services and Overnight Boarding of Injured Dogs at 100 Leta Yancy Road. (continued from April 5, 2006) Staff Recommendation: Direct staff to pursue an updated street improvement plan for Unidos Avenue as a Private Road with improvements within the existing right-of-way, and refer the Administrative Permit application back to the Community Development Director for a decision.

Mr. Hogan gave the staff report.

Bob Gehricke of Gehricke Architects, AIA, 483 E. High Street, Moorpark, representing the applicant, stated that re-classification of Unidos Avenue will not impact the area.

Charley Stoll, Esq., 711 Daily Drive, Suite 115, Camarillo, attorney for the applicant, stated if they lose the appeal the property will be useless to them and that his client supports the staff recommendation.

Linda MacKinnon, D.V.M., applicant for the Dog Wellness Center, stated the project is not a veterinary hospital or boarding facility; the planned use is a holistic water rehabilitation center with an overnight stay necessitated only by the health of the animal undergoing treatment.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to direct staff to pursue an updated street improvement plan for Unidos Avenue as a private road with improvements within the existing right-of-way, and refer the Administrative Permit application back to the Community Development Director for a decision. The motion carried by unanimous voice vote.

- B. Consider Resolution Naming the Park in Specific Plan No. 2 (Tract 5045) Vista Highland Park. Staff Recommendation: Adopt Resolution No. 2006-2458.

Ms. Lindley gave the staff report.

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

Councilmembers Harper, Mikos, and Parvin concurred with the Parks and Recreation Commission's initial selection of the name Mammoth Highlands Park in honor of the mammoth fossils finds.

MOTION: Councilmember Millhouse moved and Mayor Hunter seconded a motion to adopt Resolution No. 2006-\_\_\_\_, naming the park in Specific Plan No. 2 (Tract 5045), Vista Highlands Park. The motion failed by voice vote 2-3, Councilmembers Harper, Mikos, and Parvin dissenting.

MOTION: Councilmember Parvin moved and Councilmember Harper seconded a motion to adopt Resolution No. 2006-2458, as amended, to name the park in Specific Plan No. 2 (Tract 5045) Mammoth Highlands Park. The motion carried by voice vote 3-2, Councilmember Millhouse and Mayor Hunter dissenting.

- C. Consider Ordinance Amending Title 16 (Subdivisions) of the Moorpark Municipal Code. Staff Recommendation: Introduce Ordinance No. 334 for first reading, waive full reading, and schedule second reading and adoption for May 17, 2006.

Mr. Hogan gave the staff report.

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

Mr. Montes read the title of Ordinance No. 334.

MOTION: Councilmember Mikos moved and Councilmember Harper seconded a motion to waive further reading, declare Ordinance No. 334 introduced for first reading, and schedule second reading and adoption for May 17, 2006. The motion carried by unanimous voice vote.

- D. Consider Approval of the Seven-Year Capital Improvement Program (CIP) for Streets and Roads for Fiscal Year 2005/06-Fiscal Year 2011-12. Staff Recommendation: Approve the FY 2005/06-FY 2011-12 CIP for Streets and Roads.

Mr. Lall gave the staff report.

**CONSENSUS:** It was the consensus of the Council for staff to agendize the Campus Park and Collins Drives intersection to address options for improving traffic flow and synchronization of the traffic signals.

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

In response to Councilmember Mikos, Mr. Kueny stated the issue of future trail connections from the Moorpark Highlands project to Happy Camp Canyon Regional Park trails will be agendized.

**MOTION:** Councilmember Harper moved and Councilmember Parvin seconded a motion to approve the seven-year (Fiscal Year 2005/06 – Fiscal Year 2011-12) Capital Improvement Program for streets and roads. The motion carried by unanimous voice vote.

E. Consider Ventura County Library Revenue Proposal. Staff Recommendation: Provide direction to the City's Library Commission representative, Councilmember Harper, regarding the County's budget proposal.

Ms. Lindley gave the staff report.

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

**CONSENSUS:** It was the consensus of the Council to direct the City's Library Commission representative, Councilmember Harper to request a continuance to allow additional time to study the County's budget proposal.

F. Consider Participation in the United States Mayors Climate Protection Agreement. Staff Recommendation: Direct staff as deemed appropriate.

Councilmember Mikos stated, philosophically, the three actions listed on stamped page 119 of the agenda report, would be good to support and it would be appropriate to make a policy statement and to educate the public and businesses in regard to greenhouse emissions.

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

**MOTION:** Councilmember Millhouse moved and Councilmember Mikos seconded a motion to direct staff to prepare a resolution adopting the goals of the Kyoto Protocol Agreement to reduce greenhouse emissions. The motion carried by unanimous voice vote.

- G. Consider Scheduling of the Summer Meeting Recess. Staff Recommendation: Direct staff to post a notice of meeting cancellation for the selected summer recess date(s).

Ms. Traffenstedt gave the staff report.

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

CONSENSUS: It was the consensus of the Council to direct staff to post notices of cancellation for the July 5 and August 16, 2006 meetings.

10. CONSENT CALENDAR:

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

- A. Consider Approval of Warrant Register for Fiscal Year 2005-2006 – May 3, 2006. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution of Intent to Vacate that Portion of Park Crest Lane Described as Located at the Northeasterly Corner of Park Lane and Park Crest Lane Containing Approximately 0.072 Acre (3,153 Square Feet). Staff Recommendation: Adopt Resolution No. 2006-2459 and set public hearing for June 7, 2006.
- D. Consider Resolution Amending the Fiscal Year 2005/06 Budget by Appropriating General Funds for Lifeline to Safety Program (Older Americans Act Title III-E Lifeline to Safety Program Contract Grant). Staff Recommendation: Adopt Resolution No. 2006-2460. ROLL CALL VOTE REQUIRED
- E. Consider Adoption of City Council Policy Regarding Sidewalk Inspection, Maintenance, and Repair. Staff Recommendation: 1) Approve and adopt the policy as described in the agenda report; 2) Direct the City Clerk to include this new City Council Policy in the next update of the City Council Policy Resolution; and 3) Direct the City Manager to develop, establish, and administer any guidelines and/or procedures deemed necessary to properly administer the implementation of this policy.

The following item was pulled for individual consideration.

- B. Consider 2006 Legislative Program. Staff Recommendation: Adopt 2006 Legislative Program.

Councilmember Mikos requested an addition to the legislative program under General Government on stamped page 136 of the agenda report to show opposition to any legislation that reduces or restricts local government's ability to regulate public rights-of-way.

Mayor Hunter stated this may be a platform to start initiating legislation.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to adopt the 2006 Legislative Program, as amended, to add opposition to any legislation that reduces or restricts local governments' ability to regulate public rights-of-way. The motion carried by unanimous voice vote.

11. ORDINANCES:

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 9:10 p.m.

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Patrick Hunter, Mayor

ATTEST:

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Deborah S. Traffenstedt  
City Clerk

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