

## MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaJune 21, 2006

A Regular Meeting of the City Council of the City of Moorpark was held on June 21, 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 7:23 p.m.

## 2. PLEDGE OF ALLEGIANCE:

Joseph Montes, City Attorney, 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. City Manager's Monthly Report.

Mr. Kueny deferred giving the monthly report due to the length of the agenda.

## 5. PUBLIC COMMENT:

Cynthia Chambers spoke about traffic safety problems impacting pedestrians at the intersection of Campus Park Drive and Collins Drive. She stated she would provide the City Clerk with a petition signed by citizens who want a safer intersection. Ms. Chambers recommended installing a left turn only signal at this intersection.

Councilmember Millhouse stated this is potentially a dangerous intersection and concurred with Ms. Chambers regarding the need for intersection improvements.

He stated he is recommending a red light camera be installed in this location to enable the City to ticket those who run the light.

Mr. Lall stated the City is working with the M&M Development project to install a protected signal phase for crossing at this location.

Kathleen DeStoop spoke about being hit by a car on March 11, 2006, at the intersection of Campus Park Drive and Collins Drive by a driver who did not see her as she carried her son across the intersection.

Mr. Kueny stated the changes to the intersection are expected by the end of September.

Dale Cowgill, Director of Community Relations for Moorpark Healthcare Center and Loving Heart Hospice Foundation described the 24-hour skilled nursing services available in Moorpark for those living out their last days .

Gerald Goldstein spoke about the need to adjust the timing of the signal lights at Los Angeles Avenue and Maureen Lane as they are too short to allow pedestrians to cross safely.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:49 p.m. The City Council meeting reconvened at 7:51 p.m.

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

CONSENSUS: It was the consensus of the Council to pull Item 10.K. from the Consent Calendar for individual consideration on the request of Mayor Hunter.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Councilmember Millhouse announced Caltrans' night time closure hours for State Highway 23 are available on public access Channel 10 and on the City's website at [www.ci.moorpark.ca.us](http://www.ci.moorpark.ca.us).

Councilmember Parvin congratulated participants of the Sophomores to Seniors Intergenerational Project on the poetry submittals.

Councilmember Parvin reported at a recent Economic Development Collaborative meeting it was revealed the EDC will make funding available in January 2007 for small businesses in Moorpark and surrounding areas in the County.

Councilmember Parvin announced that at a Local Area Formation Commission (LAFCO) meeting, today, it was revealed a workshop will be offered in September or October of this year to discuss agricultural mitigation policy.

8. PUBLIC HEARINGS:

- A. Consider Withdrawal from the Ventura County Library System. (continued open hearing from June 7, 2006) Staff Recommendation: 1) Continue to receive public testimony and close the public hearing; and 2) Adopt Resolution No. 2006-2479 if withdrawal is approved.

Ms. Lindley gave the staff report.

Mayor Hunter stated the public hearing remains open.

Virginia Hankins spoke in favor of the concept of having an improved public municipal library, but questioned the timing for withdrawal and whether the City can afford it.

Mary Stewart, Librarian Manager of the Moorpark Library, speaking as a private citizen, described what library patrons would like to see in a new library; requested a new library site be a priority; and recommended the library be staffed by public employees.

Mark Van Dam expressed concern regarding withdrawal, citing the loss of availability of books and other materials.

Alan Langville, Interim Library Director for the Ventura County Library System, thanked the Council for their positive remarks about the current library staff; cited the Arroyo Associates study does not recommend withdrawal; and suggested the Council stay in the Ventura County Library System and make changes to improve the current library building and collection.

Laura Flores Espinosa, representing SEIU (Service Employees International Union) Local 998, stated library members urge consideration for keeping the library public; spoke in opposition to contracting out any public jobs, and concurred with Mr. Langville's opinion that the Arroyo study is not definite about withdrawing.

Thomas Scott Nelson spoke in opposition to the withdrawal citing the lack of information on how the City would be able to run the library without a professional staff.

Gilbert Bahn spoke in opposition to the withdrawal expressing dismay this was not debated for a greater length of time and questioned whether the City has enough resources to support a high cost operation.

Gerald Goldstein spoke in opposition to the withdrawal.

Chris Espinosa, State Department Director of the League of United Latin American Citizens (LULAC), stated outreach to the bilingual community has not been comprehensive.

Juan Magdalena, representing LULAC, encouraged the Council to involve the Latin community in the decision.

In response to Mayor Hunter, Ms. Traffenstedt stated there is one Written Statement card and if Council wishes to waive rules, a late Speaker Card has been submitted.

CONSENSUS: It was the consensus of the Council to waive rules and hear from the late speaker.

Tim Rosevear stated more time is needed to develop a definite plan for making the withdrawal from the Library System a success.

Ms. Traffenstedt summarized the Written Statement card from Sally Carpenter who is in favor of the withdrawal from the Library System.

Mayor Hunter closed the public hearing.

Councilmember Millhouse stated the goal is to get the best library possible given the resources; however, he is concerned the City does not know which library cooperative system they would be getting into after withdrawing and he would like to have more time to study the alternatives.

MOTION: Mayor Hunter moved to direct staff: 1) By June 30, 2006, the city of Moorpark shall notify the Ventura County Library Services District that the city of Moorpark will withdraw from the District effective January 1, 2007; 2) Effective January 1, 2007, it is the intent of the city of Moorpark to operate a public municipal library; 3) Upon withdrawal from the District, the city of Moorpark expects to receive all property taxes and any other form of revenue to which it is entitled and/or currently receives pursuant to, but not limited to the following statutes: Education Code Section 19100, Government Code Section 54900, and the prevailing Memorandum of Understanding; 4) Upon withdrawal from the District, the city of Moorpark expects to receive the existing library inventory and any additional inventory purchased between now and December 31, 2006, including, but not limited to, all collections, materials, shelving, public access computers, public space furniture and any other library items purchased for public use; 5) City staff will include an agenda item for the regularly scheduled Council meeting of Wednesday, July 19, 2006, for any further action by the Council related to this matter; 6) the City will immediately create an implementation task force to assist in this transition; and 7) Effective January 1, 2007, a Commission similar to the Parks and Recreation Commission and Planning Commission be created to assist the Council in library matters.

Councilmember Harper stated he would second the motion with the clarification of including the adoption of Resolution No. 2006-2479 withdrawing from participation in the Ventura County Free Library System.

AMENDED MOTION: Mayor Hunter amended his motion to include adoption of Resolution No. 2006-2479, as amended to include the components of his previous motion. Councilmember Harper seconded the amended motion.

Councilmember Mikos requested clarification if the motion also included the concept of visioning as discussed with the community this evening. The Mayor clarified this would be the case as specified in his motion for the July 19 Council meeting where he anticipates the creation of the task force.

The amended motion carried by roll call vote 4-1, Councilmember Millhouse dissenting.

AT THIS POINT in the meeting a recess was declared. The time was 9:18 p.m. The meeting reconvened at 9:39 p.m.

- B. Consider Final Review and Changes to Engineer's Report for Assessment District AD06-01 (Shea Homes – Tract 5133) and Resolution Confirming the Assessment Amounts for Fiscal Year 2006/07. (continued open hearing from June 7, 2006) Staff Recommendation: 1) Continue to receive public testimony and close the public hearing; 2) Approve the Engineer's Report for AD06-01 for FY 2006/07 with no changes from the report approved by Council Resolution No. 2006-2464; and 3) Adopt Resolution No. 2006-2480. ROLL CALL VOTE REQUIRED

Mr. Lall gave the staff report.

Mayor Hunter stated the public hearing remains open.

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

Mayor Hunter closed the public hearing.

MOTION: Councilmember Millhouse moved and Councilmember Harper seconded a motion to: 1) Approve the Engineer's Report for AD-06-01 for Fiscal Year 2006/07 with no changes from the report approved by Council Resolution No. 2006-2464; and 2) Adopt Resolution No. 2006-2480, approving Engineer's Report, confirming diagram and assessment and ordering levy of assessment for Fiscal Year 2006/07 for the City of Moorpark Landscaping and Lighting Maintenance Assessment District AD06-01. The motion carried by unanimous roll call vote.

- C. Consider Resolution Approving Commercial Planned Development No. 2005-01 to Allow Construction of a 25,500 Square Foot Office Building on a 1.6 Acre Parcel Located on the South Side of Los Angeles Avenue, West of Leta Yancy Road on the Application of Abdy Khorramian, Architect. Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; and 2) Adopt Resolution No. 2006-2481.

Mr. Hogan gave the staff report.

In response to Councilmember Parvin, Mr. Hogan stated the site plan could be changed to allow for an emergency exit and non-reflective glass could be added to the windows adjacent to residential.

In response to Councilmember Mikos, Mr. Hogan stated the landscape architect will be instructed to work with the applicant to include California native trees.

Mayor Hunter opened the public hearing.

Abdy Khorramian, architect for the project, Khorramian Group Architects, Inc, 4741 Laurel Canyon Boulevard, Suite 202, Valley Village, CA 91607, concurred with the majority of the Council's concern regarding the central third roof element.

A discussion followed among the Council and staff regarding the third roof element and the majority of the Council directed staff to work with Planning Commissioner DiCecco and the applicant to design an architecturally compatible third roof element to the satisfaction of the Community Development Director.

Mayor Hunter closed the public hearing.

MOTION: Councilmember Parvin moved and Councilmember Harper seconded a motion to adopt Resolution No. 2006-2481, approving Commercial Planned Development No. 2005-01 to allow construction of a 25,500 square foot office building on a 1.6-acre parcel located on the south side of Los Angeles Avenue, west of Leta Yancy Road on the application of Abdy Khorramian, Architect, as amended for reciprocal access, no reflective glass on Los Angeles Avenue, a California native tree, and design of a third roof element with more articulation for approval by the Community Development Director. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Presentation by Eve Liebman of United Way in Appreciation of City Employee Contributions.

Ms Liebman presented the City with a plaque honoring employee contributions to United Way for the 2005-2006 campaign.

- B. Consider Resolution Adopting an Operating and Capital Improvements Budget for the City of Moorpark for Fiscal Year 2006/07. (continued from May 31, 2006) Staff Recommendation: Adopt Resolution No. 2006-2482. ROLL CALL VOTE REQUIRED

Mr. Ea gave the staff report.

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

MOTION: Councilmember Parvin moved and Councilmember Harper seconded a motion to adopt Resolution No. 2006-2482, approving the Operating and Capital Improvements Budget for the City of Moorpark for Fiscal Year 2006/07. The motion carried by unanimous roll call vote.

- C. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2006/2007. (continued from May 31, 2006) Staff Recommendation: Approve Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2006/2007.

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

CONSENSUS: It was the consensus of the Council to table this item for later in the meeting.

- D. Consider Teen Council Appointments. Staff Recommendation: Make appointments to the Teen Council for a one-year term to end June 30, 2007.

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 waive Council policy for putting forth each individual name to be approved for appointment and instead take the appointments collectively.

MOTION: Mayor Hunter moved and Councilmember Parvin seconded a motion to nominate Shalabh Agarwala, Yvette Betancourt, Christopher Darabi, Tiffany Johnson, Shalini Karra, Gunnar Mazur, Angelica Paredes, Emily Tung Justin

Tung, Tyler Van Dam, and Paige Weiner to serve on teen council for a one-year term to end on June 30, 2007. The motion carried by unanimous voice vote.

- E. Consider Campus Master Plan and Building Site Design Concept for New Civic Center and City Hall. Staff Recommendation: Approve the Master Plan and Building Site Design Concept Plan for new Civic Center and City Hall as prepared by GKK Architects.

Mr. Riley gave the staff report.

A discussion followed among Council and staff regarding relocating the grassy area or plaza to the back of the property away from the trucks on Moorpark Avenue; incorporating a new library into the plan; study adding a third story with the library located on the ground floor; changing the floor plan to expand to an "L" shape; and the creation of an ad-hoc committee to work with the architect and staff on the conceptual design.

Mayor Hunter and Councilmember Millhouse volunteered to serve on the ad-hoc committee.

Debi Aquino, Chairman of the Board for the Moorpark Chamber of Commerce stated she would like to discuss having Chamber office space in the new City Hall complex.

MOTION: Mayor Hunter moved and Councilmember Parvin seconded a motion to direct staff to renegotiate the contract with the architect for revising the plans and to have Mayor Hunter and Councilmember Millhouse serve on an ad hoc committee to work with the architect and staff to incorporate Council suggestions into the design of the new City Hall complex. The motion carried by unanimous voice vote.

- F. Consider Lease of Modular Office Space for Temporary City Hall Expansion and Improvements to Existing City Hall Office Buildings. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Riley gave the staff report.

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

MOTION: Councilmember Harper moved and Councilmember Parvin seconded a motion to approve the lease of modular office space for temporary City Hall expansion and improvements to existing City Hall office buildings. The motion carried by unanimous voice vote.

- G. Consider Agreement with Shea Homes, Inc. to Suspend Further Development of Residential Planned Development Permit (RPD) No.

1998-01 and Minor Modification 3 to Vesting Tentative Tract Map (VTTM) No. 5133, Located on the South Side of Los Angeles Avenue West of Fremont Street, on the Application of Shea Homes. Staff Recommendation: Authorize the Mayor to sign the Agreement Regarding Conditions of Approval (Tract 5133) with Shea Homes, Inc., subject to final language approval by the City Manager and City Attorney

Mr. Hogan gave the staff report.

David Lauletta, representing the applicant, Shea Homes, Inc, 30699 Russell Ranch Road, Westlake Village, California, provided background on the project and asked for Council approval with the exception of the items to be finalized with staff.

**MOTION:** Councilmember Harper moved and Councilmember Mikos seconded a motion to approve agreement with Shea Homes, Inc. to suspend further development of Residential Planned Development Permit No. 1998-01 and Minor Modification 3 to Vesting Tentative Tract Map No. 5133, located on the south side of Los Angeles Avenue west of Fremont Street, on the application of Shea Homes, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous voice vote.

H. Consider Approval of Affordable Housing Purchase and Sale Agreement Between the City and Shea Homes, Limited Partnership, for Vesting Tentative Tract Map 5133. Staff Recommendation: 1) Approve the Affordable Housing Purchase and Sale Agreement, subject to final language approval by the City Manager and City Attorney; 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to cause the Agreement to be recorded in the Office of the Ventura County Recorder.

Mr. Kueny gave the staff report.

David Lauletta, representing Shea Homes, Inc, 30699 Russell Ranch Road, Westlake Village, California, requested Council approval of this item.

**MOTION:** Councilmember Harper moved and Councilmember Parvin seconded a motion to: 1) Approve the Affordable Housing Purchase and Sale Agreement, subject to final language approval by the City Manager and City Attorney; 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to cause the Agreement to be recorded in the Office of the Ventura County Recorder. The motion carried by unanimous voice vote.

I. Consider Parks, Recreation & Community Services Department Organizational Study. Staff Recommendation: Accept the

recommendations in the Parks, Recreation & Community Services Department Organizational Study.

Ms. Lindley gave the staff report.

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

**MOTION:** Councilmember Parvin moved and Councilmember Millhouse seconded a motion to accept the recommendations in the Parks, Recreation & Community Services Department Organizational Study. The motion carried by unanimous voice vote.

- J. Consider Adopting Revised City Council Policies Resolution and Rescinding Resolutions Nos. 2004-2160 and 2006-2466. Staff Recommendation: Adopt Resolution No. 2006-2483.

Ms. Traffenstedt gave the staff report.

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

**MOTION:** Councilmember Parvin moved and Councilmember Harper seconded a motion to adopt Revised City Council Policies Resolution No. 2006-2483, rescinding Resolutions Nos. 2004-2160 and 2006-2466. The motion carried by unanimous voice vote.

AT THIS POINT in the meeting, Item 9.C. was considered.

9. C. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2006/2007. (continued from May 31, 2006) Staff Recommendation: Approve Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2006/2007.

**CONSENSUS:** It was the consensus of the Council to continue this item to July 19, 2006.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

Mayor Hunter stated he had earlier requested in error that Item 10.K. be pulled for individual consideration.

**MOTION:** Councilmember Parvin moved and Councilmember Millhouse seconded a motion to approve the Consent Calendar. The motion carried by unanimous roll call vote.

- A. Consider Approval of Special Joint City Council/Parks and Recreation Commission Meeting Minutes of April 26, 2006. Staff Recommendation: Approve the minutes.
- B. Consider Approval of Special Meeting Minutes of June 7, 2006. Staff Recommendation: Approve the minutes.
- C. Consider Approval of Regular Meeting Minutes of June 7, 2006. Staff Recommendation: Approve the minutes
- D. Consider Approval of Warrant Register for Fiscal Year 2005-2006 – June 21, 2006. Staff Recommendation: Approve the warrant register.
- E. Consider VISTA-East Cooperative Agreements for Commuter Bus Services. Staff Recommendation: Authorize the Mayor to sign the Addendum to the Cooperative Agreement.
- F. Consider Final Map Approval for Parcel Map No. 5647. Staff Recommendation: Authorize the Mayor and City Clerk to sign the map and the City Clerk to cause Parcel Map 5647 to be recorded in the office of the Ventura County Recorder.
- G. Consider Authorizing Purchase of Alternative Fuel Replacement Vehicle for Community Development/Code Compliance. Staff Recommendation: Authorize staff to secure the updated purchase price of \$27,395.53 for a 2007 Escape Hybrid from Simi Valley Ford with formal Purchase Order approval, subject to adoption of the Fiscal Year 2006/07 Budget. ROLL CALL VOTE REQUIRED
- H. Consider Resolution Establishing the Appropriation Limitation for Fiscal Year 2006/07 for the City of Moorpark at \$19,700,584. Staff Recommendation: Adopt Resolution No. 2006-2484.
- I. Consider Resolution Adopting Loan Agreement Between the City of Moorpark and the Moorpark Redevelopment Agency. Staff Recommendation: Adopt Resolution No. 2006-2485. ROLL CALL VOTE REQUIRED
- J. Consider Resolution Amending the Fiscal Year 2005/06 Budget to Transfer Funds from the General Fund to Equipment Replacement Fund. Staff Recommendation: Adopt Resolution No. 2006-2486. ROLL CALL VOTE REQUIRED
- K. Consider Plans, Specifications and Cost Estimates (PS&E) and Authorization to Solicit for Construction Bids for the 2006 Pavement Rehabilitation Project; Authorization to Proceed with the Design for the Tierra Rejada Road AC Overlay Project; and Resolution Amending the

- Fiscal Year 2005/06 Budget to Fund the Design Phase for the Tierra Rejada Road Overlay Project. Staff Recommendation: 1) Approve the plans and specification and authorize staff to solicit bids for construction of the project; and 2) Adopt Resolution No. 2006-2487. ROLL CALL VOTE REQUIRED
- L. Consider Rejection of Claim: Joe Herzog. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- M. Consider Setting a Public Hearing Date to Consider a Resolution Adjusting Real Time Billing Rates, Updating the Schedule for Land Use Development Processing Fees, and Rescinding Resolution No. 2004-2186. Staff Recommendation: Set a City Council Public Hearing for July 19, 2006.
- N. Consider Surety Bond Exoneration for the Village at Moorpark, LLC (Tract 4973, Lot 2). Staff Recommendation: Authorize the City Clerk to fully exonerate Surety Bond–Grading No. M813951.
- O. Consider Request for Formation of Assessment District AD07-01 (Pardee Homes – Tentative Tract Map No. 5045) and Resolution Initiating the Proceedings. Staff Recommendation: 1) Accept and approve Petition and Waiver from Pardee Homes; and 2) Adopt Resolution No. 2006-2488.
- P. Consider Plans and Specifications to Replace and Cover Over Signs on State Routes 23 and 118 Freeways as a Result of Street Name Changes to Princeton Avenue and New Los Angeles Avenue; Authorization to Solicit for Construction Bids; and Resolution Amending the Fiscal Year 2005/06 Budget to Fund Construction. Staff Recommendation: 1) Approve the plans and specifications and authorize staff to solicit for construction bids; and 2) Adopt Resolution No. 2006-2489. ROLL CALL VOTE REQUIRED
- Q. Consider Two-Year Memorandum of Understanding (MOU) with Service Employees International Union AFL-CIO, CLC Local 998. Staff Recommendation: Authorize approval of a new two-year MOU for the time period from July 1, 2006 through June 30, 2008, and authorize the City Manager to sign the new MOU, subject to final language approval by the City Manager and City Attorney.
- R. Consider Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for California Public Employees Retirement System. Staff Recommendation: Adopt Resolution No. 2006-2490. (Staff: Deborah Traffenstedt)

- S. Consider Exoneration of Surety Performance Bond for a Temporary Wireless Communications Antenna Mounted to a Sixty-Foot Pole. Staff Recommendation: Authorize the City Clerk to fully exonerate Safeco Insurance Company Performance Bond No. 5897676.
- T. Consider Resolution Calling and Giving Notice of the Holding of the General Municipal Election to be Held on Tuesday, November 7, 2006, for the Election of Certain Officers of the City and Requesting the Board of Supervisors of the County of Ventura to Consolidate said Municipal Election with the Statewide General Election on said Date, and a Resolution Requesting the Board of Supervisors of the County of Ventura to Permit the County Clerk to Render Services to the City of Moorpark for the General Municipal Election and to Canvass the Returns of the General Municipal Election. Staff Recommendation: Adopt Resolution No. 2006-2491 and Resolution No. 2006-2492.
- U. Consider Resolution Authorizing the Destruction of Certain Records. Staff Recommendation: Adopt Resolution No. 2006-2493.
11. ORDINANCES: (ROLL CALL VOTE REQUIRED)
- None.
12. CLOSED SESSION:
- None was held.
13. ADJOURNMENT:
- Mayor Hunter adjourned the meeting at 11:32 p.m.

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Patrick Hunter, Mayor

ATTEST:

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Deborah S. Traffenstedt  
City Clerk

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