

ITEM 10.B.

MINUTES OF THE CITY COUNCIL

Moorpark, California

January 19, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on January 19, 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 7:17 p.m.

2. PLEDGE OF ALLEGIANCE:

Jennifer Mellon, Administrative Services Manager, led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Gregory 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, Interim City Engineer/Public Works Director; David Moe, Redevelopment Manager; Teri Davis, Senior Management Analyst; Jessica Sandifer, Management Analyst; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

None.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:18 p.m. The City Council meeting reconvened at 7:20 p.m.

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

CONSENSUS: It was the consensus of the Council to remove Item 10.A. from the Consent Calendar upon the request of Councilmember Mikos.

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

Councilmember Mikos requested the meeting be adjourned in memory of long term Moorpark resident and City employee, Nellie Meza.

Councilmember Mikos requested a future agenda item for either the Council or Redevelopment Agency to re-evaluate and analyze what has happened with Redevelopment Agency past projects and future projects and what will happen if the State of California eliminates the Agency.

Councilmember Mikos requested a future agenda item to examine what the City can do to provide incentives for water rationing and changes to development requirements for drought tolerant plants.

Councilmember Mikos invited the public to attend the Economic Collaborative of Ventura County and the Ventura County Economic Development Association's annual meeting on January 20th at Spanish Hills Country Club in Camarillo where the focus will be on small business and entrepreneurship.

Councilmember Millhouse cautioned drivers concerning Calleguas Water District work taking place on Olsen Road, which is impacting traffic on both Olsen Road and State Route 23. He stated he has asked the Caltrans division director to take a look at this location.

Mayor Parvin announced the City Council will consider providing Unmet Transit Needs comments during its regular 7:00 p.m. City Council meeting on February 2nd. The deadline to submit comments to the Ventura County Transportation Commission is 5:00 p.m. on February 14, 2011.

Mayor Parvin reported she, the City Manager, and Councilmember Millhouse met with the County Supervisor to discuss goals and water rates.

Mayor Parvin reported this week she had attended a meeting of the Ventura County Council of Governments.

Mayor Parvin reported last week she attended a meeting of the Ventura County Animal Regulation Commission.

Mayor Parvin reported today she had attended the Ventura Local Agency Formation Commission where she was elected Vice-Chair.

In response to Mayor Parvin, Mr. Klotzle reported on the status of the City's Letter of Map Revision (LOMR) request sent to the Federal Emergency Management Agency (FEMA).

Mayor Parvin announced the Moorpark Chamber of Commerce 2011 Installation and Awards Dinner will take place on January 28th.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Appointment to the Ventura County Air Pollution Control District Advisory Committee. Staff Recommendation: Appoint one representative to serve a four-year term ending January 2015, or direct staff to conduct a second recruitment.

Ms. Benson gave the staff report.

There were no speakers.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Steven Wolfson to serve as representative on the Ventura County Air Pollution Control District Advisory Committee for a four-year term ending January 2015. The motion carried by unanimous voice vote.

- B. Consider a Gas Pipeline Safety Presentation by Michele Pettes of Southern California Gas Company. Staff Recommendation: Hear the presentation.

Mr. Riley introduced Michele Pettes, Ventura County Public Affairs Manager for Southern California Gas Company who gave a presentation on gas pipeline safety.

- C. Consider an Ordinance: 1) Amending Chapters 8.52, Stormwater Quality Management; 9.08 Offenses Against Public Decency; 9.16, Offenses Involving Minors; 10.04, Traffic Code; 10.08, Private Roads and Parking Facilities; and 10.20, Skateboard, Motorized Skateboard, Scooter, Motorized Scooter, Roller Skate and In-line Skate; 2) Deleting Section 10.04.340; 3) Amending Section 10.04.270, to Address Parking Violation Citations; 4) Adding Article VII, Bus Zone Location Exception; and 5) Adding Section 10.04.360, Bus Zones to Article VII, Bus Zone Location Exception. Staff Recommendation: Introduce Ordinance No. ___ for first reading, waive full reading, and schedule second reading and adoption for February 2, 2011.

Ms. Davis gave the staff report.

There were no speakers.

Mr. Murphy read the title of Ordinance No. 397.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to waive full reading, declare Ordinance No. 397 read for the first time, and schedule second reading and adoption for February 2, 2011. The motion carried by unanimous voice vote.

- D. Consider Agreements with Ventura County for Ground Lease and Sale of Medical Clinic (Building A) and Space Lease in Building B of the Ruben Castro Human Services Center. Staff Recommendation: Authorize the City Manager to sign the Ground Lease and Agreement and the Space Lease, subject to final language approval of the City Manager and City Attorney.

Mr. Riley gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to authorize the City Manager to sign the Ground Lease and Sale of Medical Clinic (Building A) and Space Lease in Building B of the Ruben Castro Human Services Center. The motion carried by unanimous roll call vote.

- E. Consider Amending Agreement with Barnhart Balfour Beatty for Building Information Modeling (BIM) Services for the Ruben Castro Human Services Center Capital Improvement Project (5020). Staff Recommendation: Approve the Agreement Amendment and authorize the City Manager to sign the Agreement, subject to final language approval by the City Manager and City Attorney.

Mr. Riley gave the staff report and introduced Brad Hardin, BIM Manager for Barnhart Balfour Beatty who gave a presentation on the cost savings associated with the BIM services.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve the Agreement with Barnhart Balfour Beatty for Building Information Modeling services for the Ruben Castro Human Services Center Capital Improvement Project (5020), subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous voice vote.

- F. Consider Agreement with Testing Engineers Southwest, Inc. dba Vertical-V Testing Engineers, Inc. for Materials Testing, Special Inspection and Geotechnical Services for the Ruben Castro Human Services Center Capital Improvement Project (5020). Staff Recommendation: 1) Approve Agreement and authorize the City Manager to sign the Agreement, subject

to final language approval of the City Manager and the City Attorney; and
2) Authorize the City Manager to approve additional services not to exceed 10% contingency amount as outlined in the agenda report.

Mr. Riley gave the staff report.

Patricia Castro Aguirre, daughter of Ruben Castro, on behalf of the entire Ruben Castro family, thanked the City Council and staff for this center for which her father was honored to have named after him.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to: 1) Approve Agreement and authorize the City Manager to sign the Agreement with Testing Engineers Southwest, Inc. dba Vertical-V Testing Engineers, Inc. for materials testing, special inspection, and geotechnical services for the Ruben Castro Human Services Center Capital Improvement Project (5020), subject to final language approval of the City Manager and City Attorney; and 2) Authorize the City Manager to approve additional services not to exceed 10% contingency amount as outlined in the agenda report. The motion carried by unanimous voice vote.

G. Consider Resolution Amending the Fiscal Year 2010/11 Budget Allocating \$2,700,000 for the Construction of a 10,000 Square Foot Non-Emergency Medical Building as Part of the Ruben Castro Human Services Center and Making the Appropriate Findings that the Ruben Castro Human Services Center will Benefit the Moorpark Redevelopment Project Area. Staff Recommendation: 1) Adopt Resolution No. 2011-2988, in the amount of \$2,700,000; and 2) Determine that the proposed use of redevelopment funds is consistent with Section 33445 of Redevelopment Law and make the three findings as contained in the agenda report. ROLL CALL VOTE REQUIRED

Mr. Moe gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to: 1) Adopt Resolution No. 2011-2988 amending the Fiscal Year 2010/11 Budget to allocate \$2,700,000 for construction of a 10,000 square foot non-emergency medical building as part of the Ruben Castro Human Services Center; and 2) Determine that the proposed use of redevelopment funds is consistent with Section 33445 of Redevelopment Law and make the three findings as contained in the agenda report. The motion carried by unanimous roll call vote.

H. Consider Award of Bids for the Ruben Castro Human Services Center. Staff Recommendation: 1) Award bid for fifteen (15) trade packages as outlined in the agenda report, and authorize execution of the Agreements by the City Manager, subject to final language approval by the City

Manager and the City Attorney; and 2) Authorize the City Manager to approve change orders for each bid package up to the 10% contingency amount noted in each Agreement.

Mr. Riley gave the staff report.

In response to Mayor Parvin, Ms. Benson stated there was one Written Statement Card in favor of approving the Ruben Castro Human Services Center from Victoria Perez.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to: 1) Award bid for fifteen (15) trade packages as outlined in the agenda report, and authorize execution of the Agreements by the City Manager, subject to final language approval by the City Manager and City Attorney; and 2) Authorize the City Manager to approve change orders for each bid package up to the 10% contingency amount noted in each Agreement. The motion carried by unanimous voice vote.

- I. Consider Ranking Recommendations for Fiscal Year 2011/12 Community Development Block Grant (CDBG) Funding Proposals. Staff Recommendation: Review the FY 2011/12 CDBG public facility and public service project proposals and ranking recommendations and authorize staff to forward the recommendations to the County Executive Office for review.

Mr. Riley gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to authorize staff to forward the CDBG public facility and public service project proposals and ranking recommendations to the County Executive Office for review. The motion carried by unanimous voice vote.

- J. Consider Conducting a Citywide Survey and Engineering Work to Seek an Increase in Assessments for Street Lighting and Landscaping and Resolution Amending the Fiscal Year 2010/11 Budget to Fund the Proposal. Staff Recommendation: 1) Authorize the City Manager to execute an agreement with SCI Consulting Group, subject to final language approval by the City Manager and City Attorney; and 2) Adopt Resolution No. 2011-2989. ROLL CALL VOTE REQUIRED

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to: 1) Authorize the City Manager to execute an agreement

with SCI Consulting Group, subject to final language approval by the City Manager and City Attorney; and 2) Adopt Resolution No. 2011-2989, amending the Fiscal Year 2010/11 Budget to fund the proposal. The motion carried by unanimous roll call vote.

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.A, which was pulled for individual consideration. The motion carried by unanimous roll call vote.

- B. Consider Minutes of Regular Meeting of December 15, 2010. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2010/2011 – January 19, 2011. Staff Recommendation: Approve the warrant register.
- D. Consider Resolution Amending the Fiscal Year 2010/11 Budget to Appropriate \$7,800 for the Migration of the Integrated Library System (ILS) from Sirsi/Dynix Horizon to Polaris 4.0 and Authorize the City Manager to Sign the Agreement with Polaris Corporation for ILS Software. Staff Recommendation: Adopt Resolution No. 2011-2990, and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- E. Consider Resolution Amending the Fiscal Year 2010/11 Budget to Appropriate \$1,935,000 from the Endowment Fund (2800) for the Purchase of Assessor Parcel Number (APN) 519-0-210-055. Staff Recommendation: Adopt Resolution No. 2011-2991. ROLL CALL VOTE REQUIRED
- F. Consider Resolution Amending the Fiscal Year 2010/11 Budget to Appropriate Funding for Other Post-Employment Benefits (OPEB) Unfunded Liability of \$103,000 in Compliance with Governmental Accounting Standards Board (GASB) Statement No. 45. Staff Recommendation: Adopt Resolution No. 2011-2992. ROLL CALL VOTE REQUIRED
- G. Consider Resolution Amending the Fiscal Year 2010/11 Budget to Appropriate \$9,000 from the Traffic Safety Fund (2000) for the Purchase of New Hand-Held Police Laser Devices for Traffic Speed Enforcement. Staff Recommendation: 1) Adopt Resolution No. 2011-2993; and 2) Authorize the City Finance Department to process the necessary purchase order to obtain the Lidar LR laser devices from Stalker with the authorized funds. ROLL CALL VOTE REQUIRED

- H. Consider Accepting Grant Deed of Easement for APN 512-0-090-115.
Staff Recommendation: Authorize the City Clerk to accept the grant deed of easement for APN 512-0-090-115 and record with the County of Ventura.

The following item was pulled for individual consideration.

- A. Consider Minutes of Special Meeting of December 15, 2010. Staff Recommendation: Approve the minutes.

CONSENSUS: It was the consensus of the Council to remove Item 10.A. from the calendar upon the request of Councilmember Mikos. who stated she pulled this item for a correction and requested it be brought back at a future date.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of Items 12.C. and 12.D. on the agenda.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adjourn to closed session for a discussion of Items 12.C. and 12.D. on the agenda. The motion carried by unanimous voice vote. The time was 9:00 p.m.

- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Subdivision (b) of Section 54957 of the Government Code)
Title: Administrative Services Director/City Clerk; Assistant City Manager; City Manager; City Attorney; City Engineer/Public Works Director; Chief of Police; Community Development Director; Deputy City Manager; Finance Director; and Parks and Recreation Director

- D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: APN 519-0-210-055 & APN 519-0-210-065
City Negotiator: Steven Kueny, City Manager
Negotiating Parties: Heartland Recovery, California F#1, LLC
Under Negotiation: Price and terms of sale

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Hugh Riley, Assistant City Manager; and Deborah Traffenstedt, Deputy City Manager.

The Council reconvened into open session at 9:24 p.m. Mr. Kueny stated Items 12. C. and 12.D. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:24 p.m. in memory of Nellie Meza.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk