

ITEM 10.A.

MINUTES OF THE CITY COUNCIL

Moorpark, California

September 7, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on September 7, 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 7:50 p.m.

2. PLEDGE OF ALLEGIANCE:

Captain Ron Nelson, Sheriff's Department, 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; 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; David Moe, Redevelopment Manager; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Declaring September 11, 2011, as a Day of Remembrance.

Mayor Parvin read a proclamation declaring September 11, 2011, as a Day of Remembrance.

5. PUBLIC COMMENT:

None.

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 7:53 p.m. The City Council meeting reconvened at 8:10 p.m.

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

CONSENSUS: It was the consensus of the Council to go into Closed Session prior to Items 9.A. and 9.B. on the agenda, upon the request of Mayor Parvin.

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

Councilmember Mikos reported she participated in a "ride-along with the Moorpark Police Department on September 3rd. She requested staff contact the appropriate department at the County of Ventura to have them install a reflector on the post at the end of Campus Park Drive at the entrance to Rustic Canyon Golf Course where she observed an accident.

Councilmember Mikos reported she and the Mayor had attended the Moorpark Chamber of Commerce Government Relations committee meeting on September 7th.

Councilmember Mikos reported on having attended a meeting on September 7th of the Economic Development Collaborative of Ventura County where use of Moorpark CDBG funds to assist businesses in Moorpark was discussed.

Mayor Parvin reported on August 31st, along with Captain Nelson, she attended the California Highway Patrol "Arrive Alive" campaign on State Route 118.

Mayor Parvin announced on Sunday, September 11th a 9/11 Memorial Ceremony will be taking place at the Ventura County Government Center at 11:00 a.m; and the Ronald Reagan Library will be sponsoring a Freedom Walk commemorating 9/11 on Sunday at 4:40 p.m.

Mayor Parvin announced the Moorpark Chamber of Commerce is hosting its first annual golf network closing tournament at the Moorpark County Club on September 15th.

AT THIS POINT in the meeting Mr. Kueny requested the City Council go into closed session for discussion of two cases under Item 12.B. on the agenda. He stated the Assistant City Attorney would be present via conference call.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adjourn to closed session for a discussion of two cases under Item 12.B. on the agenda. The motion carried by voice vote 4-0, Councilmember Millhouse absent. The time was 8:16 p.m.

12. CLOSED SESSION:

- 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, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Greg Murphy, Assistant City Attorney joined the meeting at 8:15 p.m. via telephone conference call and left the meeting at 8:47 p.m. Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; and Joseph Vacca, Principal Planner.

The Council reconvened into open session at 8:51 p.m. Mr. Kueny stated only one case under Item 12. B. was discussed and there was no action to report.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Actions to Enact the Provisions of Assembly Bill x1 27 (ABx1 27) in Order to Opt-in to the Voluntary Alternative Redevelopment Program, Specifically: 1) Resolution Declaring Intent to Adopt an Ordinance to Continue the Redevelopment Agency of the City of Moorpark's Existence and Comply with Part 1.9 of Division 24 of the Health and Safety Code; 2) Adoption of an Urgency Ordinance Determining to Comply with the Voluntary Alternative Redevelopment Program Pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in Order to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Moorpark; 3) Introduction of an Ordinance Determining to Comply with the Voluntary Alternative Redevelopment Program Pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in Order to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Moorpark Pursuant to Health and Safety Code Section 34194.2; 4) Resolution Authorizing Execution of a Remittance Agreement with the Redevelopment Agency of the City of Moorpark Pursuant to Health and Safety Code Section 34194.2; and 5) Resolution Reducing the Allocation to the Low and Moderate Income Housing Fund for Fiscal Year 2011-2012 and Making Certain Findings and Determinations. Staff Recommendation: 1) Adopt Resolution No. 2011-3053 declaring intent to adopt an ordinance to continue the Redevelopment Agency; 2) Adopt Urgency Ordinance No. 406, determining to comply with the Voluntary Alternative Redevelopment Program (4/5TH AFFIRMATIVE ROLL CALL VOTE REQUIRED); 3)

Introduce Ordinance No. 407, determining to comply with the Voluntary Alternative Redevelopment Program, for first reading, waive full reading, and adjourn the September 7, 2011, regular meeting to 6:45 p.m. on September 14, 2011, for the purpose of second reading and adoption of the ordinance; 4) Adopt Resolution No. 2011-3054, authorizing the City Manager to execute a Remittance Agreement with the Redevelopment Agency of the City of Moorpark; and 5) Adopt Resolution No. 2011-3055, reducing the allocation to the Low and Moderate Income Housing Fund for Fiscal 2011-2012 and making certain findings and determinations.

Mr. Ahlers gave the staff report.

Theresa Hagman-Lawson, a Moorpark resident, spoke in opposition to continuing the existence of the Redevelopment Agency of the City of Moorpark and stated property taxes are diminishing so the money would be better spent on law enforcement, fire protection, road maintenance, libraries, and public parks.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to adopt Resolution No. 2011-3053, declaring intent to adopt an ordinance to continue the Redevelopment Agency of the City of Moorpark. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

Ms. Benson read the title of Urgency Ordinance No. 406.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to waive full reading and declare Urgency Ordinance No. 406, determining to comply with the Voluntary Alternative Redevelopment Program adopted as read. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

Ms. Benson read the title of Ordinance No. 407.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to waive full reading, declare Ordinance No. 407 read for the first time, and adjourn this meeting item to a regular meeting at 6:45 p.m. on September 14, 2011, for second reading and adoption of Ordinance No. 407. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to: 1) Adopt Resolution No. 2011-3054, authorizing the City Manager to execute a Remittance Agreement with the Redevelopment Agency of the City of Moorpark; and 2) Adopt Resolution No. 2011-3055, reducing the allocation to the Low and Moderate Income Housing Fund for Fiscal 2011-2012 and making certain findings and determinations. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- B. Consider Appeal of Ventura County Planning Commission Approval of Minor Modification No. 3 to Conditional Use Permit No. 4915 for the Tom Barber Golf Center (LU10-0087). Staff Recommendation: Direct staff as deemed appropriate.

Mr. Bobardt gave the staff report.

Councilmember Mikos stated for the record that she had attended the Ventura County Planning Commission meeting on September 1, 2011, where she testified along with staff.

Tom Barber, Managing Partner of the Tom Barber Golf Center, 15186 Tierra Rejada Road, Moorpark, California, described the benefits to the community of the driving range.

Wayne Merich, a Moorpark resident and golfer, spoke in favor of the the night time driving range as a necessity for his practice in maintaining his amateur golfing status.

Theresa Hagman-Lawson, a Moorpark resident, requested the Council dismiss any decision to appeal the Ventura County Planning Commission approval of extending the Tom Barber Golf Center permit for 20-years, as this business draws many customers to Moorpark who frequent other locations.

Maria Hagman, a Moorpark resident, requested the Council support the Tom Barber Golf Center 20-year permit extension as the facility draws the community together with its family-friendly activity.

The following issues were discussed by the Councilmembers and staff concerning: 1) Correcting the lighting glare emitted from the golf center site on northbound State Route 23; 2) The number and condition of tree plantings used to shield the lights; 3) Lowering the intensity of wattage and reducing down the number of lights; and 4) Maintaining the Tierra Rejada Green Belt as a scenic area.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to direct staff to file an appeal with the Ventura County Board of Supervisors of the Ventura County Planning Commission's decision to extend the Minor Modification No. 3 to Conditional Use Permit No. 4915 for the Tom Barber Golf Center (LU10-0087) for an additional 20 years from 2017-2037. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

None.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting to September 14, 2011, at 6:45 p.m. for Agenda Item 9.A, to consider second reading and adoption of Ordinance No. 407. The time was 9:30 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk