

MINUTES OF THE CITY COUNCIL

Moorpark, California

March 2, 2011

A Regular Meeting of the City Council of the City of Moorpark was held on March 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 7:13p.m.

2. PLEDGE OF ALLEGIANCE:

David Klotzle, Interim City Engineer/Public Works 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 (arrived at 8:08 p.m.); 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; Joseph Fiss, Principal Planner; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Angela and Douglas Shoop, Community Emergency Response Team (CERT) graduates stated they have founded the Moorpark City CERT Council with staff's assistance. They announced the first community exercise for residents to practice their own disaster plan using the placement of the "OK" sign in front windows will take place on March 23rd.

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 Van Dam reported on the success of the High Street Arts Center production of Les Miserables.

Councilmember Mikos stated she had attended a recent CERT meeting and encouraged residents to contact City Hall regarding future free CERT training dates.

Councilmember Mikos stated on March 2nd she had attended a meeting of the Economic Collaborative of Ventura County Executive Committee.

Councilmember Mikos stated she had attended an evening meeting of the Santa Monica Mountains Conservancy on February 28th.

Councilmember Mikos stated she had attended the March 1st meeting of the Ventura County Board of Supervisors.

Mayor Parvin stated she and several Councilmembers had attended Ethics Training on February 23rd as required by AB 1234.

Mayor Parvin stated she had participated in "Read Across American" earlier today at Arroyo West and Mountain Meadows schools where she read to students in honor of Dr. Seuss's birthday.

Mayor Parvin stated on March 2nd she had attended the Moorpark Chamber of Commerce Government Relations/Economic Development Committee Meeting.

Mayor Parvin stated she and Councilmember Van Dam attended the kick-off meeting of "Shop Moorpark" in the evening on March 2nd at the Chamber of Commerce.

Mayor Parvin announced Moorpark Girl Scouts are selling cookies and are sponsoring a program to send cookies to the troops. For more information visit their website at www.girlscouts.org.

Mayor Parvin announced the Moorpark City Library will hold their kick-off meeting for its first ever Book Club for Adults on Sunday March 6th.

Mayor Parvin announced new programs for young readers grades K-3 beginning Saturdays in March at the Moorpark City Library. Come to the 4 Paws Book Club the first Saturday of every month to read to the dogs. Visit the library the third Saturday of the month for Young Readers Storytime.

Mayor Parvin announced the regularly scheduled weekly Family Storytime and Craft Program at the Moorpark City Library is changing days and will now meet on Wednesday mornings.

Mayor Parvin announced the 2011 Neighborhood Enhancement Program applications are now available. Neighborhoods of 20-residences or more are eligible to apply to participate in this free program to receive large dumpsters for trash and yard waste disposal. Events take place the first Saturday of May and June. Contact the Recycling and Solid Waste page on the City's website or contact staff at 517-6247.

8. PUBLIC HEARINGS:

- A. Consider an Ordinance Granting an Oil Pipeline Franchise to Crimson California Pipeline, L.P. for a Twenty-Year Period Pursuant to the California Public Utilities Code. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 401 for first reading, waive full reading, and schedule second reading and adoption for March 16, 2011.

Mr. Riley gave the staff report.

There were no speakers

Ms. Benson read the title of Ordinance No. 401.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to waive full reading, declare Ordinance No. 401 read for the first time and schedule second reading and adoption for March 16, 2011. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider an Ordinance Deleting Chapter 15.34, Rental Housing Inspection, of Title 15, Buildings and Construction, of the Moorpark Municipal Code. Staff Recommendation: Introduce Ordinance No. 402 for first reading, waive full reading, and schedule second reading and adoption for March 16, 2011.

Mr. Bobardt gave the staff report.

There were no speakers.

Councilmember Pollock requested staff supply information prior to March 16, 2011, on where pipelines run through the City.

Ms. Benson read the title of Ordinance No. 402.

MOTION: Mayor Parvin moved and Councilmember Pollock seconded a motion to waive full reading, declare Ordinance No. 402 read for the first time and schedule second reading and adoption for March 16, 2011. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- B. Consider Purchase of Kawasaki Concours 14P Police Motorcycle as a Replacement Police Motorcycle for Traffic Enforcement. Staff Recommendation: 1) Award the purchase of Kawasaki Concours 14P Motorcycle to Beaudry Motorsports, the State contractor; 2) Authorize the City Finance Department to process the necessary purchase order to obtain the motorcycle with the allocated funds; and 3) Authorize the sale of the 2004 Harley Davidson motorcycle. ROLL CALL VOTE REQUIRED

Captain Nelson gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to: 1) Award the purchase of Kawasaki Concours 14P Motorcycle to Beaudry Motorsports, the State contractor; 2) Authorize the City Finance Department to process the necessary purchase order to obtain the motorcycle with the allocated funds; and 3) Authorize the sale of the 2004 Harley Davidson motorcycle. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- C. Consider Amendment No. 2 to Agreement for Professional Services with Parsons Transportation Group for Preliminary Engineering, Environmental Analysis, Design, and Right-of-Way Activities for the Installation of Soundwalls on State Route-23 and Resolution Amending the Fiscal Year 2010/11 Budget to Fund Additional Professional Services and Staff Time. Staff Recommendation: 1) Adopt Resolution No: 2011-3006, approving a budget amendment for up to \$70,000.00; and 2) Authorize the City Manager to amend the Agreement for preliminary engineering, environmental analysis, design, and right-of-way activities for the soundwalls on State Route-23 to May 30, 2013, and for a new total amount not to exceed \$320,402.08, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED

Mr. Fiss gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to: 1) Adopt Resolution No. 2011-3007, approving a budget amendment for up to \$70,000.00; and 2) Authorize the City Manager to amend the Agreement for preliminary engineering, environmental analysis, design, and

right-of-way activities for the soundwalls on State Route-23 to May 30, 2013, and for a new total amount not to exceed \$320,402.08, subject to final language approval by the City Manager and City Attorney. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- D. Consider Request for Qualifications for Public Art Project at the Ruben Castro Human Services Center. Staff Recommendation: Approve Request for Qualifications and authorize proposal review process as contained in this report.

Mr. Riley gave the staff report.

There were no speakers.

In response to Councilmember Mikos, Mr. Riley stated that on stamped page 46 of the agenda report the Selection Process and Criteria would be clarified to encourage a broad response from applicants for the shortlist and for those selected for the interview process to develop more detailed presentations.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve the Request for Qualifications and authorize the proposal review process as contained in this report, as amended to clarify the Selection Process and Criteria section on stamped page 46 of the agenda report. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- E. Consider Scheduling Joint City Council Meetings with the Moorpark Arts Commission, Parks and Recreation Commission, and Planning Commission. Staff Recommendation: Direct staff as deemed appropriate.

Ms. Benson gave the staff report and offered additional dates of March 29 and March 31 for consideration of the joint meetings.

There were no speakers.

CONSENSUS: It was the consensus of the Council to schedule joint City Council meetings for Tuesday, March 29, 2011 with the Moorpark Arts at 6:15 p.m, the Parks and Recreation Commission at 7:00 p.m, and the Planning Commission at 7:45 p.m.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve the Consent Calendar. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- A. Consider Minutes of Special Meeting of February 16, 2011. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2010/11 – March 2, 2011. Staff Recommendation: Approve the warrant register.
- C. Consider Executing Agreements with Southern California Edison (SCE) to 1) Update the City's Current Electric Supply and SCE-owned Lighting Systems; and 2) Provide Electric Supply to City-owned Lighting Systems. Staff Recommendation: 1) Approve SCE LS-1 Agreement and authorize the City Manager to sign subject to final language approval by the City Manager and City Attorney; and 2) Approve SCE LS-2 and LS-3 Agreement and authorize the City Manager to sign subject to final language approval by the City Manager and City Attorney.
- D. Consider Rejection of Claim from: Ivan Mora Fuentes. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- E. Consider Resolution Amending Personnel Rules for Competitive Service Employees and Rescinding Resolution No. 2009-2882. Staff Recommendation: Adopt Resolution No. 2011-3007, rescinding Resolution No. 2009-2882.
- F. Consider Allowing the Area Housing Authority of the County of Ventura to Utilize Their Payment in Lieu of Taxes to Support Senior Needs at Tafoya Terrace Located at 344 Charles Street. Staff Recommendation: Direct staff to send a letter to the AHA supporting the redirection of PILOT payments to support senior needs at Tafoya Terrace if all other affected taxing agencies approve redirection of the PILOT payments.
- G. Consider Resolution Authorizing the Destruction of Security Camera Routine Video Monitoring Recordings after Minimum Retention Period of One Year Upon Approval of City Clerk. Staff Recommendation: Adopt Resolution No. 2011-3008.
- H. Consider Adopting Resolution Opposing Governor Brown's Proposal to Eliminate Redevelopment Agencies. Staff Recommendation: Adopt Resolution No. 2011-3009.
- I. Consider Installing a Fire Alarm System and Window Alarm System in the Development and Community Services Modular Building; Installing a Fire Sprinkler System and Window Alarm System in the Annex II Modular Building; Installing a Fire Alarm System in the Annex I Modular Building, the Community Center and Active Adult Center; Installing an Emergency Exit Door in the Community Center's Apricot Room; and Resolution Amending the Fiscal Year 2010/11 Budget. Staff Recommendation: 1)

Approve the installation of a fire alarm system and window alarm system in the Development and Community Services modular building; the installation of a fire sprinkler system and window alarm system in the Annex II modular building; the installation of a fire alarm system in the Annex I modular building, the Community Center and Active Adult Center; the installation of an emergency exit door in the Community Center's Apricot Room; and 2) Adopt Resolution No. 2011-3010 amending the FY 2010/11 budget to appropriate \$66,105 from the General Fund Reserve (1000) to the Facilities Division (7620). ROLL CALL VOTE REQUIRED

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 399 Amending Title 15-Building and Construction of the Moorpark Municipal Code by Replacing in their Entirety Chapters 15.04-Administrative Provisions; 15.08-Building Code; 15.10-California Green Building Code; 15.18-Housing Code; and 15.22-California Residential Code. Staff Recommendation: Staff Recommendation: Waive full reading and declare Ordinance No. 399 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Ms. Benson read the title of Ordinance No. 399.

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to waive full reading and declare Ordinance No. 399 adopted as read. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- B. Consider Ordinance No. 400 Replacing in its Entirety Chapter 8.14--Graffiti, of Title 8-Health and Safety of the Moorpark Municipal Code. Staff Recommendation: Staff Recommendation: Waive full reading and declare Ordinance No. 400 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Ms. Benson read the title of Ordinance No. 400.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to waive full reading and declare Ordinance No. 400 adopted as read. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

12. CLOSED SESSION:

Mr. Riley requested the City Council go into closed session for discussion of one case under Item 12.B. and 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 one case under Item 12.B. and Items 12.C. and 12.D. on the agenda. The motion carried by voice vote 4-0, Councilmember Millhouse absent. The time was 8:10 p.m.

- 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)

- 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 519-0-210-065
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, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Buchman, City Attorney's Office (via conference call from 8:51 p.m. to 8:53 p.m.); Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; and Ron Ahlers, Finance Director. Mr. Ahlers left the meeting at 8:30 p.m.

The Council reconvened into open session at 8:53 p.m. Mr. Kueny stated one case under Item 12.B. and Items 12.C. and 12.D. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:53 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk