

ITEM 10.B

MINUTES OF THE CITY COUNCIL

Moorpark, California

March 3, 2010

A Regular Meeting of the City Council of the City of Moorpark was held on March 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 7:17 p.m.

2. **PLEDGE OF ALLEGIANCE:**

Moorpark Girl Scouts presented the colors and 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; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Community Development Director; Ron Ahlers, Finance Director; Tom Kruse, Parks and Recreation Director; Teri Davis, 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:**

A. **Proclamation Declaring the March 7th through 13th as Girl Scout Week 2010.**

Mayor Parvin presented Moorpark Girl Scouts with a proclamation declaring March 7th through March 13th as Girl Scout Week 2010.

B. **Certificate of Recognition for Moorpark High School Senior, Chaya Turrow for her Volunteer Efforts.**

Mayor Parvin presented Chaya Turrow with a certificate of recognition for her volunteer efforts.

5. PUBLIC COMMENT:

David Tuttle, a Moorpark Meridian Hills resident, provided an update on the status of the Meridian Hills Homeowners Association; described conditions of erosion caused by the recent rains; and requested clarification from Council regarding any pending litigation with the developer.

Philip Frank, a Moorpark Meridian Hills resident, requested the City remain involved in communication with the developer; and described declining conditions on the sports court along with the unexpected need to replace pool heaters at the swimming pool after less than one year of operation.

Romana Hudes, a Moorpark resident, reported a mature tree had been removed from in front of her home with no notification from City staff.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:39 p.m. The City Council meeting reconvened at 7:40 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 Van Dam announced this year the Relay for Life event will be held at Moorpark High School on August 14th-15th. For more information contact the Chair, Barbara Riley at barbara@hembry.us.

Councilmember Mikos announced several events planned by the Pay It Forward Club in preparation for Random Acts of Kindness Day on March 11th.

Councilmember Mikos reported she had recently attended two economic outlook meetings, one on February 19th at St. John's Seminary in Camarillo and the other on March 3rd at Spanish Hills Country Club in Camarillo.

Councilmember Mikos reported she had attended a "Water Wise" breakfast for the Association of Water Agencies on February 18th where placing a water distribution bond measure on the November ballot was discussed.

Councilmember Mikos reported she had participated in "Read Across America" at Mountain Meadows School on March 2nd where in celebration of Dr. Seuss' birthday she read some of his stories to the children.

Councilmember Mikos reported she attended the Santa Monica Mountains Conservancy Advisory Committee meeting on February 22nd.

Councilmember Mikos reported she had attended two meetings of the Economic Collaborative of Ventura County where the focus was on attracting business to Ventura County.

Councilmember Pollock stated he had attended the ground-breaking ceremony at Moorpark College for the new classroom wing for the Exotic Animal Training and Management Program.

Councilmember Pollock stated he too had participated in "Read Across American" at Arroyo West School.

Councilmember Millhouse stated on March 2 he had traveled to the Port of Long Beach to welcome the off-loading of two new Metrolink crash-energy management train cars made in Korea.

Mayor Parvin announced the Library celebrates Teen Tech Week from March 7th–13th with planned activities including a video game character contest; Technology Makeover afternoon, where teens can personalize their earbuds, earphones, or flash drives; and back by popular demand another Guitar Kart Wii Tournament.

Mayor Parvin announced the City's 4th Annual Arbor Day Event will take place on March 10th at Monte Vista Nature Park where there will be a tree planting ceremony, as well as a free 5-gallon tree give-a-way.

Mayor Parvin announced the City is pleased to present our first annual "Moorpark Has Talent" show on Saturday, April 17th at 7:00 p.m. at the High Street Arts Center. Residents of all ages are invited to enter the competition. Open auditions for the talent show will be held on March 13th and 17th at the Arroyo Vista Recreation Center and on March 15th at the Moorpark Community Center. Ten finalists will be selected from the open auditions to perform at the show on April 17th. The prize for first place is \$500.

Mayor Parvin announced applications are now available for this year's Neighborhood Enhancement Program. Events will be held on Saturdays, May 1st and June 5th, from 8:00 – noon. Neighborhoods who apply and are chosen to participate will receive large trash and green waste roll-off bins to clean their neighborhoods and the City pays for disposal.

8. PUBLIC HEARINGS:

- A. Consider Zoning Ordinance Amendment 2009-03, to Amend Chapter 17.40 Sign Regulations, of Title 17, Zoning, of the Moorpark Municipal Code by Adding Section 17.40.095 to Allow Temporary Directional Signs

for Special Events in the Old Town Commercial (C-OT), Planned Community (PC) and Institutional (I) Zones. (continued open public hearing from February 17, 2010) Staff Recommendation: 1) Continue to accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 384 approving Zoning Ordinance Amendment No. 2009-03 for first reading, waive full reading, and schedule second reading and adoption for March 17, 2010.

Mr. Bobardt gave the staff report.

Mayor Parvin stated the public hearing remains open.

There were no speakers.

Mayor Parvin requested the verbiage on stamped page 10 be changed to allow two (2) hours for sign removal after the end of an event.

Councilmember Mikos requested the last line of the ordinance on stamped page 10 be clarified to indicate for a multi-day event, the signs must be removed within two (2) hours following the end of each day's event activity.

Mr. Montes read the title of Ordinance No. 384.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to waive full reading; declare Ordinance No. 384, read for the first time, as amended for stamped page 10 of the agenda report to reflect two (2) hours to remove signs after an event and for multi-day events to remove signs after two (2) hours after each day's event activity; and scheduled second reading and adoption for March 17, 2010. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Partnering with Moorpark Unified School District (MUSD) to Conduct Voter Opinion Poll for Potential Sales Tax Ballot Measure. Staff Recommendation: Support the Opinion Poll in cooperation with MUSD and authorize the City/MUSD Facilities, Programs and Advance Planning Ad Hoc Committee (Councilmembers Millhouse and Van Dam) to participate in the process as outlined in the agenda report and authorize the City Manager to sign the agreement with the consultant, subject to final language approval by the City Manager and City Attorney.

Mr. Kueny gave the staff report.

Ad Hoc Committee Member Millhouse stated after public feedback, he is now inclined not to spend the money on the opinion poll.

Mark Richards, a Moorpark resident, spoke in opposition to spending money on the poll and to the one-half cent increase in sales tax.

Mike Mostowa, a Moorpark resident spoke in opposition to a sales tax increase.

Ad Hoc Committee Member Van Dam stated; the City has been successful so far in masking the deficits by not filling vacant positions and by decreasing landscape maintenance in the parks; and this may not be the right time to tax, but at some point, a decision must be made on where to sacrifice.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to not proceed with support for the Opinion Poll at this time. The motion carried by unanimous voice vote.

- B. Consider Adopting Revised City Council Policies Resolution and Rescinding Resolution Nos. 93-937, 2004-2165, and 2009-2811. Staff Recommendation: Adopt Resolution No. 2010-2892.

Ms. Davis gave the staff report.

There were no speakers.

Councilmember Mikos requested in regard to Policy 1.2, consideration be given to changing the schedule for Standing Committees so they do not conflict with regular City Council meetings.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2010-2892 adopting revised City Council Policies and rescinding Resolution Nos. 93-937, 2004-2165, and 2009-2811. The motion carried by unanimous voice vote.

- C. Consider Scheduling Joint City Council Meetings with the Moorpark Arts Commission, Parks and Recreation Commission, and Planning Commission. Staff Recommendation: Direct staff as deemed appropriate.

Ms. Traffenstedt gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to direct staff to schedule the joint City Council meetings for April 28, 2010, with the Moorpark Arts Commission meeting to begin at 6:15 p.m. followed by the Parks and Recreation Commission meeting at 7:00 p.m. and finally the Planning Commission meeting at 7:45 p.m.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to approve the Consent Calendar. The motion carried by unanimous roll call vote.

- A. Consider Minutes of Regular Meeting of February 17, 2010. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2009-2010 – March 3, 2010. Staff Recommendation: Approve the warrant register.
- C. Consider Status Update of Pardee Homes Proposed Residential Development of Vacant School Site in the Moorpark Highlands Specific Plan, Located at the Southeast Corner of Ridgecrest Drive and Elk Run Loop. Staff Recommendation: Receive and file report.
- D. Consider Adopting a Revised Library Fine and Fee Schedule Resolution and Rescinding Resolution No. 2008-2673. Staff Recommendation: Adopt Resolution No. 2010-2893. ROLL CALL VOTE REQUIRED
- E. Consider Exoneration of Cash Bond for Moorpark Chevron, 502 Los Angeles Avenue. Staff Recommendation: Authorize the City Clerk to fully exonerate the \$2,500.00 Grading and Improvement Cash Bond associated with the drive through car wash.
- F. Consider Resolution Authorizing the Purchase of a Laser Printer for the Finance Department and Amending the Fiscal Year 2009/10 Budget. Staff Recommendation: Adopt Resolution No. 2010-2894. ROLL CALL VOTE REQUIRED
- G. Consider Efforts Supporting Census 2010. Staff Recommendation: Receive and file report.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of two cases under Item 12.B. and Items 12.C. and 12.D. on the agenda.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to adjourn to closed session for a discussion of two cases under Item 12.B. and Items 12.C. and 12.D. on the agenda. The motion carried by unanimous voice vote. The time was 8:39 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. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: APN 512-0-171-205, 612 Spring Road, Ruben Castro Human Services Center
City Negotiator: Steven Kueny, City Manager
Negotiating Parties: The City of Moorpark and Clinicas Del Camino Real
Under Negotiation: Rent and Terms of Lease
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: APN 512-0-171-205, 612 Spring Road, Ruben Castro Human Services Center
City Negotiator: Steven Kueny, City Manager
Negotiating Parties: The City of Moorpark and County of Ventura
Under Negotiation: Rent and Terms of Lease

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Montes, City Attorney; Hugh Riley, Assistant City Manager; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Community Development Director; Joe Vacca, Principal Planner; and Deborah Traffenstedt, Administrative Services Director/City Clerk. Mr. Lall, Mr. Bobardt, and Mr. Vacca left the meeting at 9:10 p.m.

The Council reconvened into open session at 9:35 p.m. Mr. Kueny stated two cases under Item 12.B. and Items 12.C. and 12.D. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:35 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk