

MINUTES OF THE CITY COUNCIL

Moorpark, California

November 2, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on November 2, 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 7:09 p.m.

2. PLEDGE OF ALLEGIANCE:

David Bobardt, Community Development Director, 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 Tracy Moe, Administrative Specialist/Deputy City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Laura Magness, a Metrolink representative, spoke about the Metrolink Holiday Toy Express that will be at the Moorpark station on December 17.

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

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

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

Councilmember Mikos stated she attended the Economic Development Collaborative Executive Committee meeting where it was announced the annual EDC-VC/VCEDA meeting will be held January 19 at the Spanish Hills Country Club with speaker Dr. Sohn from California State University Channel Islands.

Councilmember Mikos extended an invitation to attend the Second Chance Winter Ball that will benefit Community Action of Ventura County. Additional information is available at www.ca-vc.org or (805) 436-4018.

Councilmember Mikos requested a future agenda item to adopt a resolution joining the Healthy Eating Active Living Cities Campaign, which promotes physical activity and nutritional policies.

Councilmember Van Dam requested a future agenda item to explore the issue of rabbit control through either ordinance or permit.

Captain Nelson announced the upcoming Moorpark Police Services Open House including a food drive for the Moorpark Food Pantry on November 8.

Mayor Parvin stated the City's Newsletter and Recreation Guide "Moorpark in Winter" is available in residents' mail, City Library, Active Adult Center, Arroyo Vista Recreation Center, City Hall, or on the City's website.

Mayor Parvin announced the upcoming activities at the City Library including children, teen, and adult programs. Additional information is available at www.moorparklibrary.org or (805) 517-6370.

Mayor Parvin announced the Moorpark Rotary Club's upcoming annual civil war event on November 12 and 13, which benefits local charities and provides scholarships for children.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Precision Plumbing-Mechanical for Additional Work to Install an Offsite Storm Drain Connection for the Ruben Castro Human Services Center on Spring Road. Staff Recommendation: 1) Approve a storm drain connection in Spring Road for the Ruben Castro Human Services Center using proposed Storm Drain Alignment #2, as described in the agenda report; and 2) Authorize the City Manager to execute Amendment No. 2

and No. 3 to the construction agreement with Precision Plumbing-Mechanical in an amount not-to-exceed \$35,000 and \$233,000 respectively, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED (Staff: Dave Klotzle)

Mr. Klotzle gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion approve a storm drain connection in Spring Road for the Ruben Castro Human Services Center using proposed Storm Drain Alignment #2, as described in the agenda report; authorize the City Manager to execute Amendment No. 2 and No. 3 to the construction agreement with Precision Plumbing-Mechanical in an amount not-to-exceed \$35,000 and \$233,000 respectively, subject to final language approval by the City Manager and City Attorney. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- B. Consider an Amendment to Section 2.04.050, Filling of Vacancies, of Chapter 2.04, City Council, of Title 2 of the Moorpark Municipal Code. Staff Recommendation: Direct staff to draft an ordinance amending Section 2.04.050 of the Municipal Code consistent with State law, as described in the agenda report, and direct staff whether any other amendment to Section 2.04.050 should also be incorporated as deemed appropriate. (Staff: Deborah Traffenstedt)

Ms. Traffenstedt gave the staff report and requested that the item be continued to the November 16, 2011 Council meeting due to additional information to be provided from the City Attorney.

MOTION: Mayor Parvin moved and Councilmember Mikos seconded a motion to continue the item to the November 16, 2011 Council meeting. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider Proposed Reassignment of Superior Court Civil Cases from the East County Courthouse in Simi Valley to the Ventura County Hall of Justice. Staff Recommendation: Authorize the Mayor to sign a letter in opposition to the proposed reassignment. (Staff: Steven Kueny)

Mr. Kueny gave the staff report.

Councilmember Pollock inquired about what alternatives the Superior Court should be considering. Mr. Kueny replied it is more likely a matter of efficiencies, but these efficiencies need to be explained.

Councilmember Mikos suggested that a possible alternative would be a rotation between East County and West County.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to authorize the Mayor to sign a letter in opposition to the proposed reassignment. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to approve the Consent Calendar with the exception of Item 10.H., which was pulled for individual consideration. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- A. Consider Minutes of Regular Meeting of October 5, 2011. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of October 19, 2011. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2011/12 – November 2, 2011. Staff Recommendation: Approve the warrant register.
- D. Consider Relocation Plan for Tenants at 161 Second Street. Staff Recommendation: Approve Relocation Plan.
- E. Consider Conejo Valley YMCA Request to Use the High Street Arts Center for Youth and Government Event. Staff Recommendation: Approve the co-sponsorship of the Conejo Valley YMCA Youth and Government Event on November 17, 2011.
- F. Consider a Cooperative Agreement with the State Department of Health Services and Agencies Applying Pesticides for Public Health Purposes. Staff Recommendation: Approve the Cooperative Agreement and authorize the Mayor to execute the Agreement on behalf of the City.
- G. Consider Surety Bond Exoneration for Toll CA L.P., Moorpark Country Club Estates, Tract 4928-3. Staff Recommendation: Authorize the City Clerk to fully exonerate the Performance and Payment Surety Bond No. 104058247 for Toll CA L.P., Moorpark Country Club Estates, Tract 4928-3.
- I. Consider Amendment No. 6 to Architectural Agreement with HMC Architects (HMC) for Design Revisions for Driveway Realignment, Site Boundary Wall and Storm Drain System Modifications, and Separating Water Meters for Ruben Castro Human Services Center. Staff Recommendation: Approve Amendment No. 6 to HMC Agreement to increase the amount of the agreement by \$21,815 for design revisions

from \$1,383,443 to \$1,405,258 and authorize the City Manager to execute the amendment, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED

- J. Consider Terminating the Existing Cooperation Agreement between the City of Moorpark and the Area Housing Authority of the County of Ventura (AHA) and Executing a New Cooperation Agreement and Memorandum of Understanding to Allow the Redirection of the PILOT Payment to Support Programs at Tafoya Terrace Located at 344 Charles Street. Staff Recommendation: Direct the City Manager to execute the Cooperation Agreement and Memorandum of Understanding with the AHA to allow the redirection of the PILOT payment to support programs at Tafoya Terrace and terminating the existing Cooperation Agreement, subject to final language approval by the City Manager and City Attorney.

The following item was pulled for individual consideration.

- H. Consider Surety Bond Exonerations for Resmark Equity Partners, Tract 5187 and Tract 5405 as Equivalent Replacement Sureties Have Been Submitted. Staff Recommendation: Authorize the City Clerk to fully exonerate Surety Bond Nos. SU5025689, SU5025691, SU5025694, SU5025697, SU5025698, SU5025699, SU5025721, and SU5025722 for Resmark Equity Partners, Tract 5187 and Tract 5405.

Councilmember Pollock stated he had this item pulled as he is a resident of Meridian Hills Development and wants the record to show he is abstaining from voting on this item.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to authorize the City Clerk to fully exonerate Surety Bond Nos. SU5025689, SU5025691, SU5025694, SU5025697, SU5025698, SU5025699, SU5025721, and SU5025722 for Resmark Equity Partners, Tract 5187 and Tract 5405. The motion carried by voice vote 3-0, Councilmember Pollock abstaining, Councilmember Millhouse absent.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 7:34 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk