

MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaJanuary 7, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on January 7, 2009, 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 7:13 p.m.

2. PLEDGE OF ALLEGIANCE:

Steve Carlson, Editor of the Moorpark Acorn, led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; Mary Lindley, Parks/Recreation and Community Services Director; David Klotzle, Assistant City Engineer; Ron Ahlers, Finance Director; David Bobardt, Planning Director; Shaun Kroes, Senior Management Analyst; Captain Ron Nelson, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Assistant City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Certificate of Recognition of Moorpark Resident, J. R. Rolly.

Mayor Parvin presented Moorpark resident, J.R. Rolly with a certificate of recognition as one of Moorpark's treasured poets.

5. PUBLIC COMMENT:

Chief Deputy Jim Ellison of the Ventura County Sheriff's Department, introduced new Community Prosecutor for the East County, Deputy District Attorney, James Eicher.

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 reminded staff of her request to schedule an agenda item on solar power after the first of the year.

Councilmember Van Dam reported on his meeting with Fire Chief Bob Roper, which included discussion of a pending site acquisition for a new fire station in Moorpark.

Mayor Parvin announced the Moorpark Chamber of Commerce Annual Installation Dinner, "Viva Las Vegas" will be held on Friday, January 23rd at 6:00 p.m. and for more information call 529-0322.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Presentations from Candidates for Parks and Recreation Commission. Staff Recommendation: Hear presentations from candidates and appoint five (5) Park and Recreation Commissioners to serve a two-year term ending December 31, 2010.

Ms. Traffenstedt gave the staff report.

Mayor Parvin called the candidates 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 candidates in the following order:

Scott Krutilek
Teresa Barry
Sandra Thompson
Jon Miller
Patrick Ellis
Delfina Newton
Thomas Pflaumer
Joseph Catrambone
Daniel Groff
Robert Sichmeller

AT THIS POINT in the meeting the Council recessed. The time was 8:07p.m. The Council meeting reconvened at 8:20p.m.

Mayor Parvin stated her intention to nominate, in no particular order, Patrick Ellis, Sandra Thompson, Thomas Pflaumer, Daniel Groff, and Delfina Newton.

MOTION: Mayor Parvin nominated and Councilmember Lowenberg seconded the nomination of Patrick Ellis to serve on the Parks and Recreation Commission for a two-year term ending in December 31, 2010. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Sandra Thompson to serve on the Parks and Recreation Commission for a two-year term ending in December 31, 2010. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Thomas Pflaumer to serve on the Parks and Recreation Commission for a two-year term ending in December 31, 2010. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Daniel Groff to serve on the Parks and Recreation Commission for a two-year term ending in December 31, 2010. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Delfina Newton to serve on the Parks and Recreation Commission for a two-year term ending in December 31, 2010. The motion carried by unanimous voice vote.

B. Consider Schedule for Arts Commissioner Candidate Interviews. Staff Recommendation: Direct staff as deemed appropriate.

Ms. Traffenstedt gave the staff report.

In response to Mayor Parvin, Ms. Traffenstedt stated there were no speakers.

CONSENSUS: It was the consensus of the Council to schedule the Arts Commissioner interviews for February 4, 2009.

- C. Consider Providing Comments on Possible Unmet Transit Needs to the Ventura County Transportation Commission (VCTC) and Receive Report on Unmet Transit Needs Findings and Goals. Staff Recommendation: Provide comments and direct staff to forward them to VCTC, prior to the end of the public comment period.

Mr. Kroes gave the staff report.

A discussion followed among Councilmembers and staff regarding the need for fare assistance from VCTC for low income riders making bus transfers; proposing a reciprocal agreement between the Simi Valley and Moorpark transit systems to allow buses to travel inter-city; and to establish a goal to increase transit trips over auto usage during this time of heightened public awareness of the cost of fuel; adding additional wheelchair space on future City transit purchases; and a possible City study of the timing of bus routes and locations to counter the impacts of the Moorpark Unified School District's decrease in bus transport of students.

Carmen Ramirez, Community Planning Director for the Central Coast Alliance United for a Sustainable Economy (CAUSE), which serves the entire region, congratulated the City for conducting this meeting to gather public comments and for the ease of locating this subject on the City's website. She announced the official VCTC public hearing for this matter will be held on February 2, at Camarillo City Hall at 1:30 p.m. She stated CAUSE is committed to helping the region make sure the focus on public transportation is at the forefront.

CONSENSUS: It was the consensus of the Council to: 1) Receive and file the report on Unmet Transit Needs Findings and Goals; 2) Direct staff to forward comments to VCTC prior to February 9, 2009, in regard to the need for fare assistance for low income riders making transfers; and to establish a goal to increase transit trips over auto usage during this time of heightened public awareness of the cost of fuel; 3) Study a reciprocal agreement between the Simi Valley and Moorpark transit systems to allow buses to travel inter-city; 4) Study the timing and location of bus routes to counter impacts of MUSD decrease in bus transportation for students.

- D. Consider an Ordinance Amending Sections 1.10.020.C, 1.10.060, and 1.10.070 of Chapter 1.10, Code Violations, Penalties and Enforcement, of Title 1, General Provisions, of the Moorpark Municipal Code. Staff Recommendation: Introduce Ordinance No. ___ for first reading, waive full reading, and schedule second reading and adoption for January 21, 2009.

Captain Nelson gave the staff report.

In response to Mayor Parvin, Ms. Traffenstedt stated there were no speakers.

Mr. Montes read the title of Ordinance No. 373.

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to waive full reading, declare Ordinance No. 373 read for the first time, and scheduled second reading and adoption for January 21, 2009.. The motion carried by unanimous voice vote.

- E. Consider City Council Standing Committee Appointments and Approval of Regular Meeting Schedule for City Council Standing Committees for Calendar Year 2009. Staff Recommendation: 1) Confirm Standing Committee appointments; and 2) Approve Regular Meeting Schedule for Standing Committees for 2009.

Ms. Traffenstedt gave the staff report.

Councilmember Lowenberg agreed with Mayor Parvin's suggestion he take her place on the Community and Economic Development Standing Committee.

CONSENSUS: It was the consensus of the Council to appoint Councilmember Lowenberg to serve on the Community and Economic Development Standing Committee in place of Mayor Parvin; and to approve the Regular Meeting Schedule for Standing Committees for 2009 as outlined in the agenda report.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Special Meeting of December 10, 2008. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Special Meeting of December 17, 2008. Staff Recommendation: Approve the minutes.
- C. Consider Minutes of Regular Meeting of December 17, 2008. Staff Recommendation: Approve the minutes.
- D. Consider Warrant Register for Fiscal Year 2008-2009 – January 7, 2009. Staff Recommendation: Approve the warrant register.

- E. Consider Resolution Amending the Fiscal Year 2008/09 Budget and Authorizing the Transfer of Gas Tax and General Funds to Cover Fiscal Year 2007/08 Year-End Deficits in Certain Funds for the City's Landscaping and Lighting Assessment Districts. Staff Recommendation: Adopt Resolution No. 2009-2785. ROLL CALL VOTE REQUIRED

- F. Consider Report of Annual Development Agreement Review, Established in Connection with Moorpark Highlands Specific Plan No. 2, a Master Planned Community, Located East of Walnut Canyon Road and North of Charles Street, on the Application of Pardee Homes (PA 1-7) and KB Home (PA 8-9). Staff Recommendation: 1) Accept the Planning Director's report and recommendation that, on the basis of substantial evidence, Pardee Homes has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.

- G. Consider Exoneration of Surety Bond for Mark T. Noel for New Workshed Addition at 6131 Gabbert Road. Staff Recommendation: Authorize the City Clerk to fully exonerate Grading and Improvements Bond No. 661119530 for Mark T. Noel.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of Item 12.B. on the agenda.

MOTION: Councilmember Mikos moved and Councilmember Millhouse 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 unanimous voice vote. The time was 9:27 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)

Present in closed session were Councilmembers Lowenberg, Mikos, Millhouse, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; and Deborah Traffenstedt, Administrative Services Director/City Clerk.

The Council reconvened into open session at 10:03 p.m. Mr. Kueny stated two cases under Item 12.B. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 10:03 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk