

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO: Honorable City Council**

**FROM: Dave Klotzle, City Engineer/Public Works Director**  
**Prepared by: Shaun Kroes, Senior Management Analyst**



**DATE: May 18, 2012 (CC meeting of 06/06/12)**

**SUBJECT: Consider Amendment No. 1 to Memorandum of Agreement (MOA) Between the Cities of Moorpark and Simi Valley Continuing the Authorization of Moorpark to Fuel up to Three Compressed Natural Gas (CNG) Buses at the Simi Valley Transit Maintenance Facility**

**BACKGROUND/DISCUSSION**

On June 15, 2009, the Cities of Moorpark and Simi Valley entered into a Memorandum of Agreement (MOA) authorizing the City of Moorpark to fuel up to three CNG buses daily at the Simi Valley Transit Maintenance Facility, located at 490 W. Los Angeles Avenue in anticipation of Moorpark's new CNG bus fleet. Moorpark's CNG buses began fueling at the Transit Maintenance Facility in October 2010. Fueling of Moorpark's CNG buses at the Transit Maintenance Facility has continued since October 2010 without incident according to the schedule specified in the MOA. The current MOA expires on June 30, 2012. Staff is requesting that City Council extend the MOA for another two years. The new expiration date will be June 30, 2014.

**FISCAL IMPACT**

The current method of Moorpark's payments to Simi Valley for CNG bus fueling will continue. Per the MOA, Moorpark reimburses Simi Valley for all applicable fuel and fueling facility maintenance costs. The average monthly CNG fueling invoice has been \$1,555.56.

The original MOA required the installation of a separate meter for Moorpark at the Simi Valley Transit Maintenance Facility. The installation was expected to cost \$10,000; however, after the MOA was signed Simi Valley received a grant that funded improvements to the Transit Maintenance Facility. Consequently, Moorpark's meter was paid for with the grant and the City was not invoiced for the work.

**STAFF RECOMMENDATION**

Authorize the Mayor to sign Amendment No. 1 subject to final language approval by the City Manager and City Attorney.

Attachment:

Amendment No. 1

AMENDMENT NO. 1

AGREEMENT BETWEEN THE CITIES OF SIMI VALLEY AND MOORPARK  
AUTHORIZING MOORPARK TO FUEL COMPRESSED NATURAL GAS BUSES AT  
THE SIMI VALLEY TRANSIT MAINTENANCE FACILITY

THIS AMENDMENT TO AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the City of Moorpark, a municipal corporation located in the County of Ventura, State of California, hereinafter referred to as "Moorpark" and the City of Simi Valley, a municipal corporation located in the County of Ventura, State of California, hereinafter referred to as "Simi Valley".

WITNESSETH

Whereas, on June 15, 2009, Moorpark and Simi Valley entered into an Agreement enabling Moorpark to fuel up to three Moorpark compressed natural gas (CNG) buses; and

Whereas, the Agreement for CNG fueling expires on June 30, 2012; and

Whereas, both Moorpark and Simi Valley desire to extend the CNG fueling Agreement until June 30, 2014; and

Whereas, both Moorpark and Simi Valley agree to the adjustments to the Agreement and now wish to document said Amendment by jointly approving this Amendment No. 1 to the June 15, 2009 Agreement by amending the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, benefits and premises herein stated, the parties hereto agree to amend the aforesaid Agreement as follows:

I. TERM

The term of the Agreement is extended to June 30, 2014.

II. Remaining Provisions

All other provisions of the aforesaid Agreement shall remain in full force and effect.

CITY OF MOORPARK,  
A MUNICIPAL CORPORATION:

CITY OF SIMI VALLEY,  
A MUNICIPAL CORPORATION:

\_\_\_\_\_  
Janice S. Parvin, Mayor of the  
City of Moorpark, California

\_\_\_\_\_  
Bob Huber, Mayor of the  
City of Simi Valley, California

ATTEST:

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

\_\_\_\_\_  
Wendy Green, Assistant City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Marjorie Baxter, Interim City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Mike Sedell, City Manager