

ITEM 10.C.

MINUTES OF THE CITY COUNCIL

Moorpark, California

May 4, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on May 4, 2011 in the Council Chambers of said City located at 799 Moorpark Avenue, Moorpark, California.

1. CALL TO ORDER:

Mayor Parvin called the meeting to order at 7:12 p.m.

2. PLEDGE OF ALLEGIANCE:

American Legionnaire, Matt Valenzuela, led the Pledge of Allegiance.

3. ROLL CALL:

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

Absent: Councilmember Millhouse.

Staff Present: Steven Kueny, City Manager (arrived at 8:00 p.m.); Greg Murphy, Assistant City Attorney; Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; Ron Ahlers, Finance Director; David Bobardt, Community Development Director; David Klotzle, City Engineer/Public Works Director; Jennifer Mellon, Administrative Services Manager; Joseph Fiss, Principal Planner; Ashraf Rostom, Public Works Superintendent/Inspector; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Declaring May as Veteran's Appreciation Month.

Mayor Parvin presented James Carpenter, Commander of Moorpark Post 502 of the American Legion with a proclamation declaring May as Veteran's Appreciation Month.

B. Proclamation Declaring May 15th to May 21st as National Public Works Safety Week.

Mayor Parvin presented Asraf Rostom, Public Works Superintendent/Inspector, with a proclamation declaring May 15th to May 21st as National Public Works Safety Week.

- C. Introduction of New Moorpark Police Officers, Sergeant Cory Rubright, Detective Kevin Lynch, and Detective Jerry Gomez.

Captain Nelson introduced new Moorpark Police Officers, Sergeant Cory Rubright, and Detective Jerry Gomez. He provided a biography on Detective Kevin Lynch who was unable to attend.

5. PUBLIC COMMENT:

None.

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

None.

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

Councilmember Mikos reported today she had attended a meeting of the Economic Collaborative of Ventura County Executive Committee.

Councilmember Mikos reported last week she attended a meeting of the Santa Monica Mountains Conservancy Advisory Committee meeting held at the Gillette Ranch.

Councilmember Van Dam announced on High Street at 8:00 p.m. on May 15th the Moorpark Kiwanis Club will be holding their annual "Wine and Moonlight" fundraiser for Moorpark youth.

Councilmember Pollock reported he met in Ventura on May 3rd with the State Superintendent of Public Instruction.

Councilmember Pollock reported April 28th he spoke to a group of student leaders at California State University at Channel Islands.

Mayor Parvin encouraged the public to use local Metrolink and Amtrack services for their commute on National Train Day, May 7th.

Mayor Parvin announced on May 11th the Moorpark City Library will hold its first monthly "Write Now:" sponsored by the Writer's Group for Adults.

Mayor Parvin announced changes to the Moorpark City Transit bus Routes 1 and 2 effect Monday, May 16th.

Mayor Parvin announced that teens looking to volunteer this summer and work towards their community service requirement can sign up to volunteer to assist with the Summer Reading Club and other activities at the Moorpark City Library.

Mayor Parvin announced the City will hold a Free Electronic Waste Collection and Secure Shredding event at the Moorpark Public Services Facility on May 21st.

Mayor Parvin announced recruitment ends May 6th for 2011/12 Teen Council members to serve for the 2011/12 term.

8. PUBLIC HEARINGS:

- A. Consider a Resolution Approving Modification No. 1 to CPD 92-2, for Installation of a New Customer Order Display with Speaker and Relocation of an Existing Menu Board for McDonald's Restaurant at 501 Los Angeles Avenue. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2011-3020, approving Modification No. 1 to CPD 92-2 with conditions.

Mr. Fiss gave the staff report.

Mayor Parvin opened the public hearing.

Debbie Voss, the applicant for McDonald's Restaurant at 501 Los Angeles Avenue, responded to Council's concerns regarding the volume controls of the new Order Confirmation System.

Mayor Parvin closed the public hearing.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2011-3020, approving Modification No. 1 to CPD 92-2, with conditions, for the installation of a new customer order display with speaker and the relocation of an existing menu board for McDonald's restaurant at 501 Los Angeles Avenue. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Resolution Fixing Compensation for Members of the Moorpark City Library Board of Trustees. Staff Recommendation: Adopt Resolution No. 2011-3021. ROLL CALL VOTE REQUIRED

Ms. Mellon gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No.2011-3021, fixing compensation for members of the Moorpark Library Board of Trustees. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- B. Consider Resolution Approving the Preliminary Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2011/12 and Providing Notice of Public Hearing on June 1, 2011. Staff Recommendation: Adopt Resolution No. 2011-3022.

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2011-3022, approving the Preliminary Engineer's report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2011/12 and providing Notice of Public Hearing for June 1, 2011. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider Resolution Approving the Preliminary Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2011/12 and Providing Notice of Public Hearing on June 1, 2011. Staff Recommendation: Adopt Resolution No. 2011-3023.

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2011-3023, approving the Preliminary Engineer's report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2011/12 and providing Notice of Public Hearing for June 1, 2011. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Special Meeting of April 20, 2011. Staff Recommendation: Approve the minutes.

- B. Consider Warrant Register for Fiscal Year 2010/11 – May 4, 2011. Staff Recommendation: Approve the warrant register.
- C. Consider Granting Easement to Southern California Edison for Portions of APNs 512-0-171-235 and 512-0-171-245 (612 Spring Road, Ruben Castro Human Services Center). Staff Recommendation: Authorize the City Manager to execute the Grant of Easement and return same to Southern California Edison for recordation with the County of Ventura.
- D. Consider Resolution Amending the City of Moorpark Franchise Agreements with G.I. Industries and Moorpark Rubbish, for Both Residential and Commercial Solid Waste Services, and Authorize the City Manager to Execute the Amendments to the Agreements. Staff Recommendation: 1) Adopt Resolution No. 2011-3024; and 2) Authorize the City Manager to execute the Agreements, subject to final language approval by the City Manager and City Attorney.
- E. Consider Resolution Authorizing the Destruction of Certain February 28, 2006, Special Election Records. Staff Recommendation: Adopt Resolution No. 2011-3025.
- F. Consider Award of Agreement to Santa Barbara Transportation Corporation, Doing Business as Student Transportation of America, Incorporated, to Provide Bus Excursions and Charter Bus Transit Services. Staff Recommendation: 1) Award Agreement to Santa Barbara Transportation Corporation, Doing Business as Student Transportation of America, Incorporated, and 2) Authorize the City Manager to sign the Agreement, subject to final language approval by the City Manager and City Attorney.
- G. Consider Notice of Completion for the Mountain Trail Street and Spring Road Pavement Rehabilitation Project (Project 8083). Staff Recommendation: Authorize the City Clerk to file the Notice of Completion for the project.
- H. Consider Letter of Intent Regarding the City's Continued Participation in the County's Emergency Notification System. Staff Recommendation: Authorize the Mayor to sign a Letter of Intent to support the selection of Everbridge as the emergency notification system vendor and document the City's intent to continue participation.
- I. Consider Request from Senator Strickland and the State Board of Equalization to Co-Sponsor a Small Business Seminar and Expo on June 10, 2011, from 9 a.m. to 12 p.m. in the Apricot Room and Citrus Room of the Community Center and to Waive Rental Fees and Assist in Promoting the Event. Staff Recommendation: Co-sponsor the event, waive rental

fees, and direct staff to assist in promoting and facilitating the event as described in the agenda report.

- J. 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 City Manager to Sign All Agreements. Adopt Resolution No. 2011-3026.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 403 Amending Chapter 2.70, Moorpark City Library, of Title 2, of the Moorpark Municipal Code. Staff Recommendation: Waive full reading, and declare Ordinance No. 403 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Murphy read the title of Ordinance No. 403.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to waive full reading, declare Ordinance No. 403 read for the second time and adopted as read. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

12. CLOSED SESSION:

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

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to adjourn to closed session for a discussion of four cases under Item 12.B. and Item 12.C. on the agenda. The motion carried by voice vote 4-0, Councilmember Millhouse absent. The time was 8:01 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)
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Subdivision (a) of Section 54956.9 of the Government Code)
City of Moorpark; Moorpark Unified School District vs. Thomas H. Heyn and Eldora E. Heyn (Case No. 56-2009-00355222-CU-OR-SIM)

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Greg Murphy, Assistant City Attorney; Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; David Klotzle,

City Engineer/Public Works Director; Jeremy Laurentowski, Landscape/Parks Maintenance Superintendent; and Allen Walter, Landscape/Parks Maintenance Superintendent.. Mr. Ted Bumgardner, Xpera Group and Ed Bovay, Civil Engineer, were also in attendance, and left the meeting at 9:00 p.m. Mr. Klotzle and Mr. Walter also left the meeting at 9:00 p.m.

The Council reconvened into open session at 9:52 p.m. Mr. Kueny stated four cases under Item 12.B. and Item 12.C. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:52 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk