

MINUTES OF THE CITY COUNCIL

Moorpark, California

May 16, 2007

A Regular Meeting of the City Council of the City of Moorpark was held on May 16, 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 7:09 p.m.

2. PLEDGE OF ALLEGIANCE:

Hugh Riley, Assistant City Manager, 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; John Brand, Senior Management Analyst; Shaun Kroes, 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 May 20 to May 26, 2007 as National Public Works Week.

Mayor Hunter presented Yugal Lall, City Engineer/Public Works Director, with a proclamation recognizing May 20 to May 26, 2007 as National Public Works Week.

B. Proclamation Recognizing June 2 through June 3, 2007 as Relay for Life Days.

Mayor Hunter presented Doc Newberry, event Chair, with a proclamation recognizing June 2 and June 3, 2007 as Relay for Life Days.

C. City Manager's Monthly Report.

Mr. Kueny stated the City Manager's monthly report would be contained in Item 9.D.

5. PUBLIC COMMENT:

None.

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

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

CONSENSUS: It was the consensus of the Council to pull Item 10.D. from the Consent Calendar for individual consideration upon the request of Councilmember Parvin.

CONSENSUS: It was the consensus of the Council to pull Item 9.B. off calendar upon the request of staff, to be rescheduled in June, and to implement City Council email in the interim.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

Councilmember Mikos reported at the April 30th meeting of the Santa Monica Mountains Conservancy, a brush clearance plan was adopted for all of their properties to provide clarification to the various jurisdictions. She stated the vernal pool area in Moorpark's Serenata development will be cleared in June

Councilmember Mikos announced a three-mile hike through Happy Camp Canyon Regional Park will be held Saturday, May 19.

Councilmember Van Dam announced the Mesa Verde Middle School Music Program will hold their spring concert on May 17, a jazz band concert on May 21, and on May 20 at the Tang Soo Do University on Kazuko Court they, along with Moorpark High School and a professional musical group, will hold a concert and other events to benefit our Community House of Hope and the American Diabetes Association.

Councilmember Parvin announced at the Moorpark Chamber of Commerce Top Ten Community Award Event last week, Councilmember Millhouse received the Public Servant of the Year Award.

Mayor Hunter announced on May 14th he had testified before the California State Assembly's Revenue and Taxation Committee on Assembly Bill 793, which is being carried by Assembly Member Audra Strickland and sponsored by the City of Moorpark. If approved, AB 793 will remove a barrier to providing long

term affordable housing in this community and create a fair process for taxing these properties.

Mayor Hunter announced twenty dollars buys unlimited travel on Moorpark City Transit and the Beach Bus June 1 through September 14, for youth under the age of 21 and may be purchased at City Hall and Arroyo Vista Recreation Center.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider an Ordinance Amending Title 5 of the Moorpark Municipal Code (Business Taxes, Licenses and Regulations), by Adding Chapter 5.07, State Video Franchises. Staff Recommendation: Introduce Ordinance No. 350, for first reading, waive full reading, and schedule second reading and adoption for June 6, 2007.

Mr. Brand gave the staff report.

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

Ms. Traffenstedt read the title of Ordinance No. 350.

MOTION: Councilmember Mikos moved and Councilmember Parvin seconded a motion to waive full reading, declare Ordinance No. 350 introduced for first reading, and schedule second reading and adoption for June 6, 2007. The motion carried by unanimous voice vote.

- B. Consider Adopting Revised City Council Policies Resolution and Rescinding Resolution No. 93-951 and Resolution No. 2006-2483. Staff Recommendation: Adopt Resolution No. 2007-____, rescinding Resolution No. 93-951 and Resolution No. 2006-2483.

This item was pulled from the agenda calendar, as previously discussed under Item 6, to be rescheduled in June, and to implement City Council email in the interim.

AT THIS POINT in the meeting Items 9.B. and 9.C. were heard concurrently.

- C. Consider Proposed Operating and Capital Improvement Budgets for Fiscal Year 2007/2008. Staff Recommendation: Receive the budgets and set a workshop for May 23, 2007.

Mr. Kueny stated the budget is being distributed at this meeting and the Council has previously set a Budget Workshop for May 23, 2007.

- D. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2007/2008. Staff Recommendation: Approve Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2007/2008.

Mr. Kueny gave the staff report.

A discussion followed among the Councilmembers and staff regarding suggestions and additions to the document with focus on: 1) Future consideration for an online suggestion/complaint form on the City's website; 2) Consideration for maintaining a wildlife corridor when a noise wall is considered for Tract 4975; 3) Consideration for adoption of a Green Building ordinance or action plan for building standards within the City; and 4) Identifying whether or not objectives have or do not have funding.

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

CONSENSUS: It was the consensus of the Council for the Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2007/2008 to return on the Consent Calendar in June with the changes as requested by Council.

- E. Consider Update on Time Warner--Request City Attorney to Re-Schedule June 6 Hearing. Staff Recommendation: 1) Direct the City Attorney to provide Time Warner with notice of a hearing to be held at the City Council's regular June 20, 2007 meeting; and 2) Re-schedule hearing from June 6, 2007 to June 20, 2007.

Mr. Kueny gave the staff report.

Patricia Fregoso-Cox, Vice President of Communications with Time Warner Cable, 41551 10th Street West, Palmdale, California, provided an update on Time Warner customer service response time and stated the regional management team has been replaced. She requested that the June 20th hearing date be postponed to allow time for new management to meet with the Cable TV Ad Hoc Committee.

A discussion among the Councilmembers and staff focused on retaining the hearing date of June 20 while attempting to schedule an ad hoc committee meeting with Time Warner prior to that date, and if deemed necessary on June 20 the hearing can be continued to a future date.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to: 1) Direct the City Attorney to provide Time Warner with notice of a hearing to be held at the City Council's regular June 20, 2007 meeting; and 2) Re-schedule hearing from June 6, 2007 to June 20, 2007. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Parvin moved and Councilmember Van Dam seconded a motion to approve the Consent Calendar with the exception of Items 10.A, 10.D, and 10.E, which were pulled for individual consideration. The motion carried by unanimous roll call vote.

- B. Consider Approval of Warrant Register for Fiscal Year 2006-2007 – May 16, 2007. Staff Recommendation: Approve the warrant register.
- C. Consider Amendment to Agreement for Dial-A-Ride Paratransit Services with MV Transportation, Inc, Extending Agreement for One-Year with Rate Increases. Staff Recommendation: Approve a one-year extension with MV Transportation consistent with the agenda report.
- F. Consider Resolution Amending the Fiscal Year 2006/07 Budget for Purchase of a Ford E-350 Commercial Van. Staff Recommendation: Adopt Resolution No. 2007-2592. ROLL CALL VOTE REQUIRED
- G. Consider Award of Contract to Malibu Pacific Tennis Courts for Construction of Magnolia Park. Staff Recommendation: Award a contract to Malibu Pacific for the construction of Magnolia Park in the amount of \$168,999.00 and authorize the City Manager to execute the contract.
- H. Consider Surety Bond Reduction for Toll CA L.P., Moorpark Country Club Estates (Tract 4928). Staff Recommendation: Authorize the City Clerk to reduce Surety Bond No. 104058247 to 20% and Surety Bond No. 104058249 to 50%.
- I. Consider Surety Bond Reduction for Toll CA L.P., Moorpark Country Club Estates (Tract 4928). Staff Recommendation: 1) Authorize the City Clerk to reduce Surety Bonds Nos. 929208198, 929208201, 929208202, 929208204, 929158875, 929158903, and 929140606 to 10%; and 2) Authorize the City Clerk to fully exonerate these sureties one year after this approval of the reduction and upon written confirmation from the City Engineer that no warranty work is required.
- J. Consider Rejection of Claim: Miguel Arambula. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.

- K. Consider Resolution Adopting Moorpark City Library Fine and Fee Schedule. Staff Recommendation: Adopt Resolution No. 2007-2593.
ROLL CALL VOTE REQUIRED

The following items were pulled for individual consideration.

- A. Consider Approval of the Regular Meeting Minutes of May 2, 2007. Staff Recommendation: Approve the minutes.

Mayor Hunter stated he would abstain from voting on this item, as he had been absent from the meeting of May 2, 2007.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to approve the minutes of the regular meeting of May 2, 2007. The motion carried by voice vote 4-0, Mayor Hunter abstaining.

- D. Consider Award of Agreement for Universal Waste Collection Events. Staff Recommendation: Award agreement and authorize the City Manager to execute the agreement with Clean Harbors Environmental Services, Inc.

In response to Councilmember Parvin, Ms. Lindley stated the American Legion recycle program benefiting charities would not be precluded from holding another event by this agreement with Clean Harbors Environmental Services, Inc.

MOTION: Councilmember Parvin moved and Councilmember Millhouse seconded a motion to award agreement and authorize the City Manager to execute the agreement with Clean Harbors Environmental Services, Inc. The motion carried by unanimous voice vote.

- E. Consider Award of Contract for Installation of a Surveillance Security System and Appurtenant Work at the Moorpark Metrolink Station. Staff Recommendation: Award contract and authorize the City Manager to execute the contract with Direct A/V Sound & Communication.

In response to Mayor Hunter, Mr. Kroes stated the estimated annual maintenance cost for the security equipment is \$6,000.

MOTION: Mayor Hunter moved and Councilmember Millhouse seconded a motion to award a contract to Direct A/V Sound & Communication and authorize the City Manager to execute the contract for installation of a surveillance security system and appurtenant work at the Metrolink Station. The motion carried by unanimous voice vote

AT THIS POINT in the meeting Councilmember Mikos requested the Council reconsider Item 10.A. on the agenda.

MOTION: Councilmember Mikos moved and Councilmember Mikos seconded a motion to reconsider Item 10.A. The motion carried by voice vote 4-0, Mayor Hunter abstaining

- A. Consider Approval of the Regular Meeting Minutes of May 2, 2007. Staff Recommendation: Approve the minutes.

Councilmember Mikos stated Item 9.C. on stamped page 115 of the agenda report should be corrected to identify Street 'C' as Championship Drive rather than Country Club Drive.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to approve the minutes of the regular meeting of May 2, 2007, as amended for Item 9.C. The motion carried by voice vote 4-0, Mayor Hunter abstaining.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 8:15 p.m.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk

000098