

MINUTES OF THE CITY COUNCIL

Moorpark, California

November 18, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on November 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 7:20p.m.

2. PLEDGE OF ALLEGIANCE:

Councilmember Pollock led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Hugh Riley, Assistant City Manager; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; Ron Ahlers, Finance Director; Tom Kruse, Parks and Recreation Director; Jennifer Mellon, 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:

None.

5. PUBLIC COMMENT:

Sharon Noel, a Moorpark resident, thanked the Council for their recent action to reconsider relocating a fuel station near the Virginia Colony area and for their efforts to strengthen the Tierra Rejada Greenbelt Agreement.

Doug Frazier, a Moorpark resident, expressed concerns about the Federal Emergency Management Agency (FEMA) flood map amendment process.

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 Van Dam announced the Moorpark High School Band will begin selling fresh Christmas trees the weekend after Thanksgiving.

Mayor Parvin announced the Poindexter Park Expansion and Skatepark Grand Opening Ceremony will be held at 500 Poindexter Avenue on Saturday, December 5, 2009. Festivities will include a dedication ceremony, skate vendors, live music, a 3 on 3 basketball tournament, a food booth, and possibly some pro-skaters.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Funding for Filing Flood Map Amendments with Federal Emergency Management Agency (FEMA) for the 2010 Digital Flood Insurance Rate Map (DFIRM) and a Resolution Amending the Fiscal Year 2009/10 Budget to Appropriate \$100,000 from the General Fund Reserve to Fund the Proposed 2010 DFIRM Amendments and Amendments to Chapter 15.24, Floodplain Management of the Moorpark Municipal Code to Comply with DFIRM 2010. Staff Recommendation: 1) Authorize the City Manager to sign engineering agreement with a consultant in an amount not to exceed \$100,000.00 to process map amendments for structures in the 2010 DFIRM Zone AO 1 foot, and others structures as approved by the City Manager; 2) Adopt Resolution No 2009 -2872 amending the FY 2009/2010 Budget; and 3) Authorize staff to seek proposals from consultants to amend Chapter 15.24, Floodplain Management of the Moorpark Municipal Code to comply with DFIRM 2010. ROLL CALL VOTE REQUIRED

Mr. Lall gave the staff report. Mr. Kueny stated the staff recommendation should be clarified to include qualifying residential structures in the 2010 DFIRM Zones AO 1, 2, and 3 foot areas be submitted for a Letter of Map Amendment (LOMA) and secondly include a LOMR for the residential area inclusive of Villa Campesina and adjacent properties on Los Angeles Avenue.

Linda Scott, a Moorpark commercial property owner of ACS Investment Company at 5090 Goldman Avenue, requested to be included in the City's appeal of the flood map.

Cheryl Carlson, a Moorpark resident, stated she appreciates the City's efforts on moving forward with the appeal and asked if the property

owners could be notified again to purchase the insurance, since the first mailing was not bilingual and did not stand out from junk mail.

The following issues were discussed by the Councilmembers and staff, which affect the motions below: 1) Sending out a second reminder letter in bilingual format encouraging affected property owners to purchase flood insurance prior to January 2010; 2) Accepting the City Manager's recommendations to add DFIRM Zones AO 1, 2, and 3 foot areas to be submitted for LOMA along with the residential area inclusive of Villa Campesina and adjacent properties on Los Angeles Avenue; and 3) Schedule a future agenda item with a Spanish translator present, to report on the findings before submitting the LOMR.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to: 1) Authorize the City Manager to sign engineering agreement with a consultant in an amount not to exceed \$100,000.00 to process map amendments for structures in the 2010 DFIRM Zones AO 1, 2, and 3 feet areas to be submitted for LOMA along with the residential area inclusive of Villa Campesina and adjacent properties on Los Angeles Avenue and other structures as approved by the City Manager; 2) Adopt Resolution No 2009-2872 amending the FY 2009/2010 Budget; and 3) Authorize staff to seek proposals from consultants to amend Chapter 15.24, Floodplain Management of the Moorpark Municipal Code to comply with DFIRM 2010. The motion carried by unanimous roll call vote.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to direct staff to: 1) Send out a second reminder in bilingual format to affected property owners encouraging them to purchase flood insurance prior to the January 20, 2010 publication of the new DFIRM map; and 2) Prior to submitting the LOMR, schedule a future agenda item, with a Spanish translator present, to disclose the findings. The motion carried by unanimous voice vote.

B. Consider Scheduling a Special City Council Meeting for December 9, 2009, to Review Proposed Revisions to the Campus Master Plan and Building Site Design Concept for New Civic Center and City Hall. Staff Recommendation: Schedule a Special Meeting for City Council Workshop for the Civic Center Project on Wednesday, December 9, 2009, at 6:30 p.m.

Mr. Riley gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to schedule a Special Meeting for a City Council Workshop for the Civic Center Project on Wednesday, December 9, 2009, at 6:30 p.m.

In response to Council comments, Mr. Kueny recommended the item be scheduled for the regular City Council meeting of January 20, 2010, and to limit other items on the agenda.

AMENDMENT TO PRIOR MOTION: Councilmember Pollock moved to amend his prior motion and Councilmember Mikos seconded the amended motion to devote the regular January 20, 2010 meeting to review of the proposed revisions to the Campus Master Plan and Building Site Design Concept for the New Civic Center and City Hall. The motion carried by unanimous voice vote.

- C. Consider Resolution Adjusting Solid Waste Collection Fees and Rescinding Resolution No. 2008-2768, Consider Resolutions Amending the City of Moorpark Franchise Agreements with G.I. Industries and Moorpark Rubbish. Staff Recommendation: 1) Adopt Resolution No. 2009-2873, (2010 Solid Waste Collection Rate Resolution, which includes an increase in the Residential Franchise Fee from 5% to 6%), rescinding Resolution No. 2008-2768; 2) Adopt Resolution No. 2009-2874, Amendment to City of Moorpark Solid Waste Franchise Agreement with G.I. Industries and Resolution No. 2009-2975 Amendment to City of Moorpark Solid Waste Franchise Agreement with Moorpark Rubbish Disposal; and 3) Authorize the City Manager to execute the amendments to the Agreements. ROLL CALL VOTE REQUIRED

Ms. Mellon gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to: 1) Adopt Resolution No. 2009-2873, (2010 Solid Waste Collection Rate Resolution, which includes an increase in the Residential Franchise Fee from 5% to 6%), rescinding Resolution No. 2008-2768; 2) Adopt Resolution No. 2009-2874, Amendment to City of Moorpark Solid Waste Franchise Agreement with G.I. Industries and Resolution No. 2009-2875 Amendment to City of Moorpark Solid Waste Franchise Agreement with Moorpark Rubbish Disposal; and 3) Authorize the City Manager to execute the amendments to the Agreements. The motion carried by roll call vote 4-1, Councilmember Pollock dissenting.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam moved and Councilmember Mikos 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 Special Meeting of November 4, 2009. Staff Recommendation: Approve the minutes.

- B. Consider Minutes of Regular Meeting of November 4, 2009. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2009-2010 – November 18, 2009. Staff Recommendation: Approve the warrant register.
- D. Consider Cooperative Agreement with the State Department of Public Health Regarding Applying Pesticides for Public Health Purposes. Staff Recommendation: Approve the cooperative agreement and authorize the Mayor to execute the agreement on behalf of the City.
- F. Consider Resolution Amending the Fiscal Year 2009/10 Budget by Appropriating \$4,500.00 from the Endowment Fund to Fund Final Payment to the Mountains Recreation and Conservation Authority (MCRA). Staff Recommendation: Adopt Resolution No. 2009-2776.
ROLL CALL VOTE REQUIRED
- G. Consider Report of 2009 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 2009 annual review process complete.
- H. Consider Resolution Authorizing the City's Fiscal Year 2009/10 Transportation Development Act Claim. Staff Recommendation: Adopt Resolution No. 2009-2777.
- I. Consider Resolution Amending Salary Plan and Rescinding Resolution No. 2009-2850, and Consider Resolution Amending Classification and Rescinding Resolution No. 2009-2851. Staff Recommendation: 1) Adopt Salary Plan Resolution No. 2009-2778; and Adopt Classification Plan Resolution No. 2009-2779.

The following item was pulled for individual consideration.

- E. Consider Letter of Commitment for Ventura County Application for Municipal Financing Program – CaliforniaFIRST. Staff Recommendation: Authorize the City Manager to sign a letter of commitment to be included with the County Application for Municipal Financing Program: CaliforniaFIRST.

Councilmember Mikos requested a future agenda item to report on the details of how this program works.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to: 1) Authorize the City Manager to sign a letter of commitment to be included with the County Application for Municipal Financing Program: CaliforniaFIRST; and 2) Direct staff to schedule a future agenda item to report on the details of how the program works. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:27 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk