

MINUTES OF THE CITY COUNCIL

Moorpark, California

February 17, 2016

A Special Meeting of the City Council of the City of Moorpark was held on February 17, 2016, in the Community Center of said City located at 799 Moorpark Avenue, Moorpark, California.

1. CALL TO ORDER:

Mayor Parvin called the meeting to order at 6:45 p.m.

2. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Kevin Ennis, City Attorney; Deborah Traffenstedt, Assistant City Manager; and David Bobardt, Community Development Director.

3. PUBLIC COMMENT:

None.

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

Mr. Kueny requested the Council go into closed session for discussion of Item 6.C. on the agenda and to then go back into open session for Item 5.A. in the main Council chamber.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to go into closed session discussion of Item 6.C. on the agenda and then to go back into open session for Item 5.A. in the main Council chamber. The motion carried by unanimous voice vote. The time was 6:46 p.m.

6. CLOSED SESSION:

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Pursuant to Government Code Section 54956.8)

Property: APN 506-0-050-525; 4.86 Acres on the West Side of Leta Yancy Road

City Negotiator: Steven Kueny, City Manager

Negotiating Parties: City of Moorpark and CLP Investment LLC

Under Negotiation: Price and terms of payment

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Kevin Ennis, City Attorney; Deborah Traffenstedt, Assistant City Manager; and David Bobardt, Community Development Director.

The Council reconvened into open session at 6:57 p.m. Mr. Kueny stated Item 6.C. was discussed and there was no action to report.

AT THIS POINT in the meeting, a recess was declared. The time was 6:57 p.m. The Council meeting reconvened in the main Council chamber at 7:02 p.m. with all Councilmembers present.

5. PRESENTATION/ACTION/DISCUSSION:

- A. Consider: 1) Amendment to Professional Services Agreement with Sohagi Law Group Authorizing Additional Services Regarding the Wayne J Sand and Gravel Mine Expansion Project EIR; 2) Resolution Amending the Fiscal Year 2015-2016 Budget by Appropriating \$50,000.00 from the General Fund (1000) for Additional Services by The Sohagi Law Group Related to the Wayne J Sand and Gravel Mine Expansion Project EIR; and 3) Authorization of City Manager to Submit Appeal of County Planning Commission Approval of Wayne J Sand and Gravel Mine Expansion Project PL13-0116. Staff Recommendation: 1) Authorize the City Manager to execute an amendment to the professional services agreement with The Sohagi Law Group for an amount not-to-exceed \$34,000 to the previous not-to-exceed cost of \$50,000 for a new total not-to-exceed cost of \$84,000 without prior City Council authorization, subject to final language approval of the City Manager and City Attorney; 2) Adopt Resolution No. 2016-3477; and 3) Authorize the City Manager to submit an appeal of the County Planning Commissions approval of the permit for the Wayne J Sand and Gravel Facility. ROLL CALL VOTE REQUIRED

Mr. Bobardt gave the staff report.

The following speakers stated they were not in favor of the appropriation of funds for an Appeal and were in support of the Wayne J Sand and Gravel Mine Expansion Project; and for keeping small businesses running in Moorpark.

Erik Jones  
Sarah Jones  
Rich Guske  
Bret Jones  
Laura Jones  
Jackie Jones

Laurie Jones  
Marianne Parrington  
Gene Lapp  
Cindy Marschik  
Tom Lucas

In response to Mayor Parvin, Ms. Benson summarized 19 Written Statement cards in support of the Wayne J Sand and Gravel project and in opposition to the Appeal. She summarized 5 Written Statement cards in support of the Wayne J Sand and Gravel project, in opposition to the Appeal, and requesting support for small local business. Ms. Benson summarized 2 Written Statement cards that indicated they were in favor of Item 5.A. These cards will be copied and provided to the Council.

A discussion among the Council and staff focused on: 1) Definition of a "truck trip"; 2) More than three times the number of truck trips would be allowed by this project; 3) Unrealistic County conditions in regard to the alternate route; 4) Issue of the County's lack of addressing Moorpark's concerns regarding the inadequacy of the Environmental Impact Report, which should be recirculated after answering Moorpark's questions; and 5) The only way to make the Board of Supervisors take a look at this is to Appeal the County Planning Commission's EIR.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to: 1) Authorize the City Manager to execute an amendment to the professional services agreement with The Sohagi Law Group for an amount not-to-exceed \$34,000 to the previous not-to-exceed cost of \$50,000 for a new total not-to-exceed cost of \$84,000 without prior City Council authorization, subject to final language approval of the City Manager and City Attorney; 2) Adopt Resolution No. 2016-3477; and 3) Authorize the City Manager to submit an appeal of the County Planning Commission's approval of the permit for the Wayne J Sand and Gravel Facility. The motion carried by unanimous roll call vote.

8. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 7:40 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk