

MINUTES OF THE CITY COUNCIL

Moorpark, California

March 7, 2007

A Regular Meeting of the City Council of the City of Moorpark was held on March 7, 2007, 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 7:18 p.m.

2. PLEDGE OF ALLEGIANCE:

Girl Scout Troop 83 led the Pledge of Allegiance.

3. ROLL CALL:

Present: Councilmembers Mikos, Millhouse, Parvin, Van Dam, 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; John Brand, 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 Declaring the Week of March 11 through 17, 2007 as "Girl Scouts Make the World A Better Place".

Mayor Hunter presented Lisa Sophos, Troop Leader of Girl Scout Troop 83 with a Proclamation declaring the week of March 11 through 17, 2007 as "Girl Scouts Make the World a Better Place".

B. Introduce City Employee, Gilbert Lozano, Recreation Coordinator I.

Mayor Hunter introduced City employee, Gilbert Lozano, Recreation Coordinator I.

C. Presentation of Certificates of Recognition to February 21, 2007, Community Emergency Response Team (CERT) Graduates.

Mayor Hunter presented Certificates of Recognition to February 21, 2007, CERT graduates.

5. PUBLIC COMMENT:

Rosie Craig, representing RAIN Project Transitional Living Center, thanked the Council for recommending funding for their organization.

Claire Volk, contestant in Miss Moorpark Scholarship 2007, invited everyone to attend the competition at the Moorpark High School Arts Center at 6:00 p.m. on Saturday March 10th.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:37 p.m. The City Council meeting reconvened at 7:58 p.m.

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

CONSENSUS: It was the consensus of the Council to pull Item 10.A. from the Consent Calendar for individual consideration upon the request of Mayor Hunter.

CONSENSUS: It was the consensus of the Council to continue Item 10.K. to March 21, 2007, upon the request of Mr. Kueny.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Councilmember Mikos summarized the agenda of the February 26, 2007, meeting of the Santa Monica Mountains Conservancy.

Councilmember Millhouse thanked Waste Management Company for donating \$2,000 to the High Street Arts Center.

8. PUBLIC HEARINGS:

- A. Consider Allocation of Community Development Block Grant (CDBG) Funds (\$187,378) for Fiscal Year (FY) 2007/2008. (continued from February 7, 2007, with public hearing closed) Staff Recommendation: 1) Continue the public hearing closed; and 2) Authorize the allocations recommended by the Finance, Administration, and Public Safety Committee for FY 2007/2008 CDBG funds as described in the agenda report. ROLL CALL VOTE REQUIRED

Mr. Hogan gave the staff report.

Mayor Hunter announced the public hearing remains closed.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to authorize the allocations recommended by the Finance, Administration, and Public Safety Committee for Fiscal Year 2007/2008 Community Development Block Grant funds as described in the agenda report. The motion carried by unanimous roll call vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Time Warner Cable TV Customer Service Performance. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Brand gave the staff report.

Patricia Fregoso-Cox, Vice President of Communications with Time Warner Cable, 41551 10th Street West, Palmdale, California, requested a meeting with the Cable TV Ad Hoc committee prior to March 21, 2006, to allow expert technical personnel from Time Warner to answer questions and identify possible solutions to the software necessary to monitor customer service in Moorpark.

A discussion followed among the Councilmembers and Ms. Fregoso-Cox regarding a specific date, to be determined at a continued meeting on March 21, for the installation of software to monitor customer service in Moorpark in order to avoid the implementation of fines; the acceptance of Time Warner's request to meet with the Cable TV Ad Hoc committee prior to March 21; and direction for staff to track citizen phone calls regarding Time Warner.

MOTION: Councilmember Van Dam moved and Councilmember Parvin seconded a motion to continue this item to March 21, 2007, for Time Warner's report on timing of software installation for tracking customer service specific to Moorpark; and prior to March 21 schedule a meeting of the Cable TV Ad Hoc committee with expert technical personnel from Time Warner; and directed staff to track Time Warner service response time and report to Council on March 21 for decision on implementing fees for lack of compliance with customer service contract standards. The motion carried by unanimous voice vote.

- B. Consider Request for the Formation of Assessment District AD07-04 (Asadurian – IPD 2000-10) and Resolution Initiating Proceedings and Acceptance of a Landscape Maintenance Easement Related Thereto. Staff Recommendation: 1) Accept and approve Petition and Waiver from the owner of the property requesting formation of Assessment District 07-04 (AD07-04) for IPD 2000-10; 2) Adopt Resolution No. 2007-2569 initiating the proceedings required for the formation of the district; and 3) Accept the Landscape Easement Deed related to the new assessment district and direct the City Clerk to record same.

Mr. Lall gave the staff report.

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

MOTION: Councilmember Parvin moved and Councilmember Van Dam seconded a motion to: 1) Accept and approve Petition and Waiver from the owner of the property requesting formation of Assessment District 07-04 (AD07-04) for IPD 2000-10; 2) Adopt Resolution No. 2007-2569 initiating the proceedings required for the formation of the district; and 3) Accept the Landscape Easement Deed related to the new assessment district and direct the City Clerk to record same. The motion carried by unanimous voice vote.

- C. Consider Award of Contract for the Construction of 2007 Pavement Rehabilitation Project and a Resolution Amending the Fiscal Year 2006/07 Budget to Revise Funding for the Project. Staff Recommendation: 1) Award a construction contract to Valley Slurry Seal Company and authorize the Mayor to execute the construction contract in the amount of \$1,780,022.42 for the project; 2) Authorize the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$178,000 if and when the need arises for extra work and services; 3) Authorize the City Manager to award consultant agreement with Charles Abbott Associates in an amount not to exceed \$80,000; and 4) Adopt Resolution 2007-2570, revising the funding for the project. ROLL CALL VOTE REQUIRED

Mr. Lall gave the staff report.

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

MOTION: Councilmember Parvin moved and Councilmember Millhouse seconded a motion to: 1) Award a construction contract to Valley Slurry Seal Company and authorize the Mayor to execute the construction contract in the amount of \$1,780,022.42 for the project; 2) Authorize the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$178,000 if and when the need arises for extra work and services; 3) Authorize the City Manager to award consultant agreement with Charles Abbott Associates in an amount not to exceed \$80,000; and 4) Adopt Resolution 2007-2570, revising the funding for the project. The motion carried by unanimous roll call vote.

- D. Consider Scheduling Joint City Council/Parks and Recreation Commission and Joint City Council/Planning Commission Meetings. Staff Recommendation: Direct staff as deemed appropriate.

Ms. Traffenstedt gave the staff report.

A discussion followed among the Councilmembers and staff on convenient dates for the joint meetings prior to discussion of the budget.

CONSENSUS: It was the consensus of the Council to direct staff to schedule May 23, 2007, for Joint City Council/Parks and Recreation Commission meeting at 6:00 p.m. and Joint City Council/Planning Commission meeting at 6:45 p.m. to be followed by the Budget Workshop at 7:30 p.m.

- E. Consider Status Report on Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2006/07 and Direction for Fiscal Year 2007/08.
Staff Recommendation: Direct staff as deemed appropriate.

Mr. Kueny gave the staff report.

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

A discussion followed among the Councilmembers and staff regarding a new organization of the objectives and a request for the public to hear a summary of the top priorities prior to the Budget Workshop.

CONSENSUS: It was the consensus of the Council to consider update on goals and objectives on May 16, 2007.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Mikos moved and Councilmember Parvin seconded a motion to approve the Consent Calendar with the exception of Item 10.A, which was pulled for individual consideration, and Item 10.K, which was continued to March 21, 2007. The motion carried by unanimous roll call vote.

- B. Consider Approval of the Special Meeting Minutes of February 21, 2007.
Staff Recommendation: Approve the minutes.
- C. Consider Approval of the Regular Meeting Minutes of February 21, 2007.
Staff Recommendation: Approve the minutes.
- D. Consider Approval of Warrant Register for Fiscal Year 2006-2007 – March 7, 2007. Staff Recommendation: Approve the warrant register.
- E. Consider Resolution Amending the Conflict of Interest Code of the City of Moorpark and Rescinding Resolution No. 2006-2439. (continued from February 21, 2007) Staff Recommendation: Adopt Resolution No. 2007-2571.

- F. Consider Resolution Establishing Revised Parking Restrictions on Mountain Meadow Drive North of Tierra Rejada Road and Rescinding Resolution No. 2001-1925. Staff Recommendation: Adopt Resolution No. 2007-2572, rescinding Resolution No. 2001-1925.
- G. Consider Notice of Completion for a Project to Modify the Raised Median on Princeton Avenue at Campus Park Drive. Staff Recommendation: Accept the work as complete and direct the City Clerk to record the Notice of Completion.
- H. Consider Use Agreements with Moorpark Little League and Moorpark Girls Softball. Staff Recommendation: Approve five-year Use Agreements with Moorpark Little League and Moorpark Girls Softball Association, subject to final language approval of the City Manager, and authorize the City Manager to execute the agreements on behalf of the City.
- I. Consider Report on Annual Development Agreement Review for 34.5 Acres of Land (Tract 5147) Located West of Gabbert Road, North of the Union Pacific Railroad Right-of-Way (A-B Properties). Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation, and find, on the basis of substantial evidence, that A-B Properties has complied in good faith with the terms and conditions of their agreement with the City; and 2) Deem the annual review process complete.
- J. Consider Report of Annual Development Agreement Review, Established in Connection with Vistas at Moorpark, Located on the West Side of Walnut Canyon Road, Approximately 3,500 Feet North of Casey Road, on the Application of Moorpark 150, LLC. Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation, on the basis of substantial evidence, that Moorpark 150, LLC has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.

The following item was pulled for individual consideration.

- A. Consider Approval of the Special Meeting Minutes of February 7, 2007. Staff Recommendation: Approve the minutes.

Mayor Hunter and Councilmember Millhouse stated they would abstain from the vote on the February 7 minutes as they had not attended this meeting.

MOTION: Councilmember Mikos moved and Councilmember Harper Parvin seconded a motion to approve the Special Meeting Minutes of February 7, 2007.

The motion carried by voice vote 3-0, Mayor Hunter and Councilmember Millhouse abstaining.

The following item was continued to March 21, 2007.

K. Consider Resolution Authorizing Mid-Year Amendments to 2006/07 Fiscal Year Budget. Staff Recommendation: Adopt Resolution No. 2007-____.
ROLL CALL VOTE REQUIRED

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 9:11 p.m.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk