

MINUTES OF THE CITY COUNCIL

Moorpark, California

December 20, 2006

A Regular Meeting of the City Council of the City of Moorpark was held on December 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 7:11 p.m.

2. PLEDGE OF ALLEGIANCE:

John Brand, Senior Management Analyst, led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; 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 Bobardt, Planning Manager; Jennifer Mellon, 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. Proclamation Recognizing December 21, 2006 as National Homeless Persons' Memorial Day.

Mayor Hunter presented a proclamation recognizing December 21, 2006, as National Homeless Persons' Memorial Day, to Kate Mills, a representative from the Ventura County Health Care for the Homeless Program.

B. Introduction of New City Employee, Roger Blais, Parks and Landscape Manager in the Parks, Recreation, and Community Services Department.

Mayor Hunter introduced new City employee, Roger Blais, Parks and Landscape Manager in the Parks, Recreation, and Community Services Department.

C. City Manager's Monthly Report (Shekell Fire Incident Briefing and Response).

John Brand, Senior Management Analyst, gave a briefing on the Shekell Fire Incident and the emergency response. He announced a local emergency organization, Business and Industry Council for Emergency Planning (BICEP)., recently honored the Moorpark Emergency Operations Center as the first in California to co-locate with a Sheriff's Department, Police Department, and the California Highway Patrol. Mr. Brand also announced, the Moorpark "Special Needs Registry for Emergency Evacuation Assistance" received a special award BICEP.

5. PUBLIC COMMENT:

None.

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

CONSENSUS: It was the consensus of the Council to pull Items 10.D. and 10.J. from the Consent Calendar upon the request of Councilmember Mikos.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

None.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Presentations from Candidates for Arts Commission, Parks and Recreation Commission, and Planning Commission. Staff Recommendation: Hear presentations from candidates and defer nomination for appointment to January 17, 2007.

Ms. Traffenstedt gave the staff report.

Jean Amador, a candidate for the Moorpark Arts Commission, introduced herself and stated her qualifications for the appointment.

The following candidates for the Parks and Recreation Commission introduced themselves and stated their qualifications for the appointment: Joseph Catrambone, Scott Krutilek, Tom Pflaumer, and Sandra Thompson.

The following candidates for the Planning Commission introduced themselves and stated their qualifications for the appointment: Mark Di Cecco, Theresa Hagman Lawson, Bruce Hamous, Thomas Henry, Scott Krutilek, Kipp Landis, Larry Miller, Thomas Nelson, and Robert Peskay.

CONSENSUS: It was the consensus of the council to schedule nominations for the Moorpark Arts Commission, Parks and Recreation Commission, and Planning Commission for January 17, 2007.

- B. Consider Appointments to the Active Adult Center Advisory Committee. Staff Recommendation: Appoint five (5) Active Adult Center Advisory Committee members to serve a two-year term ending December 2008.

Ms. Traffenstedt gave the staff report.

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

Mayor Hunter stated Council rules require considering the candidates individually unless the Council wishes to waive rules and take them collectively.

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 appointment names collectively.

MOTION: Mayor Hunter nominated and Councilmember Millhouse seconded the nomination of Morrie Abramson, Robert Moran, Robert Moser, Nancee Walker, and Carole Woolsey to serve as Active Adult Center Advisory Committee Members for a two-year term ending in December 2008. The motion carried by unanimous voice vote.

- C. Consider Appointments to the Citizens Transportation Advisory Committee (CTAC). Staff Recommendation: Appoint two (2) CTAC representatives and one (1) alternate to serve a two-year term ending December 2008.

Ms. Traffenstedt gave the staff report.

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

Mayor Hunter stated Council rules require considering the candidates individually unless the Council wishes to waive rules and take them collectively.

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 appointment names collectively.

MOTION: Mayor Hunter nominated and Councilmember Millhouse seconded the nomination of Charles Devlin and Vish Mawley to serve on the Citizens Transportation Advisory Committee and Donald Bing to serve as Alternate for a two-year term ending December 2008. The motion carried by unanimous voice vote.

- D. Consider Waiver of Temporary Use Permit Fees and Building Permit Fees for Rebuilding of Homes Destroyed in the Shekell Fire. Staff Recommendation: Authorize staff to implement the fee waiver for temporary use permits and building permits consistent with the agenda report. ROLL CALL VOTE REQUIRED

Mr. Hogan gave the staff report and stated two more properties need to be added for consideration, which will require staff to return with a Resolution for Council to approve additional funding.

Mayor Hunter stated consideration should also be given to waiving building permit fees for properties damaged, but not necessarily destroyed in the fire, and building permit fees should be refunded to property owners who have already applied for the necessary permits to make repairs.

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

Councilmember Parvin announced the Moorpark Rotary Club is still collecting funds to help fire victims; checks may be made payable to "Moorpark Fire Fund" and sent to the Rotary Club.

Mr. Hogan announced the LaPerch family is receiving assistance from Pardee Homes in the relocation and setup of a mobilehome on their fire damaged home site; and volunteers may contact the City to sign up to help with installing a handicap access ramp.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to authorize staff to implement the fee waiver for temporary use permits and building permits consistent with the agenda report for rebuilding of homes destroyed in the Shekell Fire, and as amended for staff to return with a Resolution to approve funding for additional structures damaged in the fire; to also waive building permit fees for properties damaged, but not destroyed; and to refund fees already paid by property owners covered by this situation. The motion carried by unanimous roll call vote.

- E. Consider Award of Construction Contract for Projects to Interconnect the Signals Along Los Angeles Avenue and Tierra Rejada Road and Resolution Amending the Fiscal Year 2006/07 Budget to Revise Funding for the Projects. Staff Recommendation: 1) Award a construction contract to Taft Electric, and authorize the Mayor to execute the construction contract in the amount of \$581,370 for the Signal Interconnect Projects; 2) Authorize the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$58,000, if and when the need arises for extra work and services; 3) Authorize the City Manager to enter into an agreement with MNS Engineers, Inc. or engineering consultant in the amount of, not to exceed, \$50,000 for construction management and inspection services; and 4) Adopt Resolution No. 2006-2548. ROLL CALL VOTE REQUIRED

Mr. Lall gave the staff report.

Councilmember Mikos requested staff provide a report quantifying the improvements resulting from the installation of the interconnect system as compared to the current flow of traffic with the existing signal timing.

Mayor Hunter requested the City Manager review any requests to use a contract contingency given the very low bid received. In response to Mayor Hunter, Mr. Lall stated there will not be changes to allow permissive left turns and they are not part of the scope of work.

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

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to: 1) Award a construction contract to Taft Electric, and authorize the Mayor to execute the construction contract in the amount of \$581,370 for the Signal Interconnect Projects; 2) Authorize the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$58,000, if and when the need arises for extra work and services; 3) Authorize the City Manager to enter into an agreement with MNS Engineers, Inc. or engineering consultant in the amount of, not to exceed, \$50,000 for construction management and inspection services; and 4) Directed any requests for a contract contingency be reviewed by the City Manager; and 5) Adopt Resolution No. 2006-2548. The motion carried by unanimous roll call vote.

CONSENSUS: It was the consensus of the Council for staff to provide a Council box item report quantifying the improvements resulting from the installation of the interconnect system as compared to the current flow of traffic with the existing signal timing.

- F. Consider and Approve Library Policies. Staff Recommendation: 1) Approve Moorpark City Library Circulation Policy; 2) Approve Moorpark

City Library Materials Selection Policy; 3) Approve Moorpark City Library Internet and Computer Use Policy and Patron Agreement; and 4) Direct staff to incorporate these three library policies into the City Council Policies Resolution at the time of the next update.

Ms. Mellon gave the staff report. She announced the dedication and grand opening of the Moorpark City Library are scheduled for Saturday, January 13, 2007 at 9:30 a.m.

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

MOTION: Councilmember Parvin moved and Councilmember Mikos seconded a motion to: 1) Approve Moorpark City Library Circulation Policy; 2) Approve Moorpark City Library Materials Selection Policy; 3) Approve Moorpark City Library Internet and Computer Use Policy and Patron Agreement; and 4) Direct staff to incorporate these three library policies into the City Council Policies Resolution at the time of the next update. The motion carried by unanimous voice vote.

- G. Consider Ventura County Local Agency Formation Commission (LAFCO) Draft Policies to Address Mitigation for Impacts to Agricultural Land Resources. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Hogan 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 receive and file the report.

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.D. and 10.J, which were pulled for individual consideration. The motion carried by unanimous roll call vote.

- A. Consider Approval of the Special Meeting Minutes of December 6, 2006. Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2006-2007 – December 20, 2006. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution Amending the Fiscal Year 2006/07 Budget for Library Operations and the Dedication Ceremony and Open House and Establish

- a Library Services Fund. Staff Recommendation: 1) Adopt Resolution No. 2006-2549, amending the FY 2006/07 budget for Library Services and establishing the Library Services Fund; and 2) Approve a loan from the General Fund as outlined in the agenda report. ROLL CALL VOTE REQUIRED
- E. Consider Resolution Amending the Salary Plan for Competitive Service, Non-Competitive Service, and Hourly Employees and Rescinding Resolution No. 2006-2499, and Authorize Promotion of Information Systems Technician to Information Systems Analyst. Staff Recommendation: 1) Adopt Resolution No. 2006-2551, rescinding Resolution No. 2006-2499; and 2) Approve promotion of Information Systems Technician to Information Systems Analyst effective with the pay period beginning January 6, 2007.
- F. Consider the Notice of Completion for State Routes 23 and 118 Freeway Sign Replacement Project, Resulting from Street Name Change to Princeton Avenue and Los Angeles Avenue. Staff Recommendation: 1) Accept the work as complete; and 2) Direct the City Clerk to record the Notice of Completion upon notice from the City Engineer that all punch list corrections have been completed.
- G. Consider Authorization to Amend Consultant Agreement with Pavement Engineering Inc., for the Preparation of Plans, Specifications and Cost Estimates (PS & E) for Tierra Rejada Road Asphalt Concrete Overlay (Project 8011). Staff Recommendation: Authorize the City Manager to amend the consultant contract with Pavement Engineering for \$70,000 to prepare plans, specifications and cost estimate for Tierra Rejada Road Asphalt Concrete Overlay.
- H. Consider Final Map Approval for Tract Map No. 5405 – William Lyon Homes. Staff Recommendation: Authorize the Mayor and City Clerk to sign the map and the City Clerk to cause Tract Map 5405 to be recorded in the office of the Ventura County Recorder.
- I. Consider Refund of the Cash Surety for Shea Homes LP (TR5133). Staff Recommendation: Authorize the City Clerk to refund the cash surety amount as noted in the agenda report.
- K. Consider Bond Exonerations for Lennar Moorpark, LLC (RPD 98—04, TR4976). Staff Recommendation: Authorize the City Clerk to exonerate surety bonds as noted in the agenda report.
- L. Consider Bond Exonerations for Lennar Moorpark, LLC (RPD 98—06, TR4980). Staff Recommendation: Authorize the City Clerk to exonerate surety bonds as noted in the agenda report.

The following items were pulled for individual consideration.

- D. Consider Resolution Adopting the Integrated Regional Water Management Plan (IRWMP) Prepared by the Watersheds Coalition of Ventura County (WCVC). Staff Recommendation: Adopt Resolution No. 2006-2550.

Councilmember Mikos stated she had this item pulled to discuss the importance of having staff heavily involved, on a regular basis, with the Watersheds Coalition of Ventura County to enhance applications to the City's top ten priorities and goals in regard to drainage and flood control; and to request a compact disc be created of all water plans relative to the City of Moorpark.

MOTION: Councilmember Mikos moved and Mayor Hunter seconded a motion to adopt Resolution No. 2006-2550 adopting the Integrated Regional Water Management Plan and directing staff to be very involved in the Watersheds Coalition of Ventura County. The motion carried by unanimous voice vote

- J. Consider Bond Exonerations for Lennar Moorpark, LLC (RPD 98—03, TR4975). Staff Recommendation: Authorize the City Clerk to exonerate surety bonds as noted in the agenda report.

Councilmember Mikos stated she had this item pulled to discuss the ongoing problem with the landscaping near the vernal pools in Tract 4975.

A discussion followed among the Councilmembers and staff regarding the Conservancy versus the residents in regard to landscaping and the need for some kind of mediation. Councilmember Mikos offered to meet with the Conservancy representatives to discuss what landscaping can and cannot be planted in order to prevent unnecessary drainage into the vernal pool while still providing a fuel modification zone for the residents.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to approve exonerations of Lennar Bond Nos. 1127444211, 11127444237, and 11127444245, and to continue the remaining exonerations for trail and grading related bonds to a date uncertain. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 9:09 p.m.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk