

MINUTES OF THE CITY COUNCIL

Moorpark, California

July 20, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on July 20, 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 7:14 p.m.

2. PLEDGE OF ALLEGIANCE:

Tina Hamous, Moorpark Arts Commissioner, led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; 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; Jeremy Laurentowski, Parks and Landscape Manager; Joseph Fiss, Principal Planner; Sergeant Cory Rubright, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

- A. Introduction of New City Employee, Angel Sierra, Active Adult Center Supervisor in the Parks, Recreation, and Community Services Department.

Mayor Parvin introduced new City employee, Angel Sierra, Active Adult Center Supervisor in the Parks, Recreation, and Community Services Department.

5. PUBLIC COMMENT:

Stan Karland, Chairman and CEO of PennyMac, a new mortgage banking enterprise relocating to Moorpark from Calabasas, described the business and the projected employment opportunities for the future.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Redevelopment Agency of the City of Moorpark. The time was 7:22 p.m. The City Council meeting reconvened at 7:23 p.m.

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

CONSENSUS: It was the consensus of the Council to pull Item 10.J. from the Consent Calendar for individual consideration.

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

Councilmember Mikos reported, she and Mayor Parvin had attended the Ventura County Board of Supervisors meeting on July 19th with Community Development Director, David Bobardt, to again request consideration for the City of Moorpark due to the adverse impacts the expansion of the Simi Valley Landfill will have on the City. The Board committed to helping to fund a soundwall along Los Angeles Avenue and to fund open space property acquisition to mitigate visual impacts along State Route 118.

Councilmember Millhouse reported he had attended the America Public Transit Association Commuter Rail Conference on the east coast where subjects of discussion included public transportation within the country, specifically focusing on commuter rail.

Councilmember Millhouse reported Metrolink ridership was at its highest level the weekend of "Carmageddon" (closure of the 405 Freeway). He also stated Metrolink is offering a \$10 weekend pass to travel anywhere from Union Station in Los Angeles to travel quite a distance within California. There is also a Metrolink Del Mar train from Los Angeles Union Station to take you to the Del Mar Races.

Mayor Parvin announced the Moorpark Library presents the "Armchair Travel Movie Series" at the Moorpark Community Center with a showing of *Amelie* on July 21st and *Muriel's Wedding* on July 28th.

Mayor Parvin announced the Moorpark Beach Bus runs Tuesday through Thursday until August 18th.

Mayor Parvin announced the Moorpark Summer Youth Bus Pass providing unlimited ridership on Moorpark City Transit from now until September 9th is on sale at City Hall and Arroyo Vista Recreation Center.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Agreement with Library Systems & Services, LLC (LSSI) for Continued Operation of the Moorpark City Library. Staff Recommendation: Authorize the City Manager to sign the Agreement with LSSI for operation of the Moorpark City Library, which includes a revised Scope of Services and Compensation Plan for Fiscal Years 2011-12 through 2015-16, subject to final language approval by the City Manager and City Attorney.

Ms. Mellon gave the staff report.

There were no speakers

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to authorize the City Manager to sign the Agreement with LSSI for operation of the Moorpark City Library, which includes a revised Scope of Services and Compensation Plan for Fiscal Years 2011-12 through 2015-16, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous voice vote.

- B. Consider Selection of Artist for Public Art Project at the Ruben Castro Human Services Center and Agreement for Artistic Design, Fabrication, and Installation Services. Staff Recommendation: Award the project to John Fisher and authorize the City Manager to sign an Agreement for Artistic Design, Fabrication, and Installation Services with costs including all expenses not to exceed \$138,000, subject to final language approval by the City Manager and City Attorney.

Mr. Riley gave the staff report.

There were no speakers.

In response to Councilmember Millhouse, Mr. Riley confirmed the final art work design will return to Council for approval.

Tina Hamous, Moorpark Arts Commissioner, explained the process the Commission used for recommending John Fisher's project.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to award the project to John Fisher and authorize the City Manager to sign an Agreement for Artistic Design, Fabrication, and Installation Services with costs including all expenses not to exceed \$138,000, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous voice vote.

- C. Consider Retrofitting the Existing Lighting at the Active Adult Center, Community Center, City Hall Administration Building, Development Services Building, Civic Center Parking Lot and Library Parking Lot; Award Contract to Sylvania Lighting Services Corporation and Authorize the City Manager to Execute Agreement; and Consider Resolution Amending the Fiscal Year 2011/12 Budget. Staff Recommendation: 1) Approve retrofitting the existing lighting; 2) Award a contract to Sylvania Lighting Corporation and authorize the City Manager to execute an Agreement at a cost of \$92,528 with approval for a contingency not to exceed \$9,252, and subject to final language approval by the City Manager and City Attorney; and 3) Adopt Resolution No. 2011-3045 amending the FY 2011/12 Budget to appropriate \$107,556 from various funds for the Lighting Retrofit. ROLL CALL VOTE REQUIRED

Mr. Laurentowski gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to: 1) Approve retrofitting the existing lighting; 2) Award a contract to Sylvania Lighting Corporation and authorize the City Manager to execute an Agreement at a cost of \$92,528 with approval for a contingency not to exceed \$9,252, and subject to final language approval by the City Manager and City Attorney; and 3) Adopt Resolution No. 2011-3045, amending the FY 2011/12 Budget to appropriate \$107,556 from various funds for the Lighting Retrofit. The motion carried by unanimous roll call vote.

- D. Consider Amendment No. 3 to Agreement for Professional Services with Parsons Transportation Group (Parsons) for Preliminary Engineering, Environmental Analysis, Design, and Right-of-Way Activities for the Installation of Soundwalls on State Route-23. Staff Recommendation: Authorize the City Manager to amend the Agreement with Parsons, extending it to May 30, 2013, and increasing the total amount by \$15,654.32 so as not to exceed \$336,056.40, subject to final language approval by the City Manager and City Attorney.

Mr. Fiss gave the staff report.

AT THIS POINT in the meeting, Councilmember Millhouse left the meeting. The time was 7:59 p.m.

There were no speakers.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to authorize the City Manager to amend the Agreement with Parsons, extending it to May 30, 2013, and increasing the total amount by \$15,654.32 so as not to exceed \$336,056.40, subject to final language approval by the City

Manager and City Attorney. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

AT THIS POINT in the meeting, Councilmember Millhouse returned to the meeting. The time was 8:01 p.m.

- E. Consider Voting Delegate and Alternates for League of California Cities Annual Conference – September 21-23 in San Francisco. Staff Recommendation: 1) Determine the voting delegate and alternates; and 2) Direct the City Clerk to notify the League of California Cities of the designated voting delegate and alternates.

Ms. Benson gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to notify the League of California Cities that Mayor Parvin would be the voting delegate followed by Mayor Pro Tem Millhouse and Councilmember Pollock as alternates. The motion carried by unanimous voice vote.

In response to Mayor Parvin, Mr. Kueny stated an item will be placed on the September 7, 2011, meeting agenda to request direction from Council on whether to cancel the September 21st meeting since three Councilmembers will be attending the conference on that day.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to approve the Consent Calendar with the exception of Item 10.J, which was pulled for individual consideration. The motion carried by unanimous roll call vote.

- A. Consider Minutes of Special Joint City Council/Parks & Recreation Commission Meeting of March 29, 2011. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of July 6, 2011. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2010/11 – July 20, 2011. Staff Recommendation: Approve the warrant register.
- D. Consider Warrant Register for Fiscal Year 2011/12 – July 20, 2011. Staff Recommendation: Approve the warrant register.

- E. Consider Update of Annual Investment Policy and Resolution Establishing the City of Moorpark's Investment Policy for Fiscal Year 2011/12 and Rescinding Resolution No 2010-2958. Staff Recommendation: 1) Adopt Resolution No. 2011-3046, rescinding Resolution No. 2010-2958; 2) Direct that the Finance, Administration, and Public Safety Committee review the Investment Policy on an annual basis prior to consideration by the City Council and that this action be included in the next update of the City Council Policies Resolution.
- F. Consider Resolution Authorizing the Destruction of an Election Roster for the September 15, 2005, Redevelopment Project Area Committee (PAC) Election. Staff Recommendation: Adopt Resolution No. 2011-3047.
- G. Consider Report of Annual Development Agreement Review, Established in Connection with Moorpark Country Club Estates, Located Approximately 2,700 Feet South of Broadway between Grimes Canyon Road and Walnut Canyon Road (Tract 4928), on the Application of Toll Brothers, Inc. Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation that, on the basis of substantial evidence, Toll Brothers Inc. has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.
- H. Consider Amendment to VISTA-East Cooperative Agreement for Commuter Bus Services. Staff Recommendation: Authorize the Mayor to sign the Amendment to the Cooperative Agreement.
- I. Consider Calling a Special Meeting of the Moorpark Library Board of Trustees (Library Board) and Take Council Action to Resign from the Library Board Prior to the Seating of the New Board Members. Staff Recommendation: 1) Schedule a Special Meeting of the Library Board for July 27, 2011, at 6:00 p.m. to be held in the Moorpark Community Center, 799 Moorpark Avenue to include the agenda items described in the staff report; and 2) By roll call vote and written letter of resignation, all Councilmembers agree to resign as Library Board Trustees of the Moorpark City Library, which resignation shall be executed and effective prior to the start of the Special Meeting of the new Library Board. ROLL CALL VOTE REQUIRED
- K. Consider Rejection of Claim from: Southern California Edison. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- L. Consider Rejection of Claim from: Amanda Collet. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.

- M. Consider Resolution Amending the Fiscal Year 2011/12 Budget Allocating Funds from the General Fund Reserve to the Information Systems Expenditure Budget for a New Email Archiving/E-Discovery Solution. Staff Recommendation: Adopt Resolution No. 2011-3048. ROLL CALL VOTE REQUIRED
- N. Consider Agreement with the City of Simi Valley to Provide Household Hazardous Waste Collection Services to City of Moorpark Residents. Staff Recommendation: Approve the Agreement, subject to final language approval by the City Manager and City Attorney.

The following item was pulled for individual consideration.

- J. Consider Resolution Amending the Conflict of Interest Code of the City of Moorpark and Rescinding Resolution No. 2010-2960. Staff Recommendation: Adopt Resolution No. 2011-3049, rescinding Resolution No. 2010-2960.

Ms. Benson gave the staff report and stated an amendment to the draft resolution was needed to include the additional language on stamped page 188, which also affects stamped page 191 of the agenda report:

“Persons elected, appointed, or hired for a newly created position not yet designated under the City’s Conflict of Interest Code, and who participate in making government decisions, must file a Statement of Economic Interests pursuant to Section 4. of the Conflict of Interest Code (Title 2, Division 6, of California Code of Regulations, Section 18734). The disclosure category for such positions shall be the City’s broadest disclosure category until the City’s Conflict of Interest Code is amended to include the new position.”

MOTION: Mayor Parvin moved and Councilmember Millhouse a motion to adopt Resolution No. 2011-3049, as amended and rescinding Resolution No. 2010-2960. The motion carried by unanimous voice.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 404 Approving Zone Change No. 2011-01, Changing the Zoning from Limited Industrial (M-2) to Agricultural Exclusive (AE) on 8.79 Acres Located 1,300 Feet West of Gabbert Road, Immediately North of the Union Pacific Railroad Right-of-Way, on Property Owned by Southern California Edison. Staff Recommendation: Waive full reading, and declare Ordinance No. 404 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Murphy read the title of Ordinance No. 404.

MOTION: Councilmember Van Dam moved and Councilmember Millhouse seconded a motion to waive full reading and declare Ordinance No. 404 read for the second time, and adopted as read. The motion carried by unanimous roll call vote.

- B. Consider Ordinance No. 405 Terminating Development Agreement No. 1998-05 Between the City of Moorpark and The Southern California Edison Company Adopted by Ordinance No. 250 and Recorded with the County Recorder under the Assigned Document Number 99-043265. Staff Recommendation: Waive full reading, and declare Ordinance No. 405 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Murphy read the title of Ordinance No. 405.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to waive full reading and declare Ordinance No. 405 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 adjourn this meeting and call the Special City Council meeting to order to discuss closed session items.

13. ADJOURNMENT:

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 8:07 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk