

## MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaMarch 15, 2006

A Regular Meeting of the City Council of the City of Moorpark was held on March 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:

Captain Richard Diaz 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 (via telephone conference); 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 Richard Diaz, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Blanca Garza Deputy City Clerk.

## 4. PROCLAMATIONS AND COMMENDATIONS:

## A. Recognition of Captain Richard Diaz upon the Occasion of his Retirement from the Ventura County Sheriff's Department.

Mayor Hunter recognized Captain Richard Diaz upon the occasion of his retirement after 36 1/2 years in law enforcement.

## B. City Manager's Monthly Report.

Ms. Lindley, Parks, Recreation and Community Services Director, gave the monthly report.

## 5. PUBLIC COMMENT:

Kim Ramseyer, spoke about using the Home Acres Buffer Zone as a dog park, the funding for such a use, and the leash law.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:35 p.m. The City Council meeting reconvened at 7:41 p.m.

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

None.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Councilmember Mikos announced family hikes on March 18 and on March 26, both at Happy Camp Canyon Regional Park.

Councilmember Mikos thanked all Moorpark voters for their participation in the February 28, 2006, Special Election.

8. PUBLIC HEARINGS:

- A. Consider Resolution Increasing the Los Angeles Avenue Area of Contribution (L A Ave. AOC) Fee and Rescinding Resolution No. 2005-2360. Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; and 2) Adopt Resolution No. 2006-2445. ROLL CALL VOTE REQUIRED

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 Harper moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2006-2445, increasing the Los Angeles Avenue Area of Contribution Fee and rescinding Resolution No. 2005-2360. The motion carried by unanimous roll call vote.

- B. Consider Resolution Increasing the Police Facilities Fees. Staff Recommendation: 1) Open the public hearing, receive public testimony and close the public hearing; and 2) Adopt Resolution No. 2006-2446. ROLL CALL VOTE REQUIRED

Mr. Ea 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 Parvin moved and Councilmember Harper seconded a motion to adopt Resolution No. 2006-2446, increasing the Police Facilities Fee and rescinding Resolution No. 2000-1777. The motion carried by unanimous roll call 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. Staff Recommendation: Continue the item to April 5, 2006.

Mr. Hogan requested continuance to April 5, 2006.

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

MOTION: Councilmember Harper moved and Councilmember Mikos seconded a motion to continue this item to April 5, 2006. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR:

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

- A. Consider Approval of Warrant Register for Fiscal Year 2005-2006 – March 15, 2006. Staff Recommendation: Approve the warrant register.
- B. Consider Resolution Amending the Fiscal Year 2005/06 Budget by Appropriating Older Americans Act Title III-B Vital Aging and Title III-D Health and Wellness Contract Funds. Staff Recommendation: Authorize budget appropriation in the amount of \$2,625.00 to cover expenditures under a one-time-only grant awarded by the Ventura County Area Agency on Aging (VCAAA) for the Vital Aging (\$2,250.00) and Health and Wellness (\$375.00) programs. ROLL CALL VOTE REQUIRED
- C. Consider Award of Contract to Do Right Concrete for Design and Construction for Installation of Playground Equipment at Virginia Colony Park. Staff Recommendation: Approve the conceptual design and

construction specifications for the walkway at Virginia Colony Park and award a contract to Do Right Concrete, Inc. and authorize the City Manager to sign said contract on behalf of the City.

- D. Consider Resolution Extending Time Limit for Activities in Connection with Properties Acquired with Low and Moderate Income Housing Funds. Staff Recommendation: Adopt Resolution No. 2006-2448.
- E. Consider Notice of Completion for the Tierra Rejada Road Median Landscaping Project. Staff Recommendation: Accept the work as complete and authorize the City Clerk to file the Notice of Completion.
- F. Consider Professional Services Agreement with Richard A. Diaz. Staff Recommendation: Approve the Professional Services Agreement and authorize the City Manager to sign on behalf of the City.
- G. Consider Approval of Additional Administrative Leave for Administrative Services Director and Community Development Director. Staff Recommendation: Approve additional Administrative Leave as described in the agenda report.
- H. Consider City Council Resolution Reciting the Fact of the Special Municipal Election Held on February 28, 2006, and Declaring the Election Results and Such Other Matters as Required by Law. Staff Recommendation: Adopt Resolution No. 2006-2449. Staff Recommendation: Approve the warrant register.

11. ORDINANCES:

None.

12. CLOSED SESSION:

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

Mr. Kueny announced that the circumstances under 12.A. are related to significant exposure to litigation based on statements threatening litigation from the U.S. Department of Justice. Mr. Kueny stated the City Attorney Mr. Montes will join in closed session by telephone conference.

MOTION: Councilmember Mikos moved and Councilmember Harper seconded a motion to adjourn to closed session for a discussion of Item 12.A. (one case) on the agenda. The motion carried by unanimous voice vote. The time was 8:00 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)

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

The Council reconvened into open session at 8:10 p.m. Mr. Kueny stated Item 12.A. (once case) was discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 8:10 p.m.

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Patrick Hunter, Mayor

ATTEST:

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Deborah S. Traffenstedt  
City Clerk