

MINUTES OF THE CITY COUNCIL

Moorpark, California

January 20, 2010

A Regular Meeting of the City Council of the City of Moorpark was held on January 20, 2010, 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 7:14 p.m.

2. PLEDGE OF ALLEGIANCE:

Hugh Riley, Assistant 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; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; Ron Ahlers, Finance Director; Tom Kruse, Parks and Recreation Director; David Moe, Redevelopment Manager; 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:

None.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:16 p.m. The City Council meeting reconvened at 7:21 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 stated she, other Councilmembers, and the Mayor had attended a presentation at Rancho de Las Palmas on January 17th where they met the Honorable Anna Bligh, Premier of Queensland Australia.

Councilmember Mikos announced that anyone interested in serving as a board member or alternate board member on Community Action of Ventura County, applications may obtain an application through Thursday, January 21st at the Active Adult Center, Food Pantry, or the agency's website.

Councilmember Pollock announced on January 11th he had attended the Community Forum on Statewide Reform hosted by the Ventura County School Board Association in Camarillo. He will be speaking at a similar event the weekend of January 23rd in Napa County and stated there will be several ballot initiatives on the November ballot aimed at governance reform. Websites available with information are reformcalifornia.org and californiaforward.org.

Councilmember Pollock announced he had met with Ventura County Board Supervisor, Peter Foy on January 19th to discuss his views for the district covering Moorpark. The discussion focused on water conservation and penalties to be imposed by the Metropolitan Water District if reduction levels are not met.

Mayor Parvin announced the Ventura County Transportation Commission (VCTC) will hold an East County Unmet Transit Needs meeting on Wednesday, January 27th from 6:00 p.m. to 8:00 p.m. at Moorpark City Hall Community Center, 799 Moorpark Avenue. Moorpark City Transit will extend its evening Dial-A-Ride services until 9:00 p.m. so that seniors and the disabled may attend the meeting. The Moorpark City Council will also consider providing comments on Unmet Transit Needs during its regular City Council meeting on February 3rd. The Council's meeting will begin at 7:00 p.m. The deadline to submit comments to VCTC is 5:00 p.m. on February 15, 2010.

Mayor Parvin announced on January 14th she attended the Ventura County Council of Governments (VCOG) meeting where the Ventura County 5-Year Review Report of the countywide integrated waste management plan was discussed.

Mayor Parvin announced February brings another month of fun, free teen events to the Library. "Wii Wednesday" takes place on February 3rd from 3:30 – 5:30; Valentine's Day Chocolate Tasting, "Can you guess what candy bar you're eating?" is on Tuesday, February 9th from 4:00 – 5:30; and "Guitar Hero" and "Mario Cart" Tournament on Saturday, February 13th from 1 – 4.

Mayor Parvin announced free Household Hazardous Waste events are available to Moorpark residents in Camarillo the second Friday and Saturday of the month and in Simi Valley the third Saturday of every other month.

8. PUBLIC HEARINGS:

- A. Consider Modification No. 1 to Residential Planned Development (RPD) No. 1998-01, a Request to Relocate the Required Recreation Center from Vesting Tentative Tract Map No. 5425 to Tract Map No. 5133, Located on the South Side of Los Angeles Avenue at Millard Street, on the Application of Shea Homes, Inc. (continued open public hearing from December 16, 2009) Staff Recommendation: Continue to accept public testimony, and continue the agenda item with the public hearing open to February 17, 2010 regular City Council meeting.

Mr. Bobardt deferred the staff report and recommended the open public hearing be continued to February 17, 2010, as the applicant has requested a continuance to explore options for the location of the recreation center.

Mayor Parvin stated the public hearing remains open.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to continue the open public hearing to the regular meeting of February 17, 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Amendment No. 2 to Architectural Agreement with HMC Architects for Additional Design Fees for the Ruben Castro Services Center. Staff Recommendation: Approve Amendment No. 2 to professional services agreement with HMC Architects to increase the amount of their agreement by \$99,973.00 from \$1,136,681.00 to \$1,236,654.00 and authorize the City Manager to execute said amendment, subject to final language approval by the City Manager and City Attorney.

Mr. Riley gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to approve Amendment No. 2 to professional services agreement with HMC Architects to increase the amount of their agreement by

\$99,973.00 from \$1,136,681.00 to \$1,236,654.00 and authorize the City Manager to execute said amendment, subject to final language approval by the City Manager and City Attorney. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- B. Consider Ranking Recommendations Associated with Fiscal Year 2010-11 Community Development Block Grant (CDBG) Funding Proposals. Staff Recommendation: Review the FY 2010-11 CDBG public facility and public service project proposals and ranking recommendations and authorize staff to forward the recommendations to the County Executive Office for review.

Councilmember Mikos recused herself from the vote on this item as a cautionary measure since she serves on the boards of charitable organizations requesting funding; however, she remained on the dais.

Mr. Riley gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to authorize staff to forward the recommendations to the County Executive Office for the Fiscal Year 2010-2011 CDBG public facility and public service project proposals and ranking recommendations. The motion carried by voice vote 3-0, Councilmember Mikos abstaining and Councilmember Millhouse absent.

- C. Consider Adoption of Policy for Distribution, Use, and Reporting of Tickets or Passes. Staff Recommendation: Approve new policy on Distribution, Use, and Reporting of Tickets and Passes, and direct staff to incorporate the new policy into the next update of the City Council Policies Resolution.

Ms. Traffenstedt gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to approve new policy on Distribution, Use, and Reporting of Tickets and Passes, and direct staff to incorporate the new policy into the next update of the City Council Policies Resolution. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Mikos 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 December 16, 2009. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of January 6, 2010. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2009-2010 – January 20, 2010. Staff Recommendation: Approve the warrant register.
- D. Consider Additional Design Fees for the City Hall Project. Staff Recommendation: Approve Sixth Amendment to GKK Works agreement, authorizing the additional \$30,000.00 to finalize the Environmental Impact Report master planning services, and authorize the City Manager to execute the agreement, subject to final language approval by the City Manager and City Attorney.
- E. Consider Resolution Rescinding Resolutions Nos. 2003-2075 and 2005-2431 and Authorizing the Employees with the Listed Job Classifications to Enforce the Municipal Code. Staff Recommendation: Adopt Resolution No. 2010-2885, establishing those positions which would have civil citation authority under the Municipal Code and rescinding Resolutions Nos. 2003-2075 and 2005-2431.
- F. Consider Agreement Amendment with Azteca Landscape for Landscape Maintenance Services for Poindexter Park Expansion Project. Staff Recommendation: Approve an amendment to the City's Agreement with Azteca Landscape to include services at Poindexter Park, and authorize the City Manager to execute said amendment.
- G. Consider Reduction of Improvements Performance & Payment Bond for Freeway Corporate Center/Moorpark Carlsberg Holdings LLC (Tract 5226). Staff Recommendation: 1) Authorize the City Clerk to reduce Improvements Performance & Payment Bond #34BCSEU9710 to 10%; and 2) Authorize the City Clerk to fully exonerate this Bond one year after this reduction approval and upon written confirmation from the City Engineer that no warranty work is required.
- H. Consider Reduction of Improvements Performance & Payment Bond and Erosion Control Bond for KB Homes Greater Los Angeles Inc. (Tract 5045-8). Staff Recommendation: Authorize the City Clerk to reduce Improvement/Performance & Payment Bond #6445491 and Erosion Control Bond #K07509406 to 50%.
- I. Consider Reduction of Surety Bond for Pardee Homes, Moorpark Highlands – Tract Map No. 5045-1. Staff Recommendation: 1) Authorize the City Clerk to reduce the Surety Bond #104854691 to 10%; and 2)

Authorize the City Clerk to fully exonerate this Bond one year after this reduction approval and upon written confirmation from the City Engineer that no warranty work is required.

- J. Consider Reduction of Surety Bond for Pardee Homes, Moorpark Highlands – Tract 5045-6. Staff Recommendation: 1) Authorize the City Clerk to reduce the Surety Bonds #103883732 and #103883734 to 10%; and 2) Authorize the City Clerk to fully exonerate these Bonds one year after this reduction approval and upon written confirmation from the City Engineer that no warranty work is required.
- K. Consider Promotion of Planning Director to Community Development Director. Staff Recommendation: Approve promotion of Mr. David Bobardt to the position of Community Development Director effective January 16, 2010.
- L. Consider Annual Financial Statements and Other Audit Reports for Fiscal Year Ended June 30, 2009. Staff Recommendation: Accept the Comprehensive Annual Financial Report (CAFR), Management Letter, Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards, Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets, and the Independent Auditor's memo regarding the audit process; and receive and file the report. ROLL CALL VOTE REQUIRED

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to adjourn. The motion carried by voice vote 4-0, Councilmember Millhouse absent. The time was 7:53 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk