

MINUTES OF THE CITY COUNCIL

Moorpark, California

February 15, 2006

A Regular Meeting of the City Council of the City of Moorpark was held on February 15, 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 7:10 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; David Moe, Redevelopment Manager; Captain Richard Diaz, 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 introduced Captain Diaz, who gave the monthly report.

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 7:22 p.m. The City Council meeting reconvened at 7:25 p.m.

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

None.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Mayor Hunter announced the last day to request an Absent Voter Ballot is Tuesday, February 21, 2006. If a resident has already registered as a permanent absent voter, you do not need to reregister. The last day the Elections Office can accept Absentee Ballots is Election Day, Tuesday, February 28, 2006. The Absentee "Vote by Mail" application form is available on the City's website at www.ci.moorpark.ca.us, at City Hall 799 Moorpark Avenue, or by calling the City Clerk's Division at 517-6223.

Councilmember Millhouse cautioned voters to make sure they sign their absentee ballot envelope exactly as they have registered, to ensure their vote is not disqualified.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

A. Consider Presentation by Douglas Tapking, Executive Director, Area Housing Authority.

Douglas Tapking, Executive Director, Area Housing Authority, introduced members of the Board of Commissioners and provided information on rental assistance and public housing units available in Moorpark.

Vina June Milburn, Tenant Commissioner, invited citizens to visit the Tafoya Terrace housing complex on Charles Street.

B. Consider Approval of the Off-Site Wall to be Constructed by Pardee Homes Along the West Side of Spring Road from Los Angeles Avenue North to the Last Residential Unit South of the Union Pacific Railroad Tracks. Staff Recommendation: Approve the conceptual plan for the off-site wall and related improvements.

Mr. Hogan 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 approve the conceptual plan for the off-site wall and related improvements to be constructed by Pardee Homes along the west side of Spring Road from Los Angeles Avenue north to the last residential unit south of the Union Pacific Railroad tracks. The motion carried by unanimous voice vote.

- C. Consider Awarding Contract for Design of the Human Services Center to HMC Architects, Inc. Staff Recommendation: Approve professional services agreement with HMC Architects in the amount of \$754,569; and authorize the City Manager to execute said contract, subject to final language approval by the City Manager and City Attorney.

Mr. Riley gave the staff report.

Joe Kragelund, architect, representing HMC Architects, 766 E. Colorado Boulevard, Suite 200, Pasadena, California, responded to Council questions concerning screening of rooftop appurtenances and setbacks.

MOTION: Councilmember Mikos moved and Councilmember Harper seconded a motion to approve professional services agreement with HMC Architects, Inc. in the amount of \$754,569; and authorize the City Manager to execute said contract, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR:

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

Mr. Kueny requested Item 10.I. be pulled from the Consent Calendar for individual consideration.

- A. Consider Approval of Minutes of Regular Meeting of February 1, 2006. Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2005-2006 – February 15, 2006. Staff Recommendation: Approve the warrant register.
- C. Consider 2004 Annual AB 939 Solid Waste Diversion Report to the Integrated Waste Management Board. Staff Recommendation: Receive and file report.
- D. Consider Award of Contract to Community Works Design Group for the Poindexter Park Expansion Conceptual Design. Staff Recommendation: Authorize the City Manager to execute an agreement with Community Works Design Group not to exceed \$25,850
- E. Consider Conceptual Design for Magnolia Park. Staff Recommendation: Approve the conceptual plan for Magnolia Park

- F. Consider Upgrading Bocce Ball Courts at Tierra Rejada Park. Staff Recommendation: Authorize staff to use \$30,000 previously allocated for Bocce ball court improvements at Tierra Rejada Park as outlined in the agenda report
- G. Consider Final Map Approval for Parcel Map 5567. Staff Recommendation: Authorize the Mayor and City Clerk to sign and direct the City Clerk to cause Parcel Map 5567 to be recorded in the office of the Ventura County Recorder.
- H. Consider Los Angeles Avenue Area of Contribution (L.A. Ave. AOC) Fee Revisions. Staff Recommendation: 1) Set March 15, 2006, as the date of a public hearing to consider an increase to the Los Angeles Avenue AOC fee; and 2) Direct the City Clerk to give notice of said hearing in a manner consistent with the requirements of the appropriate Sections of the Government Code
- J. Consider Increasing Police Facilities Fee. Staff Recommendation: 1) Set March 15, 2006, as the date of a public hearing to consider an increase to the Police Facilities Fee; and 2) Direct the City Clerk to give notice of said hearing in a manner consistent with the requirements of the appropriate Sections of the Government Code.
- K. Consider Resolution Amending the Fiscal Year 2005/06 Budget to Purchase a Dump Truck (Gas Tax Fund 2605). Staff Recommendation: Approve Resolution No. 2006-2441. ROLL CALL VOTE REQUIRED
- L. Consider Resolution Revising Park Rules and Regulations Governing the Use of the Facilities in Public Parkland and Rescinding Resolution No. 2002-2006. Staff Recommendation: Adopt Resolution No. 2006-2442.

The following item was pulled for individual consideration.

- I. Consider Approval of Adjustments of Outstanding Accounts Receivable, Accounts Receivable Collection Policy, and a Proposed Collection Agency Contract. Staff Recommendation: 1) Authorize recommended adjustments to outstanding accounts receivable prior to January 1, 2004; 2) Adopt 'Accounts Receivable Collection Policy' as noted in Exhibit A of the agenda report; and 3) Direct staff to return a proposed collection agency contract for Council approval.

Mr. Kueny stated this item was pulled to correct the per annum charge in No. 2. on stamped page 64 of the agenda report to reflect, a ten percent (10%) per annum finance charge rather than the 1.5% monthly charge shown.

AMENDED MOTION: Councilmember Millhouse amended his motion and Councilmember Parvin seconded the amended motion to approve the Consent Calendar with the exception of Item 10.I, which was pulled for individual consideration to: 1) Authorize recommended adjustments to outstanding accounts receivable prior to January 1, 2004; 2) Adopt 'Accounts Receivable Collection Policy' as noted in Exhibit A of the agenda report and as amended on stamped page 64 Section 2. for per annum finance charge; and 3) Direct staff to return a proposed collection agency contract for Council approval. The motion carried by unanimous voice vote.

11. ORDINANCES:

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of Item 12.A. (one case) and Item 12.B. (one case) on the agenda.

Mr. Montes announced that in the matter of Item 12.A, the facts and circumstances creating significant exposure to litigation consist of a statement threatening litigation received from the Department of Justice.

MOTION: Councilmember Harper moved and Councilmember Parvin seconded a motion to adjourn to closed session for a discussion of Item 12.A. (one case) and Item 12.B. (one case) on the agenda. The motion carried by unanimous voice vote. The time was 7:53 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)

Present in closed session were Councilmembers Harper, Mikos, Millhouse, Parvin, and Mayor Hunter; Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; and Deborah Traffenstedt, Administrative Service Director/City Clerk.

The Council reconvened into open session at 8:05 p.m. Mr. Kueny stated Item 12.A. (one case) was discussed and there was no action to report. Item 12.B. was not discussed.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 8:05 p.m.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk