

## **ITEM 10.A.**

### MINUTES OF THE CITY COUNCIL

Moorpark, California

September 2, 2009

A Special Meeting of the City Council of the City of Moorpark was held on September 2, 2009, in the Community Center of said City located at 799 Moorpark Avenue, Moorpark, California.

1. CALL TO ORDER:

Mayor Parvin called the meeting to order at 6:22 p.m.

2. ROLL CALL:

Present: Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin.

Staff Present: Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; David Bobardt, Planning Director; David Moe, Redevelopment Manager; Yugal Lall, City Engineer/Public Works Director (arrived at 6:30 p.m.); and Deborah Traffenstedt, Administrative Services Director/City Clerk.

3. PUBLIC COMMENT:

None.

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

None.

5. CLOSED SESSION:

Mr. Kueny requested the Council go into closed session for discussion of one case under Item 5.A, one case under Item 5.B., and Items 5.C. and 5.D. on the agenda.

Mr. Montes announced that the facts and circumstances creating significant exposure to litigation consist of written communication threatening litigation received from Murray M. Sinclair & Associates on behalf of Diana Greene and dated July 16, 2009.

**MOTION:** Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to go into closed session for discussion of one case under Item 5.A, one case under Item 5.B., and Items 5.C. and 5.D. on the agenda. The motion carried by unanimous voice vote.

- 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)
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Subdivision (a) of Section 54956.9 of the Government Code)  
City of Moorpark; Moorpark Unified School District vs. Thomas H. Heyn and Eldora E. Heyn (Case No. 56-2009-00355222-CU-OR-SIM)
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Pursuant to Subdivision (b) of Section 54957 of the Government Code)  
Title: Administrative Services Director/City Clerk; Assistant City Manager; City Manager; City Attorney; City Engineer/Public Works Director; Chief of Police; Deputy City Manager; Finance Director; Parks, Recreation and Community Services Director; and Planning Director

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Montes, City Attorney; Barry Hogan, Deputy City Manager; David Bobardt, Planning Director; David Moe, Redevelopment Manager; Yugal Lall, City Engineer/Public Works Director (arrived at 6:30 p.m.); and Deborah Traffenstedt, Administrative Services Director/City Clerk. Mr. Hogan, Mr. Lall, and Mr. Moe left the meeting at 6:45 p.m.

The Council reconvened into open session at 6:57 p.m. Mr. Kueny stated one case under Item 5.A, one case under Item 5.B., and Items 5.C. and 5.D. were discussed and there was no action to report.

8. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 6:57 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, Assistant City Clerk