

MINUTES OF THE CITY COUNCIL

Moorpark, California

May 2, 2007

A Regular Meeting of the City Council of the City of Moorpark was held on May 2, 2007, in the Council Chambers of said City located at 799 Moorpark Avenue, Moorpark, California.

1. CALL TO ORDER:

Mayor Pro Tempore Millhouse called the meeting to order at 7:13 p.m.

2. PLEDGE OF ALLEGIANCE:

Councilmember Mark Van Dam led the Pledge of Allegiance.

3. ROLL CALL:

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

Absent: 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; David Moe, Recreation Manager; 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 May 6 through May 12, 2007, as Building Safety Week.

Mayor Pro Tempore Millhouse presented Barry Hogan, Community Development Director and Ray Young, Building Official, with a proclamation recognizing May 6 through May 12, 2007, as Building Safety Week.

B. Proclamation Declaring May 2007 Veteran Appreciation Month.

Mayor Pro Tempore Millhouse presented former Councilmember and Marine Corps veteran, John Wozniak, and Parks/Recreation

Commissioner and Air Force veteran, Joseph Catrambone, with a proclamation declaring May 2007 Veteran Appreciation Month.

- C. Presentation of Certificates of Recognition to Claire Volk, Miss Moorpark 2007 and Kendall Fisher, Miss Teen Moorpark.

Mayor Pro Tempore Millhouse presented certificates of recognition to Claire Volk, Miss Moorpark 2007 and Kendall Fisher, Miss Teen Moorpark.

- D. Introduction of City Employee Ricardo Hernandez, Maintenance Worker II in the Parks, Recreation and Community Services Department.

Mayor Pro Tempore Millhouse introduced City Employee Ricardo Hernandez, recently promoted to Maintenance Worker II in the Parks, Recreation and Community Services Department.

- E. Introduction of New City Employee Irmina Lumbad, Finance/Accounting Manager in the Finance Department.

Mayor Pro Tempore Millhouse introduced new City employee Irmina Lumbad, Finance/Accounting Manager in the Finance Department.

5. PUBLIC COMMENT:

CONSENSUS: It was the consensus of the Council to waive rules and allow the speaker to take longer than the three minutes normally allowed for public comment.

Laura Rocha, representing Cabrillo Economic Development Corporation (CEDC), 702 County Square Drive, Camarillo California, described the Homeownership Preservation Campaign, which provides education regarding predatory lending and deceptive marketing in the housing market. She introduced Bob Ficus of Neighborhood Housing Services of America who discussed housing market trends, and foreclosure concerns.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:39 p.m. The City Council meeting reconvened at 7:42 p.m.

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

None.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

In response to Councilmember Parvin, Captain Matson gave an update on the 300% increase in incidents of graffiti in the first quarter of 2007 as compared to

first quarter 2006. He described the Moorpark Police Department's enforcement strategy and public awareness campaign to curtail graffiti incidents.

Mayor Pro Tempore Millhouse requested a future agenda item on graffiti abatement after the Finance, Administration, and Public Safety Committee meets with Captain Matson to discuss this issue.

Councilmember Mikos requested staff work with Cabrillo Economic Development Corporation in regard to their homeownership campaign to educate the public in foreclosure prevention and schedule a future agenda item on this subject.

Councilmember Parvin requested staff investigate what can be done about organizations taking advantage of Moorpark residents in regard to real estate practices and problematic loans.

Councilmember Mikos requested staff consider how the City can assist in graffiti abatement for private residences, especially for low income families; and Councilmember Parvin requested the same for churches in the community.

Mayor Pro Tempore Millhouse requested a future agenda item to discuss amendments to the sign ordinance, especially in regard to real estate signs, after the Community and Economic Development Committee has reviewed the matter.

Mayor Pro Tempore Millhouse announced the Moorpark Arts Festival will be held Sunday, May 6th from 11:00 a.m. to 5:00 p.m. at the Civic Center and along High Street. This free event will feature "hands on" art projects for children and exhibits in drawing, painting, photography, youth art, gourd art, and ceramics. The Moorpark Library will host poetry workshops for all ages; an art exhibit; and announce the winners of Moorpark's first poetry contest. The High Street Arts Center will host a range of entertainment, including dance, music, and theater on high street. For more planned activities refer to the city's website at www.ci.moorpark.ca.us and Channel 10.

Mayor Pro Tempore Millhouse announced the Community Emergency Response Team (CERT) training begins Wednesday evening May 9th at 7:00 p.m. The training is designed to help individuals protect themselves, their families, and neighbors in an emergency situation. The class is free.

Mayor Pro Tempore Millhouse announced twenty dollars buys unlimited travel on Moorpark City Transit and the Beach Bus from June 1 through September 14, for youth under the age of 21. Summer youth bus pass sales begin May 21 and may be purchased at City Hall and at Arroyo Vista Recreation Center.

8. PUBLIC HEARINGS:

- A. Consider Resolution Approving Commercial Planned Development No. 2006-01 and Conditional Use Permit No. 2006-07 to Allow Construction

and Operation of a 112-Room Hotel on a 2.38 Acre Parcel at 14350 White Sage Road. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2007-2583, approving Commercial Planned Development Permit No. 2006-01 and Conditional Use Permit No. 2006-07, subject to Conditions of Approval.

Mr. Hogan gave the staff report.

A discussion among the Councilmembers and staff focused on including conditions to: 1) Prohibit truck idling; 2) Prohibit use of foam surrounds for first floor windows; 3) Require both hotel management and hotel owner to sign a document indicating their responsibilities under the City's Social Host Ordinance; 4) Require graffiti resistant treatment to walls and/or require landscape plantings to discourage graffiti; 5) Require signage for White Sage Road; and 6) Require future presentations and/or exhibits from applicants to include a simulation showing line of sight depictions of the project from all sides.

Mayor Pro Tempore Millhouse opened the public hearing.

Ken Graham, 4 Kenetic Design, 619 Ohio, Longbeach, California, representing the applicant, responded to Council's concerns stating if landscaping did not mitigate the graffiti potential then a graffiti resistant coating would be applied to walls; and he would consult with the client regarding the substitution of foam surrounds for the first floor windows with a more permanent material . He stated a prohibition of truck idling was no problem and posting a sign with a directional arrow for White Sage Road would be agreeable.

Mayor Pro Tempore Millhouse closed the public hearing.

MOTION: Mayor Pro Tempore Millhouse moved and Councilmember Parvin seconded a motion to adopt Resolution No. 2007-2583, approving Commercial Planned Development Permit No. 2006-01 and Conditional Use Permit No. 2006-07, subject to Conditions of Approval, as amended to: 1) Prohibit truck idling; 2) Require durable, non-foam material for the first floor window surrounds; 3) Require both hotel management and hotel owner to sign a document indicating their responsibilities under the Social Host Ordinance; 4) Require graffiti resistant treatment to walls and/or landscape plantings to discourage graffiti; 5) Require directional signage for White Sage Road; and 6) Directed staff to require future presentations from applicants to include a simulation showing line of sight depictions of the project from all sides. The motion carried by voice vote 4-0, Mayor Hunter absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider the California Pepper Trees Maintenance Plan and Resolution Certifying the Final Environmental Impact Report. Staff Recommendation: Adopt Resolution No. 2007-2584, certifying the Final Environmental Impact Report, making findings for significant impacts, adopting a Mitigation Monitoring and Reporting Program, and approving the California Pepper Trees Maintenance Plan.

Ms. Lindley gave the staff report.

In response to Mayor Pro Tempore Millhouse, Ms. Traffenstedt stated there were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2007-2584, certifying the Final Environmental Impact Report, making findings for significant impacts, adopting a Mitigation Monitoring and Reporting Program, and approving the California Pepper Trees Maintenance Plan.

Councilmember Parvin requested the motion be amended to include direction for staff to meet with Southern California Edison to discuss tree trimming concerns.

AMENDED MOTION: Councilmember Mikos approved the amendment and Councilmember Van Dam seconded the amendment to the motion to include direction to staff to meet with Southern California Edison to discuss tree trimming concerns. The motion carried by voice vote 4-0, Mayor Hunter absent.

- B. Consider the Selection of a Consultant to Provide Engineering Services and Building and Safety Services for the City. Staff Recommendation: 1) Subject to final language approval by the City Manager and the City Attorney, authorize the City Manger to sign the negotiated contract for services with Charles Abbott Associates, Inc. for Building and Safety Services; and 2) Subject to final language approval by the City Manager and the City Attorney, authorize the City Manager to sign the negotiated contract for services with Charles Abbott Associates, Inc. for Engineering Services. ROLL CALL VOTE REQUIRED

Mr. Hogan and Mr. Lall gave the staff report.

In response to Mayor Pro Tempore Millhouse, Ms. Traffenstedt stated there were no speakers.

MOTION: Councilmember Parvin moved and Councilmember Van Dam seconded a motion to: 1) Authorize the City Manger to sign the negotiated contract for services with Charles Abbott Associates, Inc. for Building and Safety

Services, subject to final language approval by the City Manager and the City Attorney; and 2) Authorize the City Manger to sign the negotiated contract for services with Charles Abbott Associates, Inc. for Engineering Services, subject to final language approval by the City Manager and the City Attorney. The motion carried by roll call vote 4-0, Mayor Hunter absent.

- C. Consider Approval of the Updated Seven-Year Capital Improvement Program (CIP) for Streets and Roads for Fiscal Year 2006/07 – Fiscal Year 2012/13. Staff Recommendation: Approve the updated CIP for FY 2006/07 – FY 2012/13.10.

Mr. Lall gave the staff report.

In response to Councilmember Mikos, Mr. Lall stated page B6 of the CIP program handout will be corrected to show dollar amounts for Fiscal Year 07/08; page B20 will be corrected to identify 'C' Street as Country Club Drive rather than Championship Drive; and the Appendix II references to FY 04/05 will be corrected to read FY 06/07.

Councilmember Mikos requested staff coordinate a meeting with the City of Simi Valley to discuss how the two cities can coordinate interaction in the development of the Arroyo Simi.

Mayor Pro Tempore requested the extension of Broadway be a priority in order to move gravel trucks off internal roadways in the City.

In response to Mayor Pro Tempore Millhouse, Ms. Traffenstedt stated there were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to approve the updated Capital Improvement Program for Fiscal Year 2006/07 – Fiscal Year 2012/13, as amended for editorial changes as outlined by Councilmember Mikos. The motion carried by voice vote 4-0, Mayor Hunter absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Parvin moved and Councilmember Mikos seconded a motion to approve the Consent Calendar. The motion carried by roll call vote 4-0, Mayor Hunter absent.

- A. Consider Approval of the Regular Meeting Minutes of April 18, 2007. Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2006-2007 – May 2, 2007. Staff Recommendation: Approve the warrant register.

- C. Consider Authorizing Submittal of a Beverage Container Recycling and Litter Reduction Act Grant Application for \$9,515 to the California Department of Conservation Division of Recycling. Staff Recommendation: Approve grant application and authorize the City Manager or his authorized designee to execute all documents on the City's behalf.
- D. Consider Resolution Authorizing Submittal of a Three-Year (2007-2010) Used Oil Recycling Block Grant Application to the California Integrated Waste Management Board. Staff Recommendation: Adopt Resolution No. 2007-2585.
- E. Consider Resolution Amending the Fiscal Year 2006/07 Budget for Peach Hill Park Repairs. Staff Recommendation: Adopt Resolution No. 2007-2586.
- F. Consider Resolution Approving Contribution of Endowment Fund Reserve for the Construction Costs of the Police Services Center. Staff Recommendation: Adopt Resolution No. 2007-2587.
- G. Consider Notice of Completion for the Moorpark Public Services Facility Project (MPSF). Staff Recommendation: Accept the work as complete and direct the City Clerk to record the Notice of Completion.
- H. Consider Resolution Approving the Engineer's Report for Assessment District AD07-03 (Nearon – CPD 2004-01) for Fiscal Year 2007/08 and Providing Notice of Public Hearing on June 6, 2007. Staff Recommendation: Adopt Resolution No. 2007-2588.
- I. Consider Resolution Approving the Engineer's Report for Assessment District AD07-04 (Asadurian – IPD 2000-10) for Fiscal Year 2007/08 and Providing Notice of Public Hearing on May 2, 2007. Staff Recommendation: Adopt Resolution No. 2007-2589.
- J. Consider Resolution Amending the Fiscal Year 2006/07 Budget to Revise Funding for Project 8002: 2007 Pavement Rehabilitation Project. Staff Recommendation: Adopt Resolution No. 2007-2590.
- K. Consider Authorizing the City Manager to Grant Cellular Phone Allowance for Facility Technician Position. Staff Recommendation: Authorize the City Manager to grant cellular phone allowance for the Facility Technician position consistent with the agenda report.
- L. Consider Resolution Designating Sagewood Drive to be a Through Street in the Vicinity of Cedardale Road, and Directing the Placement of a Stop Sign at the Cedardale Road Entrance Thereto. Staff Recommendation: Adopt Resolution No 2007- 2591.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Pro Tempore Millhouse adjourned the meeting at 9:06 p.m.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk