

ITEM 10.A.

MINUTES OF THE CITY COUNCIL

Moorpark, California

February 3, 2010

A Regular Meeting of the City Council of the City of Moorpark was held on February 3, 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:

David Bobardt, Community Development Director, 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, Community Development Director; Ron Ahlers, Finance Director; Tom Kruse, Parks and Recreation Director; Shaun Kroes, 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:

None.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:15 p.m. The City Council meeting reconvened at 7:16 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 Pollock reported he had visited the City of Santa Clarita where he reviewed the details of their graffiti abatement program. He requested a discussion of graffiti abatement be agendized for a Community and Economic Development Committee meeting.

CONSENSUS: It was the consensus of the Council to schedule a discussion of graffiti abatement for a Community and Economic Development Committee meeting.

Councilmember Mikos reported on January 21st, she and Councilmember Pollock had attended the Economic Development Collaborative and Ventura County Economic Development Association (VCEDA) Conference, "Spotlight on Economic Recovery".

Councilmember Van Dam announced Ventura County Animal Regulation and the City of Moorpark will be holding a \$5.00 Rabies Vaccination Clinic at 7:00 p.m. on March 9th, at the Fire Station on High Street.

Councilmember Van Dam announced the County of Ventura is holding a Rain Barrel Truckload Sale on Saturday, March 27th from 9 a.m. – 3 p.m. at Moorpark College, where rain cistern barrels will be available to Ventura County residents, for a reduced price.

Mayor Parvin announced the Ventura County Transportation Commission will hold an Unmet Transit Needs meeting on Monday, February 8th starting at 1:30 p.m. at Camarillo City Hall, 601 Carmen Drive. The deadline to submit comments to VCTC is 5:00 p.m. on February 15, 2010.

Mayor Parvin announced children grades 1–5 are invited to make Valentine cards at the Moorpark City Library on Wednesday, February 10th from 3–5 p.m. Craft supplies will be provided. On Thursday, February 18th, from 4–5 p.m., children ages 8-11 are invited to join the Youth Librarian for the new and hilarious "Laugh Out Loud Book Club" meeting.

Mayor Parvin announced on January 27th she had attended the opening of the local office of the Ventura County U.S. Census Bureau and beginning in March all households will receive a brief questionnaire in the mail with the official count to begin in April. The City's role in the census will be discussed in future Council meetings.

Mayor Parvin announced a Water Works District 1 meeting will be held on Tuesday night, February 9th, at 6:30 p.m. in the Apricot Room at the Community Center. Those attending may want to discuss water rate increases with District staff.

In response to Mayor Parvin's request for an update, and continued updates as information is available, from the consultant's survey of properties and the accuracy of the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), Mr. Kueny stated a kickoff meeting is scheduled with the consultant for Monday, February 8th and that their work will take 3-6 months to complete before going to FEMA where hopefully it will negate the need for residents to purchase flood insurance in the future.

CONSENSUS: It was the consensus of the Council to schedule an update on the appeal to FEMA concerning the Flood Insurance Rate Map for a Council meeting in April.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Providing Comments on Possible Unmet Transit Needs to the Ventura County Transportation Commission (VCTC) and Receive Report on Unmet Transit Needs Findings and Goals. Staff Recommendation: Provide comments and direct staff to forward them to the VCTC prior to the end of the public comment period.

Mr. Kroes gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to request VCTC continue the practice of scheduling additional public meetings in the evenings for annual discussion of unmet transit needs and to look at increasing transit alternatives as the County of Ventura grows.

- B. Consider Surety Bond Reduction for A-B Properties Tract Map No. 5147. Staff Recommendation: Authorize the City Clerk to reduce Surety Bond No. 104906729 from \$4,936,000.00 to \$1,000,000.00 for A-B Properties Tract 5147, contingent upon receipt of letter from A-B Properties agreeing to the points contained in the agenda report.

Mr. Lall gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Millhouse seconded a motion to authorize the City Clerk to reduce Surety Bond No. 104906729 from \$4,936,000.00 to \$1,000,000.00 for A-B Properties Tract 5147,

contingent upon receipt of letter from A-B Properties agreeing to the points contained in the agenda report. The motion carried by unanimous voice vote.

- C. Consider Status Report on Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2009/2010 and Direction for Fiscal Year 2010/2011. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Kueny gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to receive and file the report.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Regular Meeting of January 20, 2010. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2009-2010 – February 3, 2010. Staff Recommendation: Approve the warrant register.
- D. Consider Resolutions to Initiate Proceedings Related to the Citywide Landscaping and Lighting Assessment District and the Parks and Recreation Maintenance Improvement District for Fiscal Year 2010/2011. Staff Recommendation: Adopt Resolution Nos. 2010-2886 and 2010-2887; and authorize the City Manager to execute an agreement with SCI Consulting Group, Inc.
- E. Consider Resolution Authorizing the Destruction of City Records (Calendars, Chronological and E-mail Correspondence, Electronic Faxes, Gift Lists and Related Correspondence, Internet Monitoring Reports, Citizens' Request for Service Contract Lists, Monthly Reports to City Manager, and Management Meeting Agendas and Attachments). Staff Recommendation: Adopt Resolution No. 2010-2888.
- F. Consider Amendment to Agreement with Penfield & Smith for Additional Services and Rate Adjustment for the Princeton Avenue Widening Project (Project 8012). Staff Recommendation: Approve Amendment No. 1 with Penfield & Smith to increase the Scope of Services for the Princeton Avenue Widening Project in an amount not to exceed \$74,692.25 and authorize the City Manager to execute said amendment, subject to final language approval by the City Manager and City Attorney.

- G. Consider Amendment No. 4 to Agreement with Tetra Tech, Inc. for Environmental Documents Related to the Widening of Los Angeles Avenue between Spring Road and Moorpark Avenue (Project 8013). Staff Recommendation: Approve Amendment No. 4 to Professional Services Agreement with Tetra Tech Inc. to increase the amount of their agreement by \$33,592.00 from \$201,627.00 to \$235,219.00 and authorize the City Manager to execute said amendment, subject to final language approval by the City Manager and City Attorney.
- H. Consider Exoneration of Monument Bond for Freeway Corporate Center/Moorpark Carlsberg Holdings LLC and RCI Builders, Inc. (Tract 5226). Staff Recommendation: Authorize the City Clerk to exonerate the Monument Bond #34BCSEU9709 for Freeway Corporate Center/Moorpark Carlsberg Holdings LLC and RCI Builders, Inc. (Tract 5226).
- I. Consider Surety Bond Exonerations for Pardee Homes, Moorpark Highlands (Tract 5045). Staff Recommendation: Authorize the City Clerk to exonerate the Faithful Performance and Labor and Materials Surety Bond Nos. 81969775 and 52BSBDL9408 for Pardee Homes, Moorpark Highlands (Tract 5045).
- J. Consider Reconstruction of Mountain Meadows Park Driveway Under the Existing Contract for the 2009 Pavement Rehabilitation – Project 8002 and a Resolution Amending the Fiscal Year 2009/10 Budget to Revise the Budget and Funding Sources for the Project. Staff Recommendation: 1) Authorize the City Manager to amend the construction contract to include Contract Change Order No. 2 for the Mountain Meadows Park driveway reconstruction in an amount not to exceed \$17,000; and 2) Adopt Resolution No. 2010-2889, amending the FY 2009/10 budget. ROLL CALL VOTE REQUIRED

The following item was pulled for individual consideration.

- C. Consider Request from United States Census Bureau for Facility Rental Fee Waiver. Staff Recommendation: Approve facility rental fee waiver for the United States Census Bureau's testing/training classes on April 26-30, 2010.

In response to Councilmember Millhouse, Mr. Kueny stated the City had waived the rental fee ten years ago to facilitate census-taker training; and as the U.S. Census Bureau points out, the better the census-takers are trained the more accurate the results, which will benefit the City.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to approve facility rental fee waiver for the United States Census Bureau's testing/training classes on April 26-30, 2010. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of one case under Item 12.B. and Item 12.C. on the agenda.

CONSENSUS: It was the consensus of the Council to adjourn to closed session for a discussion of one case under Item 12. B. and Item 12. C. on the agenda. The time was 8:00 p.m.

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 4)

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Subdivision (b) of Section 54957 of the Government Code)
Title: Administrative Services Director/City Clerk; Assistant City Manager; City Manager; City Attorney; City Engineer/Public Works Director; Chief of Police; Community Development Director; Finance Director; and Parks and Recreation Director.

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Montes, City Attorney (via conference call); Hugh Riley, Assistant City Manager; Yugal Lall, City Engineer/Public Works Director; and Deborah Traffenstedt, Administrative Services Director/City Clerk. Mr. Montes, Mr. Lall, and Mr. Riley left the meeting at 8:15 p.m.

The Council reconvened into open session at 8:18 p.m. Mr. Kueny stated one case under Item 12.B. and Item 12.C. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:18 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk