

MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaSeptember 20, 2006

A Regular Meeting of the City Council of the City of Moorpark was held on September 20, 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 7:24 p.m.

2. PLEDGE OF ALLEGIANCE:

Johnny Ea, Finance 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; Nancy Burns, Senior Management Analyst; John Brand, Senior Management Analyst; Captain Jeff Matson, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Deputy City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Introduce New City Employee, Freddy Carillo, Community Development Technician.

Mayor Hunter introduced new City employee, Freddy Carillo, Community Development Technician.

B. Introduce New City Employee, Richard Lemmo, Recreation Leader IV.

Mayor Hunter introduced new City employee, Richard Lemmo, Recreation Leader IV.

C. Presentation of Certificates of Recognition to Moorpark Girls Softball Teams 10 & Under and 14 & Under.

Mayor Hunter presented Certificates of Recognition to the Moorpark Girls Softball Team 10 & Under, Michele Barker, Dani Brown, Maddie Fleming, Haylee Haas, Summer Hall, Olivia Hoelker, Launa Jones, Makenna Kawana, Amanda Paredes, Nicole Pufahl, Brooke Rudebusch, and Kaitlyn Wilkens.

Mayor Hunter presented Certificates of Recognition to Moorpark Girls Softball Team 14 & Under, Megan Anderson, Hailey Ashley, Ashley Devolites, Lauren DiGiuseppe, Brett Hall, Kaela Kawana, Kristin Ketring, Ashley Letson, Lauren Rohach, Kayli Vitale, and Liz Wareham.

D. City Manager's Monthly Report.

Mr. Kueny deferred the monthly report due to the lengthy agenda.

5. PUBLIC COMMENT:

Will Whitaker spoke in regard to tree maintenance on High Street and the failure of tree Number 45.

A discussion followed among the Councilmembers, staff, and Mr. Whitaker regarding the Settlement Agreement, which addressed the Pepper trees on High Street.

CONSENSUS: It was the consensus of the Council for staff to agendize for the October 4, 2006, meeting, a report to include settlement parameters of the lawsuit, assurance that the trees are being maintained per the arborist's instructions, and specifics on why tree Number 45 failed; and to invite the arborist to be present for any questions.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:46 p.m. The City Council meeting reconvened at 7:47 p.m.

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

CONSENSUS: It was the consensus of the Council to pull Items 10.R, 10.S, and 10.W. from the Consent Calendar for individual consideration on the request of Mayor Hunter.

CONSENSUS: It was the consensus of the Council to pull Item 10.G. from the Consent Calendar for individual consideration on the request of Councilmember Harper.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Councilmember Mikos announced she had attended the 25th anniversary of Cabrillo Economic Development Corporation (CEDC) on Friday, September 15th at Camarillo Ranch. She identified CEDC projects including programs which have provided affordable housing in Moorpark, workshops for first time home

buyers, and "Neighborworks Week" projects where volunteers revitalize and landscape homes. Councilmember Mikos requested a future agenda item to consider a Neighborworks Week project in Moorpark in either 2007 or 2008.

Councilmember Mikos announced the Santa Monica Mountains Conservancy (SMMC) recently released a study entitled the "South Coast Missing Linkages Project: Linkage Design for the Santa Monica—Sierra Madres Connection" which deals with the need to preserve the connections for wildlife species movement.

Councilmember Mikos announced a vote was taken to spend Proposition 50 funds to acquire 2.66 acres of habitat south of Arroyo Simi in part of the Alamos Canyon watershed, near Oak County Park in Simi Valley at the Monday, September 18th meeting of the SMMC.

Councilmember Mikos congratulated Woody Smeck, Moorpark resident, who is the Superintendent of the Santa Monica Mountains National Recreation Area for receiving the Superintendent of the Year award for Natural Resource Stewardship for Fiscal Year 2005.

Councilmember Mikos announced the SMMC voted in August, to support the passage of Proposition 84, a bond to pay for water, flood control, and park and conservation projects throughout the state and to oppose the passage of Proposition 90 that would drive up the costs of public infrastructure, schools, and similar projects by redefining "just compensation" and "fair market value". Councilmember Mikos requested a future agenda item for October 4th to consider taking an official position in favor of Proposition 84.

Councilmember Mikos announced at the September 11th meeting of the Community Action of Ventura County, Inc. (formerly called Commission on Human Concerns), a vote was taken to support passage of Proposition 1C, which is an infrastructure bond that will help provide funds for affordable housing and emergency shelters. She requested a future agenda item for October 4th to consider taking an official position in favor of Proposition 1C.

Councilmember Harper announced the grand opening of the High Street Arts Center will be this Friday, September 22nd, where "Barnum" the musical will be presented. The performance will run until October 29th.

Mayor Hunter announced the Active Adult Center is holding a Doubles Horseshoe Tournament and barbecue on Friday, October 6th.

Mayor Hunter announced the Metrolink north parking lot will be closed Saturday, October 7th due to Country Days activities. Vehicles must be removed before 6:00 a.m. Saturday, October 7th to avoid being towed. The parking lot will reopen on Sunday, October 8th. The Moorpark station south parking lot will remain open throughout Country Days activities.

Councilmember Parvin announced the Local Agency Formation Commission (LAFCO) has confirmed the date for the Agricultural Mitigation Policy Workshop for Thursday, November 9th from 7:30-11:30 a.m.

Councilmember Parvin announced owners of small businesses may contact the Economic Development Collaborative to apply for small business loans to retrofit for earthquakes.

Councilmember Parvin announced she and Mayor Hunter attended the League of California Cities Conference last week in San Diego where she met with several different cities that shared their strategic planning for working with school districts and chambers of commerce. She also met with vendors who have some incredible art in public places and will be sharing that information with Mary Lindley.

8. PUBLIC HEARINGS:

CONSENSUS: It was the consensus of the Council to hear Items 8.A. and 8.B. concurrently.

- A. Consider General Plan Amendment No. 2003-04, Zone Change No. 2003-03, Development Agreement No. 2004-01, Tentative Tract Map No. 5463, and Residential Planned Development Permit No. 2003-04 for Fifty-One (51) Single-Family Homes on 43.04 Acres North of Championship Drive and East of Grimes Canyon Road, on the Application of Toll Brothers, Inc. (continued public hearing open from August 2, 2006) Staff Recommendation: 1) Continue to receive public testimony, and close the public hearing; 2) Adopt Resolution No. 2006-____ adopting a Mitigated Negative Declaration and approving General Plan Amendment No. 2003-04; 3) Introduce, for first reading, Ordinance No. ____ approving Zone Change No. 2003-03, and set October 4, 2006, for second reading; 4) Introduce, for first reading, Ordinance No. ____ adopting Development Agreement No. 2004-01, and set October 4, 2006, for second reading; and 5) Adopt Resolution No. 2006-____ approving Tentative Map No. 5463 and Residential Planned Development Permit No. 2003-04, subject to Conditions of Approval.
- B. Consider General Plan Amendment No. 2003-04, Zone Change No. 2003-03, Development Agreement No. 2004-02, Tentative Tract Map No. 5464, and Residential Planned Development Permit No. 1994-01 Modification No. 6 for Thirty-Six (36) Single-Family Homes on 28.69 Acres North of Championship Drive and West of Walnut Canyon Road, on the Application of Toll Brothers, Inc. (continued public hearing open from August 2, 2006) Staff Recommendation: 1) Continue to receive public testimony, and close the public hearing; 2) Adopt Resolution No. 2006-____, adopting a Mitigated Negative Declaration and approving General Plan Amendment No. 2003-04; 3) Introduce, for first reading, Ordinance No. ____ approving

Zone Change No. 2003-03, and set October 4, 2006, for second reading; 4) Introduce, for first reading, Ordinance No. ____ adopting Development Agreement No. 2004-02, and set October 4, 2006, for second reading; and 5) Adopt Resolution No. 2006-____ approving Tentative Map No. 5464 and Modification No. 6 to Residential Planned Development Permit No. 1994-01, subject to Conditions of Approval.

Mr. Hogan stated there is only one remaining issue, which is whether the Homeowners Association's attorney concurs with Toll Brothers' attorney and the City Attorney that Toll Brothers has access rights to future land to be annexed. Mr. Hogan recommended a continuance to allow the HOA attorney more time to work out a solution with Toll Brothers or Council may wish to remove the items from calendar and re-notice a meeting to the public once an agreement has been reached.

Mayor Hunter announced the public hearings remain open.

Craig Messi, representing Toll Brothers, Inc, 301 Science Drive, Moorpark, California, stated they are not at an impasse and are working on a solution with the HOA attorney.

Chuck Cohen, attorney representing Toll Brothers, 2801 Townsgate Road, Thousand Oaks, concurred with the City Attorney's opinion that Toll Brothers does have access rights and assured the Council Toll Brothers will continue to work on this issue with the HOA attorney.

Harvey Plaks, Don Moore, Gary Cabriales, Ken Simons, Scott Mosher Lennea Hartoonian, and (Council waived rules to hear late speaker) Robert Malyszek spoke in favor of the projects and expressed views including: 1) Only Toll Brothers should be the developer of these projects in order to maintain the same high quality of homes; 2) Toll has proven to be a good citizen by contributing to the Boys and Girls Club; 3) Property values in Moorpark have increased due to the Toll development; and 4) Toll Brothers has provided a championship golf course for the community.

Mike Sullivan, David Jacobs, Patrick Leyden, and Tucker Brown spoke in opposition to the projects and expressed a variety of concerns including: 1) Clarification needed of any problems with access to the Mazur property; 2) Clarification needed for the ownership of the five acres not included in the Mazur Tract; 3) Impacts to residents from grading; 4) The need to prohibit cutting down the hill and instead bring in dirt for the project; 5) Discrepancy in the 38 acres Toll Brothers owns and the 44-plus acres in the projects; 6) Simplify everything by requiring Toll Brothers to get a two-thirds vote from the homeowners in favor of these projects and end the debate; 7) Lack of trust that Toll Brothers will stand by their word due to poor experiences with warranty work on existing homes; 8) The projects should be taken off calendar until issues are resolved; 9) Density for this

area should not be changed; and 10) Access should be from Grimes Canyon Road not across the disputed land.

Greg Horton, Roseann Stevenson, and Shehbaz Siddiq offered comments on the projects including: 1) The need for a commitment from Toll for a neighborhood park, landscaping adjacent to Palmer Drive, a security barrier of guard to prevent construction traffic from speeding, and a reduction in the number of duplicate models in the Santa Barbara and San Marino styles; 2) Concurrence with Toll Brothers that the HOA attorney should be able to resolve the outstanding issue within 45 days; and 3) A request to have a gate installed at Palmer Drive due to lack of security during construction.

In response to Mayor Hunter, Ms. Traffenstedt summarized the 13 Written Statement cards in favor of the projects including remarks that Toll Brothers has done a good job; they build quality homes; and the projects will help the property tax base and local sales tax.

Mr. Messi stated Toll Brothers is in support of a continuance and responded to the residents' and Council's concerns by describing measures Toll Brothers will take to resolve issues concerning gating off sections so construction traffic will not impact existing Country Club Estate residents; integration of landscaping on Palmer Drive; research siting a park somewhere in the project, if the Ventura County Fire Protection District determines they need property for a helispot; reduction in Santa Barbara and San Marino models; and supplying a list in writing of resolution of customer service/warranty issues.

In response to Council's concerns, Mr. Hogan stated the fence separating these projects from adjacent property is subject to the Community Development Director's approval; the berms around the detention basin are conditioned to be densely landscaped; and additional landscaping along Palmer Drive and the south side of Championship Drive would require Council direction to amend the existing RPD.

MOTION: Councilmember Mikos moved and Councilmember Parvin seconded a motion to continue these items with the public hearings open to November 15, 2006. The motion carried by unanimous voice vote.

CONSENSUS: It was the consensus of the Council to hear Items 8.C. and 8.D. concurrently.

- C. Consider Resolution Approving Amendment No. 1 to Downtown Specific Plan No. 1995-01, A Request to Amend the Downtown Specific Plan to Provide More Specific Direction Regarding Development and Architectural Style in the Commercial and Residential Areas. Staff Recommendation:

1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2006-____. (Staff: **Barry Hogan**)

- D. Consider Zoning Ordinance Amendment No. 2005-03 – Amendments to Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions; Chapter 17.32: Parking, Access and Landscaping Requirements; and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D), and Repealing Ordinance No. 331, a Temporary Moratorium in the Downtown Specific Plan Overlay Zone. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. ____, repealing Ordinance No. 331, for first reading, waive full reading, and schedule second reading and adoption for October 4, 2006.

Mr. Hogan requested these items be continued with public hearings open to October 18, 2006.

Mayor Hunter opened the public hearings.

Richard Gray spoke in opposition to the change in the parking requirements and proposed allowing exclusive parking on individual properties as well as to allow a reduction of 50%.

Colin Velazquez stated the main theme appears to be all Spanish Mission and he is not in favor of a cookie cutter street front; reciprocal parking should be desired, but not required; a downtown EIR should be performed, and a Downtown Committee including business people should be formed to discuss the changes.

A discussion followed among Councilmembers and staff regarding adjourned and continued meetings on these items.

MOTION: Councilmember Harper moved and Councilmember Parvin seconded a motion to adjourn Items 8.C. and 8.D. to 6:30 p.m. on October 4, 2006, and to continue Items 8.C. and 8.D. to 7:00 p.m. on October 4, 2006. the motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Moorpark Library Task Force Applications. Staff Recommendation: Appoint six applicants to serve on the Moorpark Library Task Force.

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 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 Millhouse seconded a motion to nominate Patricia Delkhaste, Caitlin Dimmitt, Heather McGregor, Martin Mogul, Tim Rosevear, and Zoe Sophos to serve on the Library Task Force for a term ending on December 31, 2006. The motion carried by unanimous voice vote.

- B. Consider Ordinance Establishing the Moorpark City Library. Staff Recommendation: Introduce Ordinance No. 341, waive further reading; and schedule second reading and adoption for October 4, 2006.

Ms. Lindley gave the staff report.

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

Mr. Montes read the title of Ordinance No. 341.

MOTION: Councilmember Mikos moved and Councilmember Harper seconded a motion to introduce Ordinance No. 341, establishing the Moorpark City Library, for first reading, waive full reading, and schedule second reading and adoption for October 4, 2006. The motion carried by unanimous voice vote.

- C. Consider Approval of Plans and Specifications for Projects to Synchronize the Signals Along Los Angeles Avenue and Tierra Rejada Road and Authorization to Solicit for Construction Bids. Staff Recommendation: Approve the plans and specifications for the subject project and authorize staff to solicit for construction bids.

Mr. Lall gave the staff report and amended the plans for the Tierra Rejada Road project to substitute signal operation through use of a telephone modem rather than hardwire to City Hall, thus reducing the cost of the overall project.

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

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to approve the plans and specifications for the projects to synchronize the signals along Los Angeles Avenue and Tierra Rejada Road and authorization to solicit for construction bids, as amended to allow signals to operate the signals at Tierra Rejada Road through a telephone modem. The motion carried by unanimous voice vote.

- D. Consider Change to Conceptual Design for the Walnut Canyon/Gabbert Canyon Storm Drain Channel Improvement Project. Staff Recommendation: Approve Revised Alternate B design concept as set forth in the Walnut Canyon/Gabbert Canyon Flood Control Deficiency Study dated July 2005.

Mr. Lall 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 revised Alternate B design concept as set forth in the Walnut Canyon/Gabbert Canyon Flood Control Deficiency Study dated July 2005. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Parvin moved and Councilmember Mikos seconded a motion to approve the Consent Calendar with the exception of Items 10.G, 10.R, 10.S, and 10.W, which were pulled for individual consideration. The motion carried by unanimous roll call vote.

- A. Consider Approval of the Special Meeting Minutes of May 31, 2006. Staff Recommendation: Approve the minutes.
- B. Consider Approval of the Regular Meeting Minutes of August 2, 2006. Staff Recommendation: Approve the minutes.
- C. Consider Approval of the Special Meeting Minutes of August 16, 2006. Staff Recommendation: Approve the minutes.
- D. Consider Approval of the Regular Meeting Minutes of August 16, 2006. Staff Recommendation: Approve the minutes.
- E. Consider Approval of Warrant Register for Fiscal Year 2005-2006 – September 20, 2006. Staff Recommendation: Approve the warrant register.
- F. Consider Approval of Warrant Register for Fiscal Year 2006-2007 – September 20, 2006. Staff Recommendation: Approve the warrant register.
- H. Consider Authorizing the Use of City Marquee Signs and Portable Lights for Rotary Club Civil War Reenactment Event Scheduled for November 4 and 5, 2006, at Tierra Rejada Ranch. Staff Recommendation: Approve

use of City marquee signs and portable lights, subject to conditions specified in the agenda report.

- I. Consider Bond Reduction for Pardee Homes, Moorpark Highlands, Tract 5045, Mass Grading Bond. Staff Recommendation: 1) Authorize the City Clerk to reduce Grading Performance Surety Bond No. 81933515 to 10% for Pardee Homes, Moorpark Highlands, Tract 5045; and 2) Authorize the City Clerk to fully exonerate the above referenced surety bond one year after the approval of the reduction and upon written confirmation from the City Engineer that no warranty work is required.
- J. Consider Resolution Authorizing the Destruction of Certain Election Records. Staff Recommendation: Adopt Resolution No. 2006-2515.
- K. Consider Resolution Authorizing the Destruction of Certain Records. Adopt Resolution No. 2006-2516.
- L. Consider Resolution Adopting The National Incident Management System For Disaster Response and Emergency Management. Staff Recommendation: Adopt Resolution No. 2006-2517.
- M. Consider Partial Refund of the Cash Surety for the Moorpark Presbyterian Church at 13950 Peach Hill Road. Staff Recommendation: Authorize the City Clerk to refund a portion of the cash surety in the amount of \$44,067.95 for Grading and Improvements for the Moorpark Presbyterian Church.
- N. Consider Resolution Amending the Fiscal Year 2006/07 Budget for the Purchase of a Salad Bar for the Senior Nutrition Program. Staff Recommendation: Adopt Resolution No. 2006-2518. ROLL CALL VOTE REQUIRED
- O. Consider Resolution Authorizing the Submittal of a Grant Application Requesting Monies from the Ventura County Area Agency in Aging Older Americans Act Title III-B Contract Grant Funds for the "Fit for Life" Physical Fitness Project, and Authorizing the City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2006-2519.
- P. Consider Resolution for the Submittal of a Grant Application to the Ventura County Area Agency on Aging (VCAAA) for Older Americans Act Title III-B Contract Grant Funds for the "Strike Out Stroke" Health Screening and Education Project, and Authorizing City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2006-2520 and authorize the City Manager to execute cooperative agreements with the cities of Oxnard, Santa Paula and Ventura, pending final language approval of the City Manager and City Attorney.

- Q. Consider the City of Moorpark General Plan Annual Report Including the Housing Element Progress Report – September 2005 to August 2006. Staff Recommendation: 1) Receive and file report; and 2) Direct staff to forward a copy of this report to the Governor's Office of Planning and Research, the California Department of Housing and Community Development, and the County of Ventura-Planning Division.
- T. Consider Award of Construction Contract to Replace and Cover Over Street Names and Directional Signs on State Routes 23 and 118 as a Result of Street Name Changes to Princeton Avenue and Los Angeles Avenue. Staff Recommendation: 1) Award construction contract to Peterson-Chase General Engineering Construction, Inc, and authorize the Mayor to execute the construction contract in the amount of \$84,501 for Routes 23/118 Sign Change Project; 2) Authorize the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$8,500 if and when the need arises for extra work and services; and 3) Authorize the City Manager to enter into an agreement with MNS Engineers, Inc. in the amount of, not to exceed, \$12,000 for construction management services. ROLL CALL VOTE REQUIRED
- U. Consider Approval of Revised Plans and Specifications and Authorization to Re-Advertise for Bids for the 2006 Pavement Rehabilitation Project. Staff Recommendation: Approve the plans and specifications for the 2006 Pavement Rehab Project and authorize staff to advertise for the solicitation of construction bids for the project.
- V. Consider Release of Irrevocable Letter of Credit for the Otay Ranch Company for North Park Communities, LLC. Staff Recommendation: 1) Authorize the Finance Department to transfer money from the Community Development North Park project entitlement account to fund any election account deficit; and 2) Authorize the City Clerk to fully release the Irrevocable Letter of Credit surety.

The following items were pulled for individual consideration.

- G. Consider Response to Grand Jury Report on Affordable Housing. Staff Recommendation: Approve letter of response to Grand Jury Report on Affordable Housing.

Councilmember Harper stated he pulled this item to ask staff to amend the letter to the Grand Jury to include information about the problem created for families in affordable units who are being assessed the full property value by the Ventura County Tax Assessor.

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

MOTION: Councilmember Harper moved and Councilmember Mikos seconded a motion to approve the letter of response to the Grand Jury Report on Affordable Housing, as amended to include language citing the policy of the Ventura County Tax Assessor to tax affordable units at full property value. The motion carried by unanimous voice vote.

- R. Consider Approval of Plans and Specifications for Modification of the Median at the Intersection of Princeton Avenue and Campus Park Drive. Staff Recommendation: 1) Approve the plans and specifications for the modification of the median at the intersection of Princeton Avenue and Campus Park Drive and authorize staff to advertise for the solicitation of construction bids for the project; and 2) Authorize the City Manager to execute a contract for the construction of the subject project, based on a bid prepared, submitted, reviewed and approved in accordance with applicable State and City requirements and regulations.

Mayor Hunter stated he had this item pulled to authorize the City Manager to approve the contract up to \$100,000.

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

MOTION: Mayor Hunter moved and Councilmember Harper seconded a motion to: 1) Approve the plans and specifications for the modification of the median at the intersection of Princeton Avenue and Campus Park Drive and authorize staff to advertise for the solicitation of construction bids for the project; 2) Authorize the City Manager to execute a contract for the construction of the subject project, based on a bid prepared, submitted, reviewed and approved in accordance with applicable State and City requirements and regulations; and 3) As amended, to authorize the City Manager to approve the contract up to \$100,000.

Councilmember Mikos requested the motion be amended to include the removal of dead roots under the roadway at the companion project on Campus Park Drive along with repair of that road surface.

AMENDED MOTION: Mayor Hunter moved to amend the motion and Councilmember Harper seconded the amendment to the motion to include removal of the dead roots and repair of the roadway at the companion project on Princeton Avenue and Campus Park Drive. The amended motion carried by unanimous voice vote.

- S. Consider Final Parcel Map Approval for Parcel Map 5494-Calleguas Municipal Water District. Staff Recommendation: Authorize the Mayor and City Clerk to sign the map and the City Clerk to cause Parcel Map 5494 to be recorded in the office of the Ventura County Recorder.

Mayor Hunter stated he had this item pulled to explore ways to expedite Calleguas Municipal Water District replacement of the median on Spring Road, which they removed during their construction project on Los Angeles Avenue.

A discussion followed among Councilmembers and staff regarding communicating this request to Calleguas Municipal Water District.

Mayor Hunter requested a future agenda item to consider delegating authority to the City Engineer for approval of final maps.

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

MOTION: Councilmember Millhouse moved and Councilmember Harper seconded a motion to: 1) Authorize the Mayor and City Clerk to sign the map and the City Clerk to cause Parcel Map 5494 to be recorded in the office of the Ventura County Recorder; 2) Authorize the Mayor to send a letter to Calleguas Municipal Water District requiring them to reinstall the median on Spring Road; and 3) Direct staff to agendize for future consideration, delegating authority for approval of final maps to the City Engineer. The motion carried by unanimous voice vote.

W. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for the Magnolia Park Street Improvement Project. Staff Recommendation: 1) Approve the plans and specifications for the Magnolia Park Street Improvement Project and authorize staff to advertise for solicitation of constructions bids for the project; and 2) Authorize the City Manager to execute a contract for the construction of the subject project, based on a bid prepared, submitted, reviewed and approved in accordance with applicable State and City requirements and regulations.

Mayor Hunter stated he had this item pulled to authorize the City Manager to approve the contract up to \$100,000.

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

MOTION: Mayor Hunter moved and Councilmember Harper seconded a motion to approve plans and specifications and authorization to advertise for bids for the Magnolia Park Street Improvement Project, as amended to authorize the City Manager to approve the contract up to \$100,000. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 338 Amending Title 9, Public Peace, Morals and Welfare by Adding Chapter 9.32, "Social Host", to the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 338 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Montes read the title of Ordinance No. 338.

MOTION: Councilmember Harper moved and Councilmember Parvin seconded a motion to waive further reading and adopt Ordinance No. 338 amending Title 9, Pubic Peace, Morals and Welfare by adding Chapter 9.32, "Social Host", to the Moorpark Municipal Code. The motion carried by unanimous roll call vote.

- B. Consider Ordinance No. 340 Amending Titles 1 and 15 of the Moorpark Municipal Code by Adding Chapter 1.10, "Code Violations, Penalties and Enforcement"; Amending Chapter 1.12 Which Will be Renamed "Nuisances"; Adding Chapter 1.16 Entitled "Administrative Citations"; and Amending Section 15.04.060 Entitled "Violations and Penalties". Staff Recommendation: Waive full reading and declare Ordinance No. 340 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Montes read the title of Ordinance No. 340.

MOTION: Councilmember Mikos moved and Councilmember Harper seconded a motion to waive further reading and adopt Ordinance No. 340 amending Titles 1 and 15 of the Moorpark Municipal Code by adding Chapter 1.10, "Code Violations, Penalties and Enforcement"; amending Chapter 1.12 which will be renamed "Nuisances"; adding Chapter 1.16 entitled "Administrative Citations"; and amending Section 15.04.060 entitled "Violations and Penalties". The motion carried by roll call vote 4-1, Councilmember Millhouse dissenting.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Parvin moved and Councilmember Harper seconded a motion to adjourn the meeting. The motion carried by unanimous voice vote. The time was 10:29 p.m.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk