

MINUTES OF THE CITY COUNCIL

Moorpark, California

January 5, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on January 5, 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 7:25 p.m.

2. PLEDGE OF ALLEGIANCE:

Thomas Pflaumer, Parks and Recreation 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; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; Ron Ahlers, Finance Director; David Klotzle, Interim City Engineer/Public Works Director; Shaun Kroes, Senior Management Analyst; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Angel and Brian Garcia, owners of AG Machining, 679 Science Drive, Moorpark, notified the Council they have moved their family-owned business with 167 employees back to Moorpark.

Lilly Canterbury, President of the Morning Rotary Club of Moorpark, announced "The Big Loser Competition" to promote health and fitness in Moorpark and to help raise money towards Rotary International's Polio Eradication efforts.

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 announced she, along with several other Girl Scout graduates, had attended Gold Award ceremonies for Girl Scouts Chaya Torrow and Katherine Woerner.

Councilmember Mikos announced she attended Warren McQuinn's Eagle Scout ceremony at the Presbyterian Church.

Councilmember Mikos announced the annual presentation between the Economic Collaborative of Ventura County and the Ventura County Economic Development Association will take place on January 20th.

Mayor Parvin announced on Saturday, January 15th, the City will hold a Free Electronic Waste Collection and Secure Shredding Event at the Moorpark Public Services Facility.

Mayor Parvin recognized the Moorpark Community Arts Foundation for bringing the Holidays to High Street despite the inclement weather.

Mayor Parvin thanked Metrolink for their successful holiday event.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Appointments to the Citizens Transportation Advisory Committee (CTAC). Staff Recommendation: Appoint two (2) CTAC representatives and one (1) alternate to serve a two-year term ending December 2012, or direct staff to conduct a second recruitment.

Ms. Benson gave the staff report.

There were no speakers.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Sue Fitzgerald and A. DeeWayne Jones to serve as representatives and Leonard Sampson to serve as an alternate representative on the Citizens Transportation Advisory Committee for a two-year term ending December 2010. The motion passed by unanimous voice vote.

- B. Consider Presentations from Applicants for Parks and Recreation Commission and Planning Commission and Appointments to Moorpark Arts Commission, Planning Commission, and Parks and Recreation Commission. Staff Recommendation: 1) Hear presentations from applicants; 2) Based upon presentations provided by Planning Commission applicants on December 15, 2010 and January 5, 2011, appoint five (5) Planning Commissioners to serve a two-year term ending December 2012; 3) Based upon the presentations provided from Parks and Recreation Commission applicants on January 5, 2011, appoint five (5) Parks and Recreation Commissioner to serve a two-year term ending December 2012; and 4) Appoint five (5) Moorpark Arts Commissioners to serve a two-year term ending December 2012.

Ms. Benson gave the staff report.

Mayor Parvin called the remaining Planning Commission applicants to give their presentations in the order their names were drawn by the City Clerk prior to the start of the meeting.

The Council listened to presentations and conducted interviews of the two remaining Planning Commission applicants in the following order:

Rori Ridley
Michael Lillis

Councilmember Millhouse suggested a future agenda item to look at ways to use the talents of those applicants not selected to serve on committees such as a Public Safety Committee.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Mark DiCecco to serve on the Planning Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Bruce Hamous to serve on the Planning Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Kipp Landis to serve on the Planning Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Diana Gould to serve on the Planning Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Daniel Groff to serve on the Planning Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

Mayor Parvin called the Parks and Recreation Commission applicants to give their presentations in the order their names were drawn by the City Clerk prior to the start of the meeting.

The Council listened to presentations and conducted interviews of the Parks and Recreation Commission applicants in the following order:

Zachary Cook
Delfina Newton was not present and therefore disqualified.
Sandra Thompson
Patrick Ellis
Julie Weisberger
Thomas Pflaumer

CONSENSUS: It was the consensus of the Council to waive rules and nominate the five commissioners in one motion.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Patrick Ellis, Sandra Thompson, Thomas Pflaumer, Julie Weisberger, and Zachary Cook to serve on the Parks and Recreation Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

As previously determined by the Council at the November 17, 2010 regular meeting, the Moorpark Arts Commission candidates were not interviewed as there were five qualified candidates for the five vacancies.

CONSENSUS: It was the consensus of the Council to waive rules and nominate the five commissioners in one motion.

MOTION: Mayor Parvin nominated and Councilmember Pollock seconded the nomination of Jean Amador, Charles Blaugrund, Patrick Ellis, Tina Hamous, Wendy Molloy, and Mary Schwabauer to serve on the Moorpark Arts Commission for a two-year term ending in 2012. The motion carried by unanimous voice vote.

- C. Consider Moore & Associates, Inc. Recommendations for Changes to Moorpark City Transit Bus Routes and Timetables. Staff Recommendation: 1) Receive and file Moore & Associates' Transit Evaluation Study; 2) Approve Route 1 and 2 Scenario A as detailed in Exhibit 3.1, Route 1 timetable as detailed in Exhibit 3.3, and Route 2 timetable as detailed in Exhibit 3.5; and 3) Authorize staff to proceed with

implementing route and timetable adjustments after a 30-day public comment period.

Mr. Kroes gave the staff report.

There were no speakers

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to: 1) Receive and file Moore & Associates' Transit Evaluation Study; 2) Approve Route 1 and 2 Scenario A as detailed in Exhibit 3.1, Route 1 timetable as detailed in Exhibit 3.3, and Route 2 timetable as detailed in Exhibit 3.5; and 3) Authorize staff to proceed with implementing route and timetable adjustments after a 30-day public comment period. The motion carried by unanimous voice vote.

D. Consider Scheduling Ethics Training. Staff Recommendation: Direct staff to schedule Ethics Training for 7:00 p.m. on February 23, 2011, and to send an invitation to all Commissioners to attend.

Ms. Benson gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to direct staff to schedule Ethics Training for 7:00 p.m. on February 23, 2011, and to send an invitation to all Commissioners to attend.

E. Consider Regular Meeting Schedule for City Council Standing Committees for Calendar Year 2011. Staff Recommendation: Approve Regular Meeting Schedule for Standing Committees for 2011.

Ms. Benson gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to approve the regular meeting schedule for Standing Committees for 2011 as presented in the agenda report.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to approve the Consent Calendar. The motion carried by unanimous roll call vote.

Councilmember Mikos announced to the public that with the approval of Item 10.D. the plans for the much needed traffic signal at Collins Drive and University Drive will move forward.

- A. Consider Warrant Register for Fiscal Year 2010-2011 – January 5, 2011. Staff Recommendation: Approve the warrant register.
- B. Consider Agreement with the Ventura County Transportation Commission to Provide Free Bus Transfer Service Between Moorpark City Transit and VISTA. Staff Recommendation: Authorize the City Manager to sign the Agreement for free transfers, subject to final language approval of the City Manager and City Attorney.
- C. Consider Authorization of Recordation of the Notice of Completion for the 2009 Pavement Rehabilitation Project (Project 8002). Staff Recommendation: Authorize the City Clerk to file the Notice of Completion for the project, and authorize the release of the project bonds as outlined in the agenda report.
- D. Consider Plans and Specifications and Authorization to Advertise for Bids for the Construction of a Traffic Signal at Collins Drive and University Drive – Project 8078. Staff Recommendation: Approve the plans and specifications for the subject project and authorize staff to advertise for construction bids.
- E. Consider Annual Review of Civil Fine Amount Pertaining to the City's Social Host Ordinance, Chapter 9.32 of the Moorpark Municipal Code. Staff Recommendation: Continue with the fine amount of \$2,500, as established by Resolution No. 2008-2683.
- F. Consider Annual Financial Statements and Other Audit Reports for Fiscal Year Ended June 30, 2010. Staff Recommendation: Accept the Comprehensive Annual Financial Report (CAFR), Management Letter, Memo stating that a Single Audit was not required this year, Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards, Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets, and the Independent Auditor's memo regarding the audit process; and receive and file this report.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 396 Approving Zoning Ordinance Amendment 2007-01 to Amend Chapter 17.20 (Uses by Zone) and Chapter 17.42 (Wireless Communications Facilities) to Update the Review Process and Ensure Consistency with Changes in State Law Regarding the Regulation of Wireless Communications Facilities. Staff Recommendation: Waive full reading and declare Ordinance No. 396 read for the second time and adopted as read.

Mr. Montes read the title of Ordinance No. 396.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to waive full reading and declare Ordinance No. 396 adopted as read. The motion carried by unanimous roll call vote.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of one case under Item 12.A. and one case under Item 12.B, Items 12.D. and 12.E. on the agenda.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to adjourn to closed session for a discussion of one case under Item 12.A. and one case under Item 12.B, Items 12.D. and 12.E. on the agenda. The motion carried by unanimous voice vote. The time was 8:21 p.m.

Mr. Montes announced that for Item 12.A. the facts and circumstances related to Item 12.A. consist of written communication dated December 15, 2010 and received on December 16, 2010, from the Lanny M. Tron.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- 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)
- 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
- E. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: APN 500-0-450-035
City Negotiator: Steven Kueny, City Manager
Negotiating Parties: Pardee Homes
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; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City

Manager; and David Bobardt, Community Development Director; and David Klotzle, Interim City Engineer/Public Works. Mr. Bobardt and Mr. Klotzle left the meeting at 8:56 p.m.

The Council reconvened into open session at 9:27 p.m. Mr. Kueny stated one case under Item 12.A. and one case under Item 12.B, and Items 12.D. and 12.E. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:27 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk