

MINUTES OF THE CITY COUNCIL

Moorpark, California

September 2, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on September 2, 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 7:28 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; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; Ron Ahlers, Finance Director; David Moe, Redevelopment Manager; Shaun Kroes, Sr. Management Analyst; Teri Davis, Sr. 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. Presentation of City Plaque to Barry Hogan, Deputy City Manager, Upon the Occasion of His Retirement.

Mayor Parvin presented Deputy City Manager, Barry Hogan with the City plaque honoring his years of service to the City of Moorpark.

5. PUBLIC COMMENT:

Sharon Noel, a Moorpark resident, expressed concerns regarding the new Hitch Ranch development proposal.

April Horowitz, founder of "Heart of a Horse" described the project to save animals and introduced Dr. Kevin Smith, D.V.M. who spoke about the great need for helping animals during the downturn in the economy.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:40 p.m. The City Council meeting reconvened at 7:48 p.m.

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

CONSENSUS: It was the consensus of the Council to pull Item 10.J. from the Consent Calendar for individual consideration upon the request of Mayor Parvin.

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

Councilmember Van Dam announced the 2010 Entertainment Book supporting the Moorpark High School Band is on sale for \$25 and to contact him or members of the band to purchase copies.

Councilmember Millhouse announced he had recently attended the Ventura County Fair where Metrolink trains successfully transported the public to and from the fair. Councilmember Millhouse announced the Los Angeles County Fair is starting shortly with limited Metrolink services available to that venue.

Councilmember Millhouse congratulated the representatives of "Heart of a Horse" program for their good works in saving animals.

Councilmember Millhouse announced the City of Simi Valley will be unveiling a memorial to the victims of the Metrolink tragedy on Saturday, September 12th and City of Los Angeles Councilmember Greg Smith will also be holding a ceremony that same morning at the Chatsworth crash site. Councilmember Millhouse announced on September 11th the Metrolink Board on which he sits, will be meeting for the unveiling of a plaque to honor all loss of life throughout the Metrolink system.

Councilmember Pollock announced another application round is open for the First Time Home Buyer Program. The City will be hosting workshops on September 28th, 29th, and 30th. The workshops are mandatory for anyone interested in participating in the program.

Councilmember Millhouse announced September 4th, is the deadline for those age 55 and up to register for the biennial Moorpark Senior Games. Scheduled to run from September 16th through October 9th, the event draws participants from Ventura and surrounding counties to compete in fourteen events.

Councilmember Van Dam announced September is Library card sign-up month with the first 300 new card applicants to receive a free personal pizza coupon from Me-n-Ed's Pizzeria. The Moorpark City Library has many wonderful

services all available for free seven days a week. Books, music CD's, DVD's, and books on CD are all free.

Councilmember Mikos announced the Moorpark City Library proudly presents an evening with author John Dean. Mr. Dean is appearing at the High Street Arts Center on September 10th at 7:00 p.m. where he will discuss and sign copies of his New York Times Bestselling book "*Blind Ambition: The End of the Story*".

Councilmember Van Dam announced the Moorpark City Library invites families to visit the Library and enjoy an "Evening of Magic with Tony Daniels" on September 15th, at 7:00 p.m.

Mayor Parvin announced there will be an Arroyo cleanup on Saturday, September 19th at Villa Campesina Park. Volunteers are asked to bring gloves and wear sturdy shoes.

Mayor Parvin announced the City of Moorpark Free Electronic Waste Collection Event will be on September 19th, at the Moorpark Public Services Facility. Residents and businesses may dispose of electronic waste including electronic devices, televisions, computer equipment, monitors, and printers.

Mayor Parvin announced the City of Moorpark has a limited number of Earth Machine Home Compost Units available for sale for \$20 during the Electronic Waste Event, September 19th at the Moorpark Public Services Facility. Proof of residency is required, one compost unit per residence.

Mayor Parvin announced Free Landfill Day for Moorpark Residents is September 20th at the Simi Valley Landfill. Household waste and green waste may be dumped or recycled without charge – no hazardous waste, business waste, or electronics will be accepted. Appointments are not necessary; but, proof of residency is required.

Councilmember Van Dam announced another Council objective has been met. The new basketball court lights will be ready to use tomorrow night, September 3rd. Be sure to take advantage of these new basketball court lights at Mountain Meadows, Peach Hill, Miller, and College View parks. Basketball enthusiasts may use these lights for free during the first two weeks of operation as the City celebrates this new park feature. After September 16th, it will cost \$1.00 for thirty minutes to use the lights, which will be operative between dusk and 10:00 p.m.

Mayor Parvin announced on August 14th she attended a California League of Cities Channel Counties Division meeting.

8. PUBLIC HEARINGS:

- A. Consider Resolution Finding the Disposition Development Agreement between the Redevelopment Agency of the City of Moorpark and the Area Housing Authority of the County of Ventura for the Development of the Charles Street Apartment Project Located at 396 Charles Street is Consistent with Health and Safety Code 33430 and 33431 of California Community Redevelopment Law. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2009-2844.

Mr. Moe gave the staff report.

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 Resolution No. 2009-2844 finding the Disposition Development Agreement between the Redevelopment Agency of the City of Moorpark and the Area Housing Authority of the County of Ventura for the development of the Charles Street apartment project located at 396 Charles Street is consistent with Health and Safety Code 33430 and 33431 of California Community Redevelopment Law. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Providing Direction to Staff Regarding Signing for the Moorpark Farmer's Market Located on City Property on High Street. Staff Recommendation: Direct staff, on a trial basis through December 31, 2009, to waive enforcement of the Sign Ordinance to allow the Farmer's Market and other High Street special events to have directional signing the day of the event and to have such signage removed within two hours of the end of the event. A maximum of five directional signs would be allowed.

Mr. Hogan gave the staff report.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Millhouse seconded a motion to direct staff, on a trial basis through December 31, 2009, to waive enforcement of the Sign Ordinance to allow the Farmer's Market and other High Street special events to have directional signing the day of the event and to have

such signage removed within two hours of the end of the event with a maximum of five directional signs allowed. The motion carried by unanimous voice vote.

- B. Consider Resolution Approving an Amendment to the Tierra Rejada Greenbelt Agreement by Removing 228.96 Acres from the Greenbelt, Including the Ronald Reagan Presidential Library, on the Request of the City of Simi Valley. Staff Recommendation: Adopt Resolution No. 2009-____, approving an amendment to the boundary of the Tierra Rejada Greenbelt.

Mr. Bobardt gave the staff report.

The following issues that affect the staff recommendation or give direction to staff were discussed by the Councilmembers and staff: 1) The need for discussion between the cities of Moorpark, Simi Valley and Thousand Oaks concerning strengthening the Greenbelt Agreement; 2) Agendize a Council meeting to discuss what Moorpark wants in the agreement; 3) Encourage the cities of Simi Valley and Thousand Oaks to also hold meetings concerning the agreement; and 4) Schedule a joint meeting between the three cities to discuss strengthening the Greenbelt agreement with Council approval of the agenda items to be discussed.

In response to Council questions, Peter Lyons, Director of the Environmental Services Department for the City of Simi Valley, stated this is a unique portion of the Greenbelt and is the only portion that is within any of the cities' spheres of influence; the City of Simi Valley provides most of the services to this location, which includes the Reagan Library and seven other lots; this is within the policies of LAFCO to provide services in the most efficient manner; this request is not intended to change the land use for this area; and rezoning this area for development would be very difficult.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to: 1) Take this item off calendar; 2) Agendize a future agenda item to discuss strengthening the Greenbelt Agreement; 3) Direct staff to contact the cities of Simi Valley and Thousand Oaks to request they agendize discussion of the Greenbelt Agreement; and 4) Direct staff to set up a joint meeting between the three cities for discussion of the Greenbelt Agreement. The motion carried by unanimous voice vote.

- C. Consider Resolution Amending the Fiscal Year 2009/10 Budget to Fund a Security Camera System at Poindexter Park and Consider Award of Agreement to Direct A/V for Design and Installation of the Security Camera System. Staff Recommendation: 1) Adopt Resolution No. 2009-2845; and 2) Authorize the City Manager to sign the agreement in an amount not to exceed \$52,038, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED

Mr. Kroes gave the staff report.

There were no speakers.

In response to Councilmember Van Dam, Mr. Kueny suggested the funding request could be increased from \$50,000 to \$80,000 to explore the option of installing additional poles and cameras to increase security coverage of the entire park area.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to: 1) Adopt Resolution No. 2009-2845, as amended to increase the funding up to \$80,000, if needed, and as determined by the City Manager; and 2) Authorize the City Manager to sign the agreement in an amount not to exceed \$80,000, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous roll call vote.

- D. Consider Resolution Establishing Skate Facility User Age Restrictions, Skate Facility Hours of Operation, and Provisions for Closure per Requirements of Ordinance No. 382. Staff Recommendation: Adopt Resolution No. 2009-2846.

Ms. Davis gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2009-2846, establishing skate facility user age restrictions, skate facility hours of operation, and provision for closure per requirements of Ordinance No. 382. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Special Meeting of July 15, 2009. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of July 15, 2009. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2008-2009 – September 2, 2009. Staff Recommendation: Approve the warrant register.

- D. Consider Warrant Register for Fiscal Year 2009-2010 – September 2, 2009. Staff Recommendation: Approve the warrant register.
- E. Consider Authorizing the Use of City Marquee Signs and Portable Lights for Rotary Club Civil War Reenactment Event. Staff Recommendation: Approve use of City Marquee signs and approve use of City portable lights, subject to conditions specified in the agenda report.
- F. Consider Resolution Amending the Fiscal Year 2008/09 Budget to Pay for the May 19, 2009, Special Municipal Election. Staff Recommendation: Adopt Resolution No. 2009-2847. ROLL CALL VOTE REQUIRED
- G. Consider Resolution Authorizing Submittal of an Emergency Management Performance Grant Application, and Amending Fiscal Year 2009/10 Budget to Reflect \$9,047.72 in Grant Revenue. Staff Recommendation: Approve the grant funding request and adopt Resolution No. 2009-2848. ROLL CALL VOTE REQUIRED
- H. Consider Sponsorship of the Metrolink Holiday Toy Express. Staff Recommendation: Approve \$1,000 sponsorship for the Metrolink Holiday Toy Express.
- I. Consider Exoneration of Surety Bond for GRD Construction. Staff Recommendation: Authorize the City Clerk to fully exonerate Road Encroachment Permit Bond No. 8819595 in the amount of \$10,000.
- K. Consider Amendment of the Charles Abbott Associates Agreement Regarding Rent of City Offices. Staff Recommendation: Approve Amendment to Exhibit D of the Agreement, as outlined in the agenda report, reducing the monthly payment to the City as of September 1, 2009, and authorize the City Manager to approve future adjustments in Exhibit D of the Agreement, as warranted by staffing increases or decreases.
- L. Consider 2008 AB 939 Annual Report. Staff Recommendation: Receive and file report.
- M. Consider Resolution Amending the Fiscal Year 2009/10 Budget to Allocate Additional Funds for the Community Center Roof. Staff Recommendation: Adopt Resolution No. 2009-2849, appropriating \$28,000 from the General Fund Reserve to the Facilities Expenditure Fund. ROLL CALL VOTE REQUIRED
- N. Consider Conejo Valley YMCA Request to Use the Apricot Room for Youth and Government Event. Staff Recommendation: Approve the co-sponsorship of the Conejo Valley YMCA Youth and Government Event on September 17, 2009.

- O. Consider Revisions to Council Policy 6.1, Flag Etiquette. Staff Recommendation: Approve revisions to City Council Policy 6.1 included in Attachment 1 of the agenda report, and direct staff to incorporate the revised policy into the next update of the City Council Policies Resolution.

- P. Consider Resolution Amending Salary Plan and Rescinding Resolution No. 2008-2740, and Consider Resolution Amending Classification Plan and Rescinding Resolution No. 2008-2741. Staff Recommendation: 1) Adopt Salary Plan Resolution No. 2009-2850; and 2) Adopt Classification Plan Resolution No. 2009-2851.

The following item was pulled for individual consideration.

- J. Consider: 1) A Project Design of the Mountain Meadows Park Handball Wall (Project); 2) Resolution Amending the Fiscal Year 2009/10 Budget by Authorizing Loan from Park Improvement Community Wide Fund to Fund Project; and 3) The Selection of Toro Enterprises, Inc. to Supply and Install the Project. Staff Recommendation: 1) Approve project design; 2) Adopt Resolution No. 2009-____; and 3) Authorize the City Manager to sign the negotiated contract for services with Toro Enterprises, Inc. for Mountain Meadows Handball Wall Supply and Installation of a Concrete Wall, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED

In response to Mayor Parvin, Ms. Davis stated only one bid had been received and the high cost is attributed to the extensive foundation required to support the ball wall.

MOTION: Mayor Parvin moved and Councilmember Millhouse seconded a motion to reject all bids and directed staff to publish a new invitation for bids. 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. Montes read the title of Ordinance No. 377.

MOTION: Councilmember Mikos moved and Councilmember Van Dam a motion to waive full reading and to adopt Ordinance No. 377. The motion carried by unanimous roll call vote

- B. Consider Ordinance No. 381, Approving Zoning Ordinance Amendment No. 2009-01, Amending Section 17.32.025, High Street Area Parking Requirements of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 381 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

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

MOTION: Councilmember Millhouse moved and Councilmember Van Dam a motion to waive full reading and to adopt Ordinance No. 381. The motion carried by unanimous roll call vote

- C. Consider Ordinance No. 382, 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: Waive full reading and declare Ordinance No. 382 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED

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

MOTION: Councilmember Pollock moved and Councilmember Van Dam a motion to waive full reading and to adopt Ordinance No. 382. The motion carried by unanimous roll call vote

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