

MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaJanuary 16, 2008

A Regular Meeting of the City Council of the City of Moorpark was held on January 16, 2008, 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 7:28 p.m.

2. PLEDGE OF ALLEGIANCE:

Barry Hogan, Deputy 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; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; Mary Lindley, Parks/Recreation and Community Services Director; Johnny Ea, Finance Director; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; David Moe, Redevelopment Manager; Jennifer Mellon, Senior Management Analyst; Shaun Kroes, Management Analyst; Captain Jeff Matson, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Assistant City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. City Manager's Monthly Report.

Mr. Kueny deferred the monthly report.

5. PUBLIC COMMENT:

Wally Bobkiewicz, representing United Way thanked Moorpark City staff, Council, and residents for their support.

Christopher Coronel, newly assigned Southern California Edison Region Manager for Moorpark and surrounding cities, introduced himself and stated he would be arranging a meeting with City officials in the near future.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:34 p.m. The City Council meeting reconvened at 7:41 p.m.

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

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

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

7. ANNOUNCEMENTS, FUTURE AGENDA ITEMS, AND REPORTS ON MEETINGS/CONFERENCES ATTENDED BY COUNCILMEMBERS AND MAYOR:

Councilmember Parvin announced she had recently attended a League of California Cities' conference in San Jose where she represented the Channel Counties Division.

Councilmember Parvin announced the Moorpark Chamber of Commerce invites everyone to attend their Installation Dinner on Friday, January 25th at 5:30 p.m.

Mayor Hunter announced Moorpark residents may dispose of old electronics at a free electronic waste collection event on Saturday, January 19th, from 9:00 a.m. - 2:00 p.m. at the Moorpark Public Services Facility located at 627 Fitch Avenue.

Mayor Hunter announced the Moorpark Library is conducting Wednesday afternoon youth workshops: 1) 5th-8th graders are invited to learn the ancient Japanese art of paper folding at an Origami workshop on January 23rd, from 4:30-6:30 p.m. and 2) 6th graders and up are invited to make Valentine's Day cards using stamps and calligraphy at a workshop on February 6th, from 4:30-6:30 p.m. Instructions and materials for both events will be provided. Reservations are required.

Mayor Hunter announced Moorpark residents may now dispose of all plastics numbered 1 through 6, as well as plastic bags, in their gray recycling container. Styrofoam and plastic toys are not currently recyclable.

8. PUBLIC HEARINGS:

- A. Consider Resolution Declaring the Private Parking Facilities at the Standard Aero Parts, Inc. Property (APN 511-0-161-255), Subject to the Provisions of the California Vehicle Code. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2008-2668.

Mr. Lall gave the staff report.

Mayor Hunter opened the public hearing.

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

Mayor Hunter closed the public hearing.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2008-2668, declaring the private parking facilities at the Standard Aero Parts, Inc. property, subject to the provisions of the California Vehicle Code. The motion carried by unanimous voice vote.

AT THIS POINT in the meeting Items 8.B. and 8.C. were heard concurrently.

- B. Consider Resolution Adopting a Revised Fee Schedule for Services Rendered Pursuant to the Moorpark Municipal Code Relating to Building and Safety and Rescinding Resolution No. 1992-832. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2008-2669, adopting revised Building and Safety fee schedules and rescinding Resolution No. 1992-832. ROLL CALL VOTE REQUIRED
- C. Consider Resolution Adopting a Revised Fee Schedule for Services Rendered Pursuant to the Moorpark Municipal Code Relating to Public Works and City Engineer and Rescinding Resolution No. 1992-865. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2008-2670, adopting revised Public Works/Engineering fee schedules, and rescinding Resolution No. 1992-865. ROLL CALL VOTE REQUIRED

Mr. Hogan gave the staff reports.

Mayor Hunter opened the public hearings.

A discussion followed among the Councilmembers and staff regarding delaying implementation of the new fees until July 1, 2008, to allow additional time for notification as well as to coincide with the new Fiscal Year 2008/09 Budget.

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

Mayor Hunter closed the public hearings.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2008-2669, adopting revised Building and Safety fee schedules, as amended, for an implementation date of July 1, 2008, and rescinding Resolution No. 1992-832. The motion carried by unanimous roll call vote.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2008-2670, adopting revised Public Works/Engineering fee schedules, as amended, for an implementation date of July 1, 2008, and rescinding Resolution No. 1992-865. The motion carried by unanimous roll call vote.

- D. Consider Resolution Approving Leasing of Property Owned by the Redevelopment Agency of the City of Moorpark, Located at 661 Moorpark Avenue and 250 Los Angeles Avenue. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2008-2671, approving leasing of the properties.

Mr. Moe gave the staff report.

Mayor Hunter opened the public hearing.

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

Mayor Hunter closed the public hearing.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to adopt Resolution No. 2008-2671, approving leasing of 661 Moorpark Avenue and 250 Los Angeles Avenue. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider an Ordinance Amending Section 17.44.050.C, Pre-screening, of Chapter 17.44.050.C of Title 17, Zoning, and a Resolution Rescinding Resolution No. 99-1578, and Adopting New Procedures for Pre-Screening of General Plan Amendments, Specific Plan Amendments, Zoning Map Amendments, and Zoning Ordinance Amendments, and Suspending the Processing of Pre-Screening Applications for the Next Two Cycles. (continued from December 5, 2007) Staff Recommendation: 1) Concur with staff's revised recommendation that an ordinance amending Title 17 and suspension of processing of pre-screening applications are not required; and 2) Adopt Resolution No. 2008-2672 revising and updating

the General Plan Amendment Pre-Screening Application Review Process, and rescinding Resolution No. 99-1578.

Mr. Hogan gave the staff report.

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

MOTION: Councilmember Mikos moved and Councilmember Parvin seconded a motion to: 1) Concur with staff's recommendation that an ordinance amending Title 17 and suspension of processing of pre-screening applications are not required; and 2) Adopt Resolution No. 2008-2672, revising and updating the General Plan Amendment Pre-Screening Application Review Process and rescinding Resolution No. 99-1578. The motion carried by unanimous voice vote.

- B. Consider Providing Comments on Possible Unmet Transit Needs to the Ventura County Transportation Commission (VCTC) and Receive Report on Unmet Transit Needs Finding and Goals. Staff Recommendation: Provide comments and direct staff to forward to VCTC, prior to the end of the public comment period.

Mr. Kroes gave the staff report and referenced correspondence received from Moorpark resident, Steve Ducharme concerning the difficulties using the wheelchair lift on the Moorpark City Transit bus and lack of coordination of local Dial-A-Ride service between cities.

A discussion followed among Councilmembers and staff regarding maintenance repairs to the wheelchair lift to be provided by the manufacturer, and forwarding Mr. Ducharme's comments to VCTC regarding the paratransfer transfer points between Moorpark, Thousand Oaks and Simi Valley.

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

MOTION: Mayor Hunter moved and Councilmember Parvin seconded a motion to: 1) Receive and file the report; 2) Direct staff to publicize the request for comments to be forwarded to VCTC prior to February 11, 2008, on the City's website, Channel 10, in City and Dial-A-Ride buses; and 3) Forward this subject to the Transportation and Public Works Committee to explore a second transfer station at the Simi Valley Town Center and expansion of service area with a report back to Council within 60 days. The motion carried by unanimous voice vote.

- C. Consider Revised Moorpark City Library Material Selection and Circulation Policies and Consider Adopting a Revised Library Fine and Fee Schedule Resolution and Rescinding Resolution No. 2007-2593. Staff Recommendation: 1) Approve and adopt the Moorpark City Library Materials Selection Policy 37 and Circulation Policy 39 and authorize the City Clerk to incorporate said changes in the next scheduled update of the Policy Resolution; and 2) Adopt Resolution No. 2008-2673, revising the Fine and Fee Schedule and rescinding Resolution No. 2007-2593. ROLL CALL VOTE REQUIRED.

Ms. Mellon gave the staff report.

A discussion followed among the Councilmembers and staff regarding the criteria for applying for a temporary library card by teenagers, which resulted in modification to the language of Circulation Policy 39 to require the teen to present a picture identification to verify Moorpark residency or attendance at a Moorpark school; and a parent or legal guardian to sign, in person, the application for a permanent library card if the teen is to continue to checkout library materials.

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

MOTION: Councilmember Van Dam moved and Councilmember Millhouse seconded a motion to 1) Approve and adopt the Moorpark City Library Materials Selection Policy 37 and Circulation Policy 39, as amended for requirements for restricted temporary library cards for teens without parental/guardian signature and authorize the City Clerk to incorporate said changes in the next scheduled update of the Policy Resolution; and 2) Adopt Resolution No. 2008-2673 revising the Fine and Fee Schedule and rescinding Resolution No. 2007-2593. The motion carried by unanimous roll call vote.

- D. Consider Release of Request for Qualifications for Professional Services for Construction Manager for the Ruben Castro Human Services Center. Staff Recommendation: Authorize staff to circulate a Request for Qualifications for professional services using the Construction Manager-Multiple Prime method for delivery of the Ruben Castro Human Services Center.

Mr. Riley 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 authorize staff to circulate a Request for Qualifications for

professional services using the Construction Manager-Multiple Prime method for delivery of the Ruben Castro Human Services Center. The motion carried by unanimous voice vote.

- E. Consider Campus Park Public Art Conceptual Design. Staff Recommendation: Approve the proposed conceptual design for the Campus Park Public Art work.

Ms. Lindley gave the staff report.

Lee Newman, landscape architect from Newman Design Group, 31308 Via Colinas #104, Westlake Village, discussed the conceptual design of the proposal and the recommendations from the Moorpark Arts Commission.

A discussion among the Councilmembers, Mr. Newman and staff followed where Councilmember Mikos approved of the design and requested native grasses be used in the plantings; and the remainder of the Council was not in favor of the design due to the inability to view the details of the design from the street, lack of compatibility with the rest of the center, safety concerns in regard to children climbing on the stones, and need for a legend to explain Chumash etchings.

MOTION: Mayor Hunter moved to refer this item back to the Moorpark Arts Commission and to authorize staff, without additional review by Council, to receive an in-lieu fee at any time in the amount stipulated in the agenda report.

A discussion followed among the Councilmembers indicating a preference for art work versus the in-lieu fee.

Mayor Hunter amended his motion to remove the reference to the in-lieu fee and just refer the item back to the Moorpark Arts Commission to review different options. Councilmember Van Dam seconded the amended motion. The motion carried by voice vote 4-1, Councilmember Mikos dissenting.

- F. Consider Approval of an Agreement with Matrix Consulting Group to Conduct a Wastewater (Sewer) Study and Resolution Amending the Fiscal Year 2007/08 Budget to Fund the Study. Staff Recommendation: 1) Select Matrix Consulting Group (Matrix CG) to conduct and prepare a sewer study as outlined in the agenda report and authorize the City Manager to sign the agreement, subject to final language approval of the City Manager and City Attorney; and 2) Adopt Resolution No. 2008-2674. ROLL CALL VOTE REQUIRED

Mr. Hogan gave the staff report.

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

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to: 1) Select Matrix Consulting Group (Matrix CG) to conduct and prepare a sewer study as outlined in the agenda report and authorize the City Manager to sign the agreement, subject to final language approval of the City Manager and City Attorney; and 2) Adopt Resolution No. 2008-2674. The motion carried by unanimous roll call vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Approval of the Regular Meeting Minutes of December 5, 2007. Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2007-2008 – January 16, 2008. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution Authorizing Submittal of a Grant Renewal Application to the Ventura County Area Agency on Aging (VCAAA) for Older Americans Act Title III-C Contract Grant Funds for the Senior Nutrition Program, and Authorizing the City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2008-2675.
- D. Consider Renewal of Agreement with Dial Security to Provide Security Guard Services at the Moorpark Metrolink Station. Staff Recommendation: Approve a one-year renewal of the City's Agreement with Dial Security and authorize the City Manager to execute the Agreement.
- E. Consider Landscape Maintenance Contract Specifications and Authorize Staff to Solicit Bid Proposals. Staff Recommendation: Approve contract documents for landscape maintenance services and authorize staff to solicit bid proposals.
- F. Consider Resolution Amending the Fiscal Year 2007/08 Budget and Authorizing the Transfer of Gas Tax and General Funds to Cover Fiscal Year 2006/07 Year-End Deficits in Certain Funds for the City's Landscaping and Lighting Assessment Districts. Staff Recommendation: Adopt Resolution No. 2008-2676. ROLL CALL VOTE

- G. Consider Approval of an Agreement with BonTerra Consulting to Prepare an Environmental Impact Report (EIR) for the Moorpark Civic Center Campus Master Plan and Resolution Amending the Fiscal Year 2007/08 Budget to Fund the Report. Staff Recommendation: 1) Select BonTerra Consulting to prepare the Civic Center Master Plan EIR and authorize the City Manager to sign the agreement at a cost not to exceed \$309,172.00, subject to final language approval of the City Manager and City Attorney; and 2) Adopt Resolution No. 2008-2677. ROLL CALL VOTE REQUIRED
- H. Consider Authorizing the Moorpark City Library to Submit the California Stories – How I See It Grant Application. Staff Recommendation: Approve the submittal of the grant application.
- I. Consider Status of California Property Owners and Farmland Protection Act and the Homeowners Protection Act Initiatives for June 2008 Ballot. Staff Recommendation: Receive and file report.
- J. Consider Authorization to Record Notice of Completion for the Installation of the Moorpark Metrolink Security Camera System (Project 8073). Staff Recommendation: Authorize the City Clerk to file the Notice of Completion for the project with the County Recorder and authorize the release of the balance of payment, due upon satisfactory clearance, thirty-five (35) days after Notice of Completion records, release bonds in accordance with the contract, and completion of closeout contractual obligations on the part of the contractor
- L. Consider Report of Annual Development Agreement Review, Established in Connection with Moorpark Highlands Specific Plan No. 2, a Master Planned Community, Located East of Walnut Canyon Road and North of Charles Street, on the Application of Pardee Homes (PA 1-7) and KB Home (PA 8-9). Staff Recommendation: 1) Accept the Planning Director's report and recommendation that, on the basis of substantial evidence, Pardee Homes has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.
- N. Consider Approval of Agreement between City of Moorpark and Service Employees International Union (SEIU) Local 998 and Local 721 to Transfer Representation from Local 998 to Local 721. Staff Recommendation: Authorize the City Manager to sign the Agreement, subject to final language approval by the City Manager and City Attorney.
- O. Consider a City Manager Evaluation Policy. Staff Recommendation: Approve a policy requiring an annual performance evaluation for the City Manager, as described in the agenda report, and direct staff to incorporate the new policy into the next update of the City Council Policies Resolution.

The following items were pulled for individual consideration.

- K. Consider Status Report Regarding Princeton Avenue Widening Project (Project 8012). Staff Recommendation: Receive and file report.

Councilmember Mikos stated she pulled this item to update the public on the status of this project, which has acquired 26 of the 38 properties needed for the widening to commence. In response to Councilmember Mikos, Mr. Lall stated completion could be by July 2010.

MOTION: Councilmember Mikos moved and Councilmember Parvin seconded a motion to receive and file the report. The motion carried by unanimous voice vote.

- M. Consider Resolution Adopting a Healthy Cities Policy. Staff Recommendation: Adopt Resolution No. 2008-2678, designating Moorpark as a healthy city.

Mayor Hunter stated he pulled this item to allow staff to provide a missing page to the Resolution.

MOTION: Mayor Hunter moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2008-2678, designating Moorpark as a healthy city. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 367 Amending Section 9.32.060.B of Chapter 9.32, Social Host, of Title 9, Public Peace, Morals and Welfare, of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 367 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Montes read the title of Ordinance No. 367.

MOTION: Councilmember Millhouse moved and Councilmember Parvin seconded a motion to waive full reading and declare Ordinance No. 367 read for the second time and adopted as read. The motion carried by unanimous roll-call vote.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of Item 12.B. (four cases) on the agenda.

MOTION: Councilmember Parvin moved and Councilmember Mikos seconded a motion to adjourn to closed session for a discussion of Item 12.B. (four cases) on the agenda. The motion carried by unanimous voice vote. The time was 10:15 p.m.

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)

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; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; and Deborah Traffenstedt, Administrative Services Director/City Clerk.

The Council reconvened into open session at 10:42 p.m. Mr. Kueny stated Item 12.B. (four cases) were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Hunter adjourned the meeting at 10:42 p.m.

Patrick Hunter, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk