

MINUTES OF THE CITY COUNCIL

Moorpark, California

March 18, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on March 18, 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 7:26 p.m.

2. PLEDGE OF ALLEGIANCE:

Ron Ahlers, Finance Director, led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; Mary Lindley, Parks/Recreation and Community Services Director; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; Ron Ahlers, Finance Director; David Moe, Redevelopment Manager; Captain Ron Nelson, Sheriff's Department; John Brand, Senior Management Analyst; Maureen Benson, Assistant City Clerk; and Blanca Garza, Deputy City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Recognizing March 22 through March 28, as Boys & Girls Club Week in Moorpark.

Mayor Parvin presented Chris Baker, representing the Moorpark Boys & Girls Club, with a proclamation recognizing March 22 through March 28, 2009, as Boys & Girls Club Week in Moorpark.

5. PUBLIC COMMENT:

Nick Schillace and Kerry Clasby, local farmers, spoke on their plan to open a Farmers Market on High Street.

Matt Joseph, Moorpark resident in Meridian Hills, spoke about concerns pertaining to slope landscaping within the Meridian Hills development.

Dave Tuttle, Moorpark resident in Meridian Hills, spoke about ongoing concerns pertaining to the Meridian Hills development including, Walnut Canyon Road grading, slope areas not having retaining walls, mitigated areas not built to approved plans and not overseen by Impact Sciences (developer's mitigation consultant) and the need to have the community involved.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:47 p.m. The City Council meeting reconvened at 9:09 p.m.

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

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

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

Councilmember Millhouse announced a future agenda item anticipated to be on the April 1, 2009, agenda pertaining to Pardee development and the issue with the school site.

Councilmember Van Dam and Mayor Parvin congratulated the Moorpark High School Academic Decathlon for winning the State Championship and encouraged everyone to support them as they continue on to the Nationals taking place in April 2009.

Mayor Parvin announced a free Twilight movie and book event taking place at the Moorpark City Library on Friday, March 27 for middle school students with school identification.

Mayor Parvin announced Circus Fever taking place Monday, March 30 at the High Street Arts Center. The event is free for those who become friends of the library. For more information or on becoming a friend of the library visit www.moorparklibrary.org.

Mayor Parvin announced the Boys and Girls Club will be having a fundraiser event on Saturday, March 28 at the Reagan Library. Mayor Parvin announced the Chamber of Commerce is hosting their monthly breakfast at the Moorpark Country Club, for more information contact the Moorpark Chamber.

Mayor Parvin announced she and Councilmember Van Dam attended the Moorpark Little League's opening day on March 7.

Mayor Parvin announced the City of Moorpark celebrated Arbor Day at Peach Hill Park on March 11.

Mayor Parvin announced she attended a reading night at Mountain Meadows Elementary School on March 12.

Mayor Parvin announced she attended the Ventura County LAFCO meeting on March 18.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider a Report on the Status of Solar Photovoltaic Conversions and Other Energy Saving Installations and Programs in Moorpark, Ventura County, and Los Angeles County. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Hogan gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to direct this item to the Economic Development and Community Development Committee.

- B. Consider 2009 Legislative Program. Staff Recommendation: 1) Adopt a 2009 Legislative Program; and 2) Direct staff as deemed appropriate.

Mr. Brand gave the staff report.

There were no speakers.

Councilmember Millhouse requested the addition of language to stamped page 20, under Category 3 Transportation, to be:

"F. Encourage the timely reauthorization of the Transportation Equity Act and its annual appropriations for the "safety and" enhancement of surface transportation...".

Councilmember Mikos concurred with Councilmember Millhouse's revision and requested additional revisions to the language of the following:

On stamped page 25, under Category 3 Transportation, to be:

"F. Encourage the timely reauthorization of the Transportation Equity Act and its annual appropriations for the "safety and" enhancement of surface transportation in the region, including local transit, commuter rail,

highway projects such as: "the widening of the SR 118 and SR 23 freeways, the SR 118 bypass the SR 23/US 101 interchange; and local road improvements such as the proposed North Hills Parkway;" and intermodal transportation center development such as the realignment of the Moorpark Metrolink Station entrance, and "to encourage transit-oriented projects in the adjacent redevelopment property".

On stamped page 25, under Category 4 Environment, to be:

A. Support legislation that streamlines the state's environmental review process and maintains public participation "without compromising environmental quality standards".

"I. Support funding and other incentives for local government and private industry projects and planning strategies to improve "promote" sustainability in infrastructure and operations, greater energy efficiency, lower energy usage, and "reduction of" ~~reduce~~ greenhouse gas emissions.

"J. Support funding and legislation for the designation and preservation of open space and preservation, restoration and enhancement of natural resources."

"K. Support legislation and/or programs that provide money to local governments for energy efficiency and conservation programs."

On stamped pages 27 and 28, under Category 6 General Government, to split Staff Report "Q" into "Q" and "R" for clarity:

"Q. Support preserving public, education and government ("PEG") television channels, funding, and programming "support by video service providers such as: payments to local government of franchise fees, PEG fees and facility/equipment grants; and furnishing public access production facilities." ~~as they have always been provided by video services providers.~~

"R." Oppose efforts to make PEG channels hard to find or navigate to, such as on an obscure channel or accessible only via several Internet web page menus, of any lesser signal quality than basic channels, or requiring an additional fee or device for viewers to access.

On stamped page 28, under Category 6 General Government, to split Staff Report "R" into "S" and "T" for clarity:

"S." Oppose efforts to redirect or reduce Proposition 10 funding from the local First 5 Commissions.

"I." Support the retention of local First 5 program funding from Proposition 10 to maintain current service levels and implement the goals of the local First 5 programs."

CONSENSUS: It was the consensus of the Council to incorporate the clarified language submitted in written comments by Councilmember Mikos.

In response to Mayor Parvin, Mr. Kueny stated protection of the City's view sheds would be added to the City's Potential Goals and Objectives.

Mayor Parvin requested the following revised and additional language:

On stamped page 24, under Category 3 Transportation, to be:

"B. Support legislation that would provide additional resources to cities to finance local transportation systems, facilities, and improvements, "including Safe Routes to Schools programs".

On stamped page 29, under Category 9 Housing, to be:

"H. Support the allocation of increased resources for the neighborhood stabilization program."

"I. Support legislation to protect homebuyers from predatory lending by ensuring that mortgage brokers are effectively regulated and that mortgage loans are suited to the financial means of the homebuyer."

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to revise the language in the 2009 Legislative Program as requested by Councilmember Mikos, Councilmember Millhouse, and Mayor Parvin. The motion carried by unanimous voice vote.

C. Consider Resolution Approving the Use of Standard Conditions of Approval for Entitlement Projects. Staff Recommendation: Adopt Resolution No. 2009-2799.

Mr. Hogan gave the staff report.

There were no speakers.

In response to Mayor Parvin, staff confirmed future special conditions may be added to be site specific. There was also a discussion pertaining to stamped page 65, item 56, to ensure language was added to make sure mailbox locations are part of the plan check, to ensure they are placed in a manner to preserve the maximum number of on-street parking spaces and in a location approved by the City.

MOTION: Councilmember Van Dam moved and Councilmember Lowenberg seconded a motion to adopt Resolution No. 2009-2799, as amended to add language at the end of stamped page 65, item 56, "and the City Engineer and Public Works Director." The motion carried by unanimous voice vote.

- D. Consider Selection of RJR Engineering to Provide Engineering Services. Staff Recommendation: 1) Approve the selection of RJR Engineering and to perform engineering services; and 2) Authorize the City Manager to sign the agreement for Engineering Services with RJR Engineering, subject to final language approval by the City Manager and City Attorney.

Mr. Lall gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to: 1) Approve the selection of RJR Engineering and to perform engineering services; and 2) Authorize the City Manager to sign the agreement for Engineering Services with RJR Engineering, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous roll call vote.

- E. Consider Fiscal Year 2008/09 Mid-Year Budget Report. Staff Recommendation: Receive and file report and direct staff as deemed appropriate.

Mr. Ahlers gave the staff report and corrected stamped page 131 noting the negative \$90,000.00 figure should be a positive \$274,000.00. He added information to stamped page 126 with respect to the Moorpark Redevelopment Agency indicating the 2001 and 2006 bond money funds have about 19 million dollars remaining. He stated expenses may be transferred to these bond monies to bring the negative balance to a positive balance.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to receive and file the report. The motion carried by unanimous voice vote.

10. **CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)**

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

- A. Consider Minutes of Regular Meeting of March 4, 2009. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2008-2009 – March 18, 2009. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution Amending the Fiscal Year 2008/09 Budget to Fund the Procurement and Installation of a Speed Advisory Sign on Spring Road. Staff Recommendation: Adopt Resolution No. 2009-2800. ROLL CALL VOTE REQUIRED
- D. Consider Award of Contract to Provide Professional Services with Parsons Corporation for Preliminary Engineering, Environmental Analysis, Design, and Right-of-Way Activities for the Installation of Soundwalls on State Route-23 (Approximate Postmile Limits: 7-Ven-23 PM 10.0/10.4) and Resolution Amending the Fiscal Year 2008/09 Budget to Fund the Professional Services. Staff Recommendation: 1) Adopt Resolution No. 2009-2801, approving a budget amendment for up to \$260,000.00; and 2) Authorize the City Manager to enter into an agreement with Parsons Corporation to provide professional services for preliminary engineering, environmental analysis, design, and right-of-way activities for the installation of soundwalls on SR-23, in an amount not to exceed \$260,000.00. ROLL CALL VOTE
- F. Consider Report of Annual Development Agreement Review, Established in Connection with Meridian Hills Development Project, Tract 5187-1&2, Located on the West Side of Walnut Canyon Road, Approximately 3,500 Feet North of Casey Road, on the Application of Resmark Equity Partners, LLC, (Formerly West Pointe Homes, and William Lyon Homes Inc.). Staff Recommendation: 1) Accept the Planning Director's Report and recommendation, and find, on the basis of substantial evidence, that Resmark Equity Partners, LLC has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.
- G. Consider Approving External Auditors' Engagement Letter for Fiscal Year 2008/09 Audit. Staff Recommendation: Approve the external auditors' engagement letter, with modifications, for fiscal year 2008/09 and authorize the City Manager to sign on behalf of the City of Moorpark.

The following item was pulled for individual consideration.

- E. Consider the City of Moorpark 2008 General Plan Annual Report Including the Housing Element Progress Report. Staff Recommendation: 1) Receive and file report; and 2) Direct staff to forward a copy of this report to the Governor's Office of Planning and Research, the California

Department of Housing and Community Development, and the Ventura County Planning Division.

In response to Councilmember Mikos, Mr. Bobardt confirmed the information on stamped page 175 regarding the due date of June 30, 2008, for a new Housing Element that addresses the Regional Housing Needs Assessment to be correct and in regard to the last sentence on stamped page 177, Mr. Kueny stated CDBG Funds have not been used recently for housing services in lower income neighborhoods, but have been used in the past for street improvements in these areas.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to approve the staff recommendation. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Millhouse moved and Councilmember Lowenberg seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 10:24 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk