

ITEM 10.F.

MINUTES OF THE CITY COUNCIL

Moorpark, California

June 17, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on June 17, 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 7:15 p.m.

2. PLEDGE OF ALLEGIANCE:

Barry Hogan, Deputy City Manager, 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; 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; John Brand, Senior Management Analyst; Jennifer Mellon, Senior Management Analyst; Teri Davis, Senior Management Analyst; Stephanie Shaw, Recreation Supervisor; Captain Ron Nelson, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Assistant City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Recognition of Zane Pope for His Life Saving Efforts.

Mayor Parvin presented 4th grader, Zane Pope with a Certificate of Recognition for his life savings efforts at Walnut Canyon School in performing the Heimlich maneuver on a fellow classmate who was choking.

B. Proclamation Recognizing July as Parks and Recreation Month.

Mayor Parvin presented Stephanie Shaw, Recreation Supervisor, with a Proclamation recognizing the month of July as Parks and Recreation Month.

C. Presentation of City Plaque to Mary Lindley/Parks, Recreation, and Community Services Director.

Mayor Parvin and City Manager, Steven Kueny, presented Ms. Lindley, outgoing Parks, Recreation, and Community Services Director, with the City plaque honoring her 18 years of service to the City.

5. PUBLIC COMMENT:

Bernardo Perez, Project Manager for Cabrillo Economic Development Corporation (CEDC), announced a Homeownership Preservation Clinic sponsored by CEDC/NeighborWorks, Bank of America/Countrywide, and Chase/Washington Mutual to be held on June 20th to provide one-on-one counseling to those with delinquent mortgages or those facing a potential foreclosure.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:38 p.m. The City Council meeting reconvened at 7:39 p.m.

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 had attended the Green Jobs and Green Economy Action Summit of 2009 earlier today.

Councilmember Mikos provided the phone number to call for more information on the Homeownership Preservation Clinic sponsored by Cabrillo Economic Development Corporation and NeighborWorks Homeownership Center to be held on Saturday, June 20th.

Councilmember Van Dam announced he and fellow Councilmembers had been present on June 10th for the unveiling of the City's tribute sign to Moorpark High School's Academic Decathlon Team for their four years as national champions.

Councilmember Pollock congratulated the Academic Decathlon Team and announced they are going to Washington D.C. to meet with senators and tour the White House.

Mayor Parvin announced the Active Adult Center is celebrating Father's Day with a special party on Friday, June 19th where after a tasty lunch, they will play the Active Adult Center's version of "Deal or no Deal". The day promises fun -- and prizes for all the male guests.

Mayor Parvin announced the City of Moorpark will present the Annual Fireworks Extravaganza on Friday, July 3rd at Arroyo Vista Park. The event begins at 4:00 p.m. and features food booths, games and attractions, live music by the "Daddy-O's and the Hodads", and an all aerial fireworks show. Admission is only \$3.00 per person. For more information, call the Arroyo Vista Recreation Center at 517-6300.

Mayor Parvin announced the Moorpark Beach Bus runs Monday through Thursday until August 20th. The fare is \$5.00 round trip for students and adults, \$2.00 round trip for seniors and the disabled. New, "Buy Three, Get One Free" bus passes are also available at City Hall and Arroyo Vista Recreation Center. Spend your summer relaxing at Zuma Beach. Enjoy volleyball, boogie boarding, swimming and lounging on the sand. These are unsupervised, general transportation services. For schedule information, please visit www.ci.moorpark.ca.us, or call 805-517-6257.

Mayor Parvin announced the Moorpark Summer Youth Bus Pass is now on sale at City Hall and Arroyo Vista Recreation Center. The pass is \$15.00 and provides unlimited ridership on Moorpark City Transit from June 1st until September 11th.

Mayor Parvin announced summer is here and the Moorpark City Library presents "Be Creative at Your Library". This year's Summer Reading Club begins with a kick-off event on Tuesday, June 23rd. Fun events will be held every Tuesday afternoon and include music, juggling, puppetry, reptiles, and more. Also, the library will offer crafts on Wednesday afternoons, Storytime on Thursday mornings, and Friday afternoon family movies. Please visit www.moorparklibrary.org or call the library at 517-6370 for more specific event information. All events are free and sponsored by the Moorpark Friends of the Library.

Mayor Parvin requested a future agenda item to discuss the City's Sign Ordinance in regard to the unique situation of the Farmer's Market signage.

8. PUBLIC HEARINGS:

- A. Consider Final Review of the Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for

Fiscal Year 2009/10 and Resolution Confirming the Levy Amount. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2009-2823. ROLL CALL VOTE REQUIRED

Ms. Lindley gave the staff report and corrected stamped page 4 in the last sentence of the first paragraph to read "This funds about 18% of the 75% special benefit portion of this District.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2009-2823, approving the Engineers' Report, confirming diagram and assessment and order levy of assessment for Fiscal Year 2009/10 for the Parks and Recreation Maintenance and Improvement District. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

B. Consider Final Review of the Assessment Engineer's Report for the Landscape and Lighting Maintenance Assessment Districts for Fiscal Year 2009/10 and Resolution Confirming the Levy Amounts. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2009-2824. ROLL CALL VOTE REQUIRED

Ms. Lindley gave the staff report indicating that a corrected resolution was sent under separate cover.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt the corrected Resolution No. 2009-2824, approving the Engineers' Report, confirming diagram and assessment and order levy of assessment for Fiscal Year 2009/10 for the Landscape and Lighting Maintenance Districts. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

C. Consider General Plan Amendment 2009-02 Amending the Land Use Element, Section 5.1; Zoning Ordinance Amendment 2009-02, Amending

Chapter 17.64 of the Moorpark Municipal Code in its Entirety; and Downtown Specific Plan Amendment No. 2, Amending Section 2.2.3 and 2.3.3 of the Downtown Specific Plan Regarding Density Bonus Policies and Regulations. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Adopt Resolution No. 2009-2825, approving General Plan Amendment 2009-02 and Downtown Specific Plan Amendment No. 2; and 3) Introduce Ordinance No. 376 approving Zoning Ordinance Amendment 2009-02 for first reading, waive full reading, and schedule second reading and adoption for July 1, 2009.

Mr. Bobardt gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2009-2825, approving General Plan Amendment 2009-02 and Downtown Specific Plan Amendment No. 2. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

Ms. Traffenstedt read the title of Ordinance No. 376.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to introduce Ordinance No. 376 approving Zoning Ordinance Amendment 2009-02 for first reading, waive full reading, and schedule second reading and adoption for July 1, 2009. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

A. Consider Teen Council Appointments. Staff Recommendation: Make no less than seven (7) and no more than eleven (11) appointments to the Teen Council for a term ending June 30, 2010.

Mayor Parvin requested Council consideration for amending Council Policy to increase the membership of the Teen Council to a maximum of 15 to allow more teens to participate and to provide additional assistance at the teen events.

There were no speakers.

CONSENSUS: It was the consensus of the Council to remove this item from calendar and reconsider this item after staff has prepared an agenda item to

consider an amendment to Council Policy to allow for a maximum of 15 members on the Teen Council.

- B. Consider Ordinance Amending Chapter 8.32, Prohibiting Smoking in Public Places, of the Moorpark Municipal Code. (continued from June 3, 2009) Staff Recommendation: Introduce Ordinance No. 377 for first reading, waive full reading, and schedule second reading and adoption for July 1, 2009.

Ms. Davis gave the staff report.

There no speakers.

Ms. Traffenstedt read the title of Ordinance No. 377.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to introduce Ordinance No. 377 amending Chapter 8.32, Prohibiting Smoking in Public Places, of the Moorpark Municipal Code for first reading, waive full reading, and schedule second reading and adoption for July 1, 2009. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider an Ordinance Amending Chapter 8.48, Property Maintenance, of Title 8, Health and Safety, of the Moorpark Municipal Code. Staff Recommendation: Introduce Ordinance No. 378 for first reading, waive full reading, and schedule second reading and adoption for July 1, 2009.

Ms. Mellon gave the staff report.

There were no speakers.

Ms. Traffenstedt read the title of Ordinance No. 378.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to introduce Ordinance No. 378, amending Chapter 8.48, Property Maintenance, of Title 8, Health and Safety, of the Moorpark Municipal Code for first reading, waive full reading, and schedule second reading and adoption for July 1, 2009. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- D. Consider Approval of Skate Park Rules and Regulations. Staff Recommendation: Approve the staff proposed rules and regulations.

Ms. Lindley gave the staff report.

CONSENSUS: It was the consensus of the Council to amend the Skate Park Rules on stamped page 144 of the agenda report to: 1) Create a separate bullet point indicating, "Any violations of these rules may result in the temporary closure

of the facility and penalties in accordance with the MMC.”; 2) Clarify that any violations of MMC Section 8.34 are subject to a fine in accordance with MMC Section 1.10; 3) Move the bullet, providing the phone number to contact for reporting damages or hazardous conditions to the end of the list to make it more prominent; and 4) Design the sign in the most visible, efficient manner possible.

Connor O'Brien, a Moorpark resident, spoke in regard to the benefits of including bicyclists as authorized users of the skate park.

CONSENSUS: It was the consensus of the Council to have the Parks and Recreation Commission review in the future, and make a recommendation to Council regarding the bike use of the skate park.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to approve the staff proposed skate park rules and regulations, as amended. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

E. Consider City Council Standing and Ad Hoc Committee Appointments and Other City Council and Moorpark Redevelopment Agency Committee Assignments. Staff Recommendation: Determine City Council and Moorpark Redevelopment Agency committee appointments and assignments.

Ms. Traffenstedt gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved to appoint a Theater Ad Hoc Committee with himself and Councilmember Pollock as members to review the areas of concern.

Mr. Kueny stated a future agenda item could be scheduled to open a discussion of the Arts Center and to consider reinstating an ad hoc committee, assigning to a standing committee, or neither.

Councilmember Van Dam withdrew his motion.

CONSENSUS: It was the consensus of the Council to schedule a future agenda item to open a discussion of the High Street Arts Center for reinstating an ad hoc committee, assigning to a standing committee, or neither.

CONSENSUS: It was the consensus of the Council to appoint Councilmember Pollock to the Community and Economic Development Standing Committee.

F. Consider: 1) A Project Design of the 2009 Basketball Court Lighting Project for Mountain Meadows, Peach Hill, Miller, and College View Parks

(Project); and 2) The Selection of DNA Electric to Supply and Install the Project. Staff Recommendation: 1) Approve Project Design; and 2) Authorize the City Manager to sign the negotiated contract for services with DNA Electric for Basketball Court Lighting Supply and Installation, subject to final language approval by the City Manager and City Attorney.

Ms. Davis gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to: 1) Approve Project Design; and 2) Authorize the City Manager to sign the negotiated contract for services with DNA Electric for Basketball Court Lighting Supply and Installation, subject to final language approval by the City Manager and City Attorney. The motion carried by voice vote, 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam 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 Regular Meeting of May 20, 2009. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of June 3, 2009. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2008-2009 – June 17, 2009. Staff Recommendation: Approve the warrant register.
- D. Consider Rejection of Claim from: Barbara Woodey. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- E. Consider Rejection of Claim from: Old Republic Title – Heyn Parcel APN 505-26-025. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- F. Consider Authorizing Two Years Additional Service Credit Retirement Incentive Pursuant to Government Code Section 20903 and Consistent with the City's Contract with the California Public Employees' Retirement System (CalPERS). Staff Recommendation: Direct staff to schedule for the July 1, 2009, regular meeting consideration of adoption of a resolution to grant another designated period for two years additional service credit retirement incentive for the designated position.

- G. Consider Resolution Establishing the Appropriation Limitation for Fiscal Year 2009/10 for the City of Moorpark at \$26,198,908. Staff Recommendation: Adopt Resolution No. 2009-2826.
- H. Consider Resolution Adopting Loan Agreement between the City of Moorpark and the Moorpark Redevelopment Agency. Staff Recommendation: Adopt Resolution No. 2009-2827. ROLL CALL VOTE REQUIRED
- I. Consider Amendment to the Local Street Access Agreement between the City of Moorpark and Waste Management. Staff Recommendation: Approve Amendment No. 2 to the Waste Management Agreement for Local Access Fees, subject to final language approval by the City Manager and City Attorney.
- J. Consider Agreement Between the American Red Cross of Ventura County and the City of Moorpark Regarding Emergency Shelter Services. Staff Recommendation: Approve the Agreement, subject to final language approval by the City Manager and City Attorney, and authorize the City Manager to sign the Agreement.
- K. Consider Resolution Authorizing the Destruction of Parks, Recreation and Community Services Department Records. Staff Recommendation: Adopt Resolution No. 2009-2828.
- L. Consider Resolution Amending the Fiscal Year 2008/09 Budget for Local Transportation Development Act (TDA) 8A and 8C Funds. Staff Recommendation: Adopt Resolution No. 2009-2829. ROLL CALL VOTE REQUIRED
- M. Consider Additional Design Fees for the City Hall Project. Staff Recommendation: Approve Fifth Amendment to GKK Works Agreement authorizing the additional \$32,500 to finalize Environmental Impact Report (EIR) master planning services, and authorize the City Manager to execute the Agreement, subject to final language approval of City Manager and City Attorney.
- N. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2009/2010. Staff Recommendation: Approve Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2009/2010.
- O. Consider Agreement Amendment with Azteca Landscape for Landscape Maintenance Services for the Veterans Memorial and Mammoth Highlands Park. Staff Recommendation: Approve an amendment to the City's Agreement with Azteca Landscape to include services at the

Veterans Memorial and Mammoth Highlands Park, and authorize the Mayor to execute said amendment.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:07 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk