

MINUTES OF THE CITY COUNCIL

Moorpark, California

November 7, 2007

A Special Meeting of the City Council of the City of Moorpark was held on November 7, 2007, in the Community Center of said City located at 799 Moorpark Avenue, Moorpark, California.

1. CALL TO ORDER:

Mayor Hunter called the meeting to order at 6:40 p.m.

2. 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; Barry Hogan, Deputy City Manager; David Bobardt, Planning Director (arrived at 7:08 p.m.); and Deborah Traffenstedt, Administrative Services Director/City Clerk.

3. PUBLIC COMMENT:

None.

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

CONSENSUS: It was the consensus of the Council to hear Closed Session items prior Presentation/Action/Discussion.

AT THIS POINT in the meeting Item 6. was heard.

6. CLOSED SESSION:

Mr. Kueny requested the Council go into closed session for discussion of one case under Item 6.A, three cases under Item 6. B, and Items F. and G. on the agenda.

Mr. Montes announced for Item 6.A. the facts and circumstances creating significant exposure to litigation consist of a claim received from Maria Martinez regarding a High Street tree, which fell on her vehicle.

MOTION: Councilmember Parvin moved and Councilmember Millhouse seconded a motion to adjourn to closed session for discussion of one case under Item 6.A, three

cases under Item B, and Items F. and G. on the agenda. The motion carried by unanimous voice vote. The time was 6:40 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 4)
- F. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Pursuant to Government Code Section 54956.8)  
Property: That 8.84-acre portion of APN 511-0-002-022, also identified as Parcel 1 together with that portion of Parcel 3 of Lot Line Adjustment No. 2005-01  
City Negotiator: Steven Kueny, City Manager  
Negotiating Parties: Essex Portfolio LP  
Under Negotiation: Price and terms of payment
- G. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Subdivision (a) of Section 54956.9 of the Government Code)  
City of Moorpark vs. Ventura County Community College District (Case No. SC046582)

Present in closed session were Councilmembers Mikos, Millhouse, Parvin, Van Dam, and Mayor Hunter; Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; David Bobardt, Planning Director; and Deborah Traffenstedt, Administrative Services Director/City Clerk.

The Council reconvened into open session at 7:07 p.m. Mr. Kueny stated one case under Item 6.A, three cases under Item 6. B, and Items F. and G. were discussed and there was no action to report.

5. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Approval of an Affordable Housing Agreement and Affordable Housing Implementation and Rental Restriction Plan Between the City and Essex Portfolio, Limited Partnership, for General Plan Amendment No. 2004-05, Zone Change No. 2004-04, Development Agreement No. 2004-03 and Residential Planned Development No. 2004-06 for a 200-Unit Apartment Project on Approximately 10.57 Acres with 8.84 Acres of Public/Institutional Land South of Casey Road and West of Walnut Canyon Road and Moorpark Avenue. Staff Recommendation: Approve the Affordable Housing Agreement and Affordable Housing Implementation and Rental Restriction Plan, subject to final language

approval by the City Manager and City Attorney; authorize City Manager to execute said Agreement; and direct the City Clerk to cause said Agreement to be recorded in the Office of the Recorder of the County of Ventura.

Mr. Kueny deferred the staff report.

Maura Lederer, Senior Project Manager for Essex Portfolio, Limited Partnership, 22120 Clarendon Street, #200, Woodland Hills, California, discussed the prevailing wage language in the agreement.

MOTION: Mayor Hunter moved and Councilmember Parvin seconded a motion to approve the Affordable Housing Agreement and Affordable Housing Implementation and Rental Restriction Plan, subject to final language approval by the City Manager and City Attorney; authorize City Manager to execute said Agreement; and direct the City Clerk to cause said Agreement to be recorded in the Office of the Recorder of the County of Ventura. The motion carried by unanimous voice vote.

7. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 7:19 p.m.

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Patrick Hunter, Mayor

ATTEST:

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Maureen Benson, Assistant City Clerk