

ITEM 10.B.

MINUTES OF THE CITY COUNCIL

Moorpark, California

July 15, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on July 15, 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 7:31 p.m.

2. PLEDGE OF ALLEGIANCE:

Barry Hogan, Deputy City Manager, 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; Barry Hogan, Deputy City Manager; David Klotzle, Assistant City Engineer; David Moe, Redevelopment Manager; Joseph Fiss, Principal Planner; 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 Steven Kueny, City Manager, for 25 Years of Service to the City of Moorpark.

Mayor Parvin presented City Manager, Steven Kueny with a certificate of recognition for 25 years of service to the City of Moorpark.

5. PUBLIC COMMENT:

Armando Lopez and Barbara Quaid, CEO of Ventura County Fair Organization, presented the Council with the 2009 Ventura County Fair Poster depicting the theme "Purebred and Home Grown".

Patrick Ellis, President of the Moorpark Chamber of Commerce, provided a recap of the Chamber's activities for the first half of 2009.

Michael Willis, owner of local business, Eco Structures, Inc. which provides energy and green building consultation, stated he was available to the City to assist in any discussions regarding "green building".

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:49 p.m. The City Council meeting reconvened at 7:58 p.m.

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

CONSENSUS: It was the consensus of the Council to hear Item 8.B. prior to Item 8.A. upon the request of Mayor Parvin.

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

Councilmember Mikos announced she had attended the Executive Committee meeting for the Economic Development Collaborative of Ventura County.

Mayor Parvin announced on July 4th she participated in the first annual Loving Heart Hospice Foundation 5K-10K Walk benefiting families and patients dealing with terminal illnesses.

Mayor Parvin announced she attended the Ventura Council Office of Governments (VCOG) meeting where the Ventura County Transportation Commission (VCTC) Agreement was forwarded to VCTC for approval.

Mayor Parvin announced there is one final class in the Summer Gardening Series, which will be held on Saturday, August 15th at Arroyo Vista Recreation Center. The course on "Water Wise Gardening" will discuss ways to reduce water usage in your landscape; California water supplies; and water conservation techniques that require minimum effort. Water rates continue to increase, so come learn how you can save water and money.

Mayor Parvin announced the Active Adult Center is holding a photo contest and exhibit. Photographers must be a minimum age of 55 to enter. The submission deadline is Friday, July 17th and the exhibit will be open July 23rd-29th.

AT THIS POINT in the meeting, Item 8.B. was heard.

8. PUBLIC HEARINGS:

- B. Consider Resolution to Approve Residential Planned Development Permit No. 2009-01, a Twenty Unit Apartment Building on Approximately 0.9 Acres at 396 – 436 Charles Street, on the Application of the Area Housing Authority of the County of Ventura. Staff Recommendation: 1) Open the

public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2009-2841, approving Residential Planned Development Permit No. 2009-01, subject to Conditions of Approval.

Mr. Hogan gave the staff report and acknowledged receipt of a petition signed by Moorpark residents in opposition to the project. Mr. Moe provided information regarding financing for this project.

Mayor Parvin opened the public hearing.

Douglas Tapking, Executive Director of the Area Housing Authority of the County of Ventura, 1400 West Hillcrest Drive, Newbury Park, California, described the tax credit program governing the project, the stringent screening process for applicants, and the priority consideration to Moorpark residents.

The following Moorpark citizens spoke in opposition to the project:

Pamela Castro
Antonio Castro
John Williams
DeeDee Williams
James Gerochi
Jaime Reyes
Jon Zwirn

Richard Gray, local realtor, questioned the economics of the proposed apartment project and provided a handout for the Council.

In response to Mayor Parvin, Ms. Traffenstedt summarized one Written Statement card from Damian Spooner opposing the project.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2009-2841, approving Residential Planned Development Permit No. 2009-01, subject to Conditions of Approval. The motion carried by voice vote 4-1, Mayor Parvin dissenting.

8. A. Consider Ordinance to Approve Zoning Ordinance Amendment No. 2009-01, Amending Section 17.32.025: High Street Area Parking Requirements. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 381 for first reading, waive full reading, and schedule second reading and adoption for September 2, 2009.

Mr. Hogan gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

Mr. Montes read the title of Ordinance No. 381.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to waive full reading, declare Ordinance No. 381 read for the first time, and schedule second reading and adoption for September 2, 2009. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Moorpark Community Arts Foundation Appointments. Staff Recommendation: Make three (3) appointments to the initial board of the Moorpark Community Foundation for the Arts for an initial term of four years.

Ms. Traffenstedt gave the staff report.

There were no speakers.

Councilmember Millhouse stated his recommendations for appointees to be Stuart Cooper, John Marshall and Dr. Clint Harper.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination to appoint Stuart Cooper, John Marshall, and Dr. Clint Harper to the initial board of the Moorpark Community Foundation for the Arts for an initial term of four years. The motion carried by unanimous voice vote.

- B. Consider Moorpark Library System Advisory Board Committee Appointments. Staff Recommendation: Appoint one City representative to serve as a delegate and one City representative to serve as an alternate on the Moorpark Library System Advisory Board of the Metropolitan Cooperative Library System for a term expiring June 30, 2011.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination to appoint Julie St. Amand as the delegate and Heather McGregor to serve as alternate on the Moorpark Library System Advisory Board of the Metropolitan Cooperative Library System for a term expiring June 30, 2011. The motion carried by unanimous voice vote.

- C. Consider Voting Delegate and Alternate for League of California Cities Annual Conference – September 16-18, 2009. Staff Recommendation: 1) Determine a Voting Delegate and a Voting Alternate; and 2) Direct the City Clerk to notify the League of California Cities of the designated voting delegate and alternate.

Ms. Traffenstedt gave the staff report and stated Mayor Parvin will also be attending the conference, which changes the staff recommendation, as consistent with the City Council's Appointment List, Mayor Parvin would be designated as the voting delegate with Councilmembers Mikos and Pollock could serve as voting delegate alternates.

CONSENSUS: It was the consensus of the Council to appoint Mayor Parvin as the voting delegate, Councilmember Mikos as 1st voting alternate, and Councilmember Pollock as the 2nd voting alternate for the League of California Cities Annual Conference; and for staff to notify the League of the designated voting delegate and alternates.

- D. Consider Cancellation of September 16, 2009, Regular Meeting. Staff Recommendation: Direct staff to post a notice of meeting cancellation for September 16, 2009.

Ms. Traffenstedt gave the staff report indicating that with Mayor Parvin now attending the League of California Cities Annual Conference, three members of the Council would not be in attendance at the September 16, 2009 meeting.

There were no speakers.

CONSENSUS: It was the consensus of the Council to direct staff to post a notice of cancellation for the September 16, 2009, meeting.

- E. Consider City Entry Sign at Tierra Rejada Road/SR-23 and Princeton Avenue/SR-118 and Resolution Amending the Fiscal Year 2009/2010 Budget for Funding the Project. Staff Recommendation: 1) Approve the design presented as the City's entry sign for the median on Tierra Rejada Road/SR-23 and at the southwest corner of Princeton Avenue/SR-118 (Kavlico) and in the Princeton Avenue median immediately north of the SR-118 freeway; 2) Direct staff to seek informal bids for the fabrication and installation of the signs and authorize the City Manager to select the most qualified and responsive bidder; and 3) Adopt Resolution No. 2009-2842, amending the Fiscal Year 2009/2010 Budget to appropriate \$34,815 from the Tree and Landscaping Fund (2150) for installation of three city entry signs. ROLL CALL VOTE

Mr. Hogan gave the staff report.

There were no speakers.

In response to Councilmember Mikos, Mr. Kueny stated the request could be increased to \$40,000 to enhance the landscaping and clean up of the southwest corner of Princeton Avenue/SR-118.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to: 1) Approve the design presented as the City's entry sign for the median on Tierra Rejada Road/SR-23 and at the southwest corner of Princeton Avenue/SR-118 (Kavlico) and in the Princeton Avenue median immediately north of the SR-118 freeway; 2) Direct staff to seek informal bids for the fabrication and installation of the signs and authorize the City Manager to select the most qualified and responsive bidder; and 3) Adopt Resolution No. 2009-2842, amending the Fiscal Year 2009/2010 Budget to appropriate an amount not to exceed \$40,000 from the Tree and Landscaping Fund (2150) for installation of three city entry signs and to enhance the landscaping and provide cleanup of the southwest corner of Princeton Avenue/SR-118 location. The motion carried by unanimous roll call vote.

- F. Consider Ordinance Deleting Chapter 8.34, Skate Facility, of Title 8, Health and Safety, and Amending Chapter 12.16, Parks, to Revise the Chapter Title to Parks, Recreation Facilities and Open Space, and to Add a New Section 12.16.170, Skate Facility, to Chapter 12.16 of Title 12 of the Moorpark Municipal Code. Staff Recommendation: 1) Introduce Ordinance No. 382 for first reading, waive full reading, and schedule second reading and adoption for September 2, 2009; and 2) Direct staff to schedule an agenda item for the September 2, 2009, meeting consistent with Sections 12.16.170(B)(3) and 12.16.170(B)(5) of the ordinance.

Ms. Traffenstedt gave the staff report.

There were no speakers.

Mr. Montes read the title of Ordinance No. 382.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to: 1) Waive full reading, declare Ordinance No. 382 read for the first time, and schedule second reading and adoption for September 2, 2009; and 2) Direct staff to schedule an agenda item for the September 2, 2009, meeting consistent with Sections 12.16.170(B)(3) and 12.16.170(B)(5) of the ordinance. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to approve the Consent Calendar with the exception of Item 10. H, which was

pulled for individual consideration upon the request of Councilmember Mikos. The motion carried by unanimous roll call vote.

- A. Consider Minutes of Special Meeting of July 1, 2009. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of July 1, 2009. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2008-2009 – July 15, 2009. Staff Recommendation: Approve the warrant register.
- D. Consider Warrant Register for Fiscal Year 2009-2010 – July 15, 2009. Staff Recommendation: Approve the warrant register.
- E. Consider Authorizing Submittal of a Used Oil Recycling Block Grant Application to the California Integrated Waste Management Board (CIWMB). Staff Recommendation: Authorize submittal of the used oil recycling block grant application to CIWMB.
- F. Consider Technical Specifications for New Roofs at the Community Center and Arroyo Vista Recreation Center, and Authorize Staff to Advertise the Project for Construction Bids. Staff Recommendation: Approve the Roof Technical Specifications for Community Center and Arroyo Vista Recreation Center, and authorize bid solicitation for roof construction.
- G. Consider Plans and Specifications and Authorization to Advertise for Bids for 2009 Pavement Rehabilitation – Project 8002. Staff Recommendation: Approve the plans and specifications for the subject project and authorize staff to advertise for construction bids.
- I. Consider Resolution Authorizing the Destruction of Chronological Correspondence Records. Staff Recommendation: Adopt Resolution No. 2009-2843.

The following item was pulled for individual consideration.

- H. Consider Authorizing the Submittal of an Application to the National Endowment for the Arts (NEA) Seeking a Grant of Up to \$80,000 to Support Programming at the High Street Arts Center for Family Arts Discovery. Staff Recommendation: 1) Authorize submittal of the grant application for a "Grants for Arts: Access to Artistic Excellence" grant (CFDA No. 45.024) to the National Endowment for the Arts (NEA) seeking a to-be-determined funding amount of approximately \$80,000 to support programming at the High Street Arts Center (HSAC) for Family Arts Discovery to occur in the 2010-2011 HSAC season. A required match of

up to \$40,000 would come from the existing 2009-2010 Agency Budget or from an anticipated 2010-2011 budget appropriation; and 2) Refer Project to the Moorpark Arts Commission to request an endorsement of the Project and support for the grant application described in the agenda report.

Councilmember Mikos stated she pulled this item to allow the Council to vote on amended staff recommendation number 1 as discussed during the Redevelopment Agency meeting for this same item.

“1) Authorize submittal of the grant application for a “Grants for Arts: Access to Artistic Excellence” grant (CFDA No. 45.024) to the National Endowment for the Arts (NEA) seeking a to-be-determined funding amount of up to approximately \$80,000 to support programming at the High Street Arts Center (HSAC) for Family Arts Discovery to occur in the 2010-2011 HSAC season. A required match of up to the amount requested from NEA would come from the existing 2009-2010 Agency Budget or from an anticipated 2010-2011 budget appropriation...”

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to accept the amended recommendation to: 1) Authorize submittal of the grant application for a “Grants for Arts: Access to Artistic Excellence” grant (CFDA No. 45.024) to the National Endowment for the Arts (NEA) seeking a to-be-determined funding amount of up to approximately \$80,000 to support programming at the High Street Arts Center (HSAC) for Family Arts Discovery to occur in the 2010-2011 HSAC season. A required match of up to the amount requested from NEA would come from the existing 2009-2010 Agency Budget or from an anticipated 2010-2011 budget appropriation; and 2) Refer Project to the Moorpark Arts Commission to request an endorsement of the Project and support for the grant application described in the agenda report. The motion carried by unanimous roll call vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 377, Amending, in its Entirety, Chapter 8.32, Prohibiting Smoking in Public Places, of Title 8, Health and Safety, of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 377 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Kueny recommended Ordinance No. 377 be re-introduced for first reading as amended on stamped page 115 of the agenda report by adding “Wholesale tobacco distributors and...” at the beginning of Item 8.32.030 (C).

In response to Councilmember Pollock's concern that (G) on stamped page 116 of the agenda report was too vague; Mr. Kueny provided verbiage for an additional No. 3. under 8.32.030(G) to read, "An Administrative Permit shall require a renewal every six (6) months".

Mr. Montes read the title of Ordinance No. 377, as amended.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to waive full reading of the amended Ordinance No. 377, introduce the ordinance for first reading, and schedule second reading and adoption for September 2, 2009. The motion carried by unanimous voice vote.

- B. Consider Ordinance No. 379 Amending Sections 2.32.020 and 2.32.030 of Chapter 2.32, Parks and Recreation Commission; Sections 2.36.020 and 2.36.030 of Chapter 2.36, Planning Commission; Sections 2.38.020 and 2.38.030, of Chapter 2.38, Moorpark Arts Commission; and Section 2.04.070 of Chapter 2.04, City Council; of Title 2 - Administration and Personnel of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 379 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Montes read the title of Ordinance No. 379.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to waive full reading and declare Ordinance No. 379 adopted as read. The motion carried by unanimous roll call vote.

- C. Consider Ordinance No. 380 Amending Section 2.040.55, Compensation and Benefits, of Chapter 2.04 City Council, of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 380 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Montes read the title of Ordinance No. 380.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to waive full reading and declare Ordinance No. 380 adopted as read. The motion carried by unanimous roll call vote.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 10:36 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk