

ITEM 10.A.

MINUTES OF THE CITY COUNCIL

Moorpark, California

June 2, 2010

A Regular Meeting of the City Council of the City of Moorpark was held on June 2, 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:

Allen Walter, Landscape/Park Maintenance Superintendent, 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, Community Development Director; Ron Ahlers, Finance Director; David Moe, Redevelopment Manager; Jeremy Laurentowski, Landscape/Parks Maintenance Superintendent; Allen Walter, Landscape/Parks Maintenance Superintendent; Jennifer Mellon, Senior Management Analyst; Shaun Kroes, Senior Management Analyst; Sergeant Paul Higgason, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Tracy Moe, Deputy City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Recognition of Anna Merriman, Assistant Superintendent for the Moorpark Unified School District Upon the Occasion of Her Retirement.

Mayor Parvin presented Anna Merriman, Assistant Superintendent for the Moorpark School District, with a Certificate of Recognition.

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 7:19 p.m. The City Council meeting reconvened at 7:20 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 announced the final two weekends of the High Street Arts Center performance of Driving Miss Daisy.

Councilmember Mikos announced she had attended the Economic Development Collaborative of Ventura County Executive Committee meeting today and it was awarded the Small Business Development Center grant.

Councilmember Mikos announced she had attended the grand opening of the Green Center for Community Action Ventura County in Oxnard today, which provides information on green technologies.

Councilmember Pollock announced he had attended the Moorpark Chamber of Commerce's luncheon May 27th and congratulated Councilmember Van Dam on receiving the Man of the Year award.

Councilmember Pollock announced he had attended the annual Memorial Day celebration and stated how the event allows the opportunity to recognize and honor those who serve our country.

Councilmember Pollock announced that he had attended the Moorpark Chamber of Commerce's Mixer yesterday which is held the first Tuesday of every month providing local businesses the opportunity to network.

Mayor Parvin announced the American Red Cross began the practice of teaching first aid 100 years ago and to celebrate this anniversary, there will be a special low cost class Saturday, June 5 in the EOC room at the Moorpark Police Services Center located at 610 Spring Road.

Mayor Parvin congratulated Councilmember Van Dam on receiving the Moorpark Chamber of Commerce's Man of the Year award and Captain Nelson on receiving the Public Servant of the Year award.

Councilmember Van Dam announced that he and City Manager Steven Kueny met with the Moorpark Chamber of Commerce's current and incoming presidents and CEO.

8. PUBLIC HEARINGS:

- A. Consider Final Review of Assessment Engineer's Report for the Landscape and Lighting Maintenance Assessment Districts for Fiscal Year 2010/11 and Resolution Confirming the Levy Amounts. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2010-2910. ROLL CALL VOTE REQUIRED.

Mr. Laurentowski 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. 2010-2910. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- B. Consider Final Review of Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2010/11 and Resolution Confirming the Levy Amount. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2010-2911. ROLL CALL VOTE REQUIRED.

Mr. Walter 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 Pollock seconded a motion to adopt Resolution No. 2010-2911. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- C. Consider Final Engineer's Report for Assessment District AD10-01 (Tuscany Partners – CPD 2005-02) and Resolution Confirming the Assessment Amounts for Fiscal Year 2010-11. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Approve the Engineer's Report for AD10-01 for FY 2010/11

with no changes from the report approved by City Council Resolution No. 2010-2907; and 3) Adopt Resolution No. 2010-2912.

Mr. Lall 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. 201-2912. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- D. Consider Final Engineer's Report for Assessment District AD10-02 (HFR Investment I, LLC – CPD 2005-03) and Resolution Confirming the Assessment Amounts for Fiscal Year 2010/11. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Approve the Engineer's Report for AD10-02 for FY 2010/11 with no changes from the report approved by City Council Resolution No. 2010-2908; and 3) Adopt Resolution No. 2010-2913.

Mr. Lall gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2010-2913. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2010/11. (continued from Special Meeting of May 27, 2010) Staff Recommendation: Continue discussion and approve Mission Statement, Priorities, Goals and Objectives for FY 2010/11 and determine which, if any, objectives are to be referred to a Standing Committee.

Mr. Kueny gave the staff report.

There were no speakers.

Council discussion included the following: 1) City's website to be made more user-friendly; 2) Development of policies for use of social media; 3) Focus on sustainability priorities and efforts, 4) Graffiti eradication; 5) Projection of Redevelopment Agency, Community Development, General, Transportation Development Act, and Gas Tax funds; 6) Focus on the completion of the Environmental Impact Report for the Master Plan by June 30, 2011; 7) Incorporate median income housing in upcoming projects; 8) Work with the commissions and their roles; 9) Respond to the Grand Jury report regarding homelessness at June 16 or July 7 meeting; 10) Conceptual plan and cost estimate for walking path at Arroyo Vista Community Park; 11) Use of water spray attraction as art; 12) Consider policy and procedures for use of banners; and; 13) Potential increases in assessments for street lighting and landscaping to be referred to the Finance, Administration, and Public Safety standing committee.

CONSENSUS: It was the consensus of the Council to receive, file the report with comments from Council, and refer the potential increases in assessments for street lighting and landscaping objective to the Finance, Administration, and Public Safety standing committee.

- B. Consider Amendment No. 1 to Contract with Barnhart Balfour Beatty (formerly known as Douglas E. Barnhart, Inc.) for Construction Management Services for the Ruben Castro Human Services Center. Staff Recommendation: Approve Amendment No. 1 with Barnhart Balfour Beatty memorializing ownership change from Douglas E. Barnhart, Inc. to Barnhart Balfour Beatty and increasing the amount of their Agreement by \$27,744 from \$1,272,876 to \$1,300,620 and authorize the City Manager to execute said amendment, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED.

Mr. Riley gave the staff report.

There were no speakers.

Mr. Kueny clarified that the funds will not be spent unless there is a written agreement with the County of Ventura.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve Amendment No. 1 with Barnhart Balfour Beatty memorializing ownership change from Douglas E. Barnhart, Inc. to Barnhart Balfour Beatty and increasing the amount of their Agreement by \$27,744 from \$1,272,876 to \$1,300,620 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 roll call vote 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to approve the Consent Calendar. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- A. Consider Minutes of Special Joint Meeting of the City Council/Moorpark Arts Commission of April 28, 2010. Staff Recommendation: Approve the Minutes.
- B. Consider Minutes of Regular Meeting of May 19, 2010. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2009-2010 – June 2, 2010. Staff Recommendation: Approve the warrant register.
- D. Consider Resolution Authorizing the Reversal of Stale Dated Checks More Than Three Years Old. Staff Recommendation: Adopt Resolution No. 2010-2914, voiding the stale dated checks noted in the agenda report.
- E. Consider Award of Contract to MICON Construction, Inc. for New Playground Equipment Installation at Arroyo Vista Community Park, College View Park, Peach Hill Park and Magnolia Park. Staff Recommendation: Award a contract to MICON Construction, Inc. for the new playground improvements for a cost not to exceed \$86,102 (\$5,000 contingency) and authorize the City Manager to execute the contract, subject to final language approval by the City Manager and City Attorney.
- F. Consider Award of Contract to Landscape Structures, Inc. for New Playground Equipment Installation at Arroyo Vista Community Park to Replace Existing Equipment. Staff Recommendation: Award a contract to Landscape Structures, Inc. for the construction of the new playground improvements for a cost not to exceed \$88,240 (\$5,000 contingency) and authorize the City Manager to execute the contract, subject to final language approval by the City Manager and City Attorney.
- G. Consider FM 200 Dry Chemical Agent Fire Suppression System at the Police Services Center and Resolution Amending the Fiscal Year 2009/10 Budget. Staff Recommendation: 1) Approve the installation of the FM 200 Dry Agent Fire Suppression System; and 2) Adopt Resolution No. 2010-2915, amending the FY 2009/10 Budget to appropriate \$30,018 from the General Fund to the Facilities Division for the Police Services Center.
- H. Consider Retrofitting Existing Fountain at the Police Services Center to a Raised Planter. Staff Recommendation: Approve the retrofit of the Police Services Center fountain to a raised planter.

- I. Consider Resolution to Participate in 2010-2012 Local Government Utility Partnership Program with Southern California Edison, Southern California Gas Company, and Ventura County Regional Energy Alliance. Staff Recommendation: Adopt Resolution No. 2010-2916.
- J. Consider First Amendment to the Hazardous Waste Collection Agreement between the City of Moorpark and L&H Consulting, Inc. Staff Recommendation: Approve amended L&H Consulting, Inc. Agreement, subject to final language approval by the City Manager and City Attorney, and authorize the City Manager to sign the amendment.
- K. Consider Second Amendment to the Household Hazardous Waste (HHW) Collection Agreement between the City of Moorpark and the City of Camarillo. Staff Recommendation: Approve amended HHW Agreement with the City of Camarillo, subject to final language approval by the City Manager and City Attorney, and authorize the City Manager to sign the amendment.
- L. Consider Resolution Establishing Parking Restrictions for the Downtown Parking Lot. Staff Recommendation: Adopt Resolution No. 2010-2917.
- M. Consider Resolution Authorizing the City's Fiscal Year 2010/11 Transportation Development Act Claim for Bicycle and/or Pedestrian Article 3 Purposes. Staff Recommendation: Adopt Resolution No. 2010-2918.
- N. Consider Resolution Amending the Fiscal Year 2009/10 Budget for Traffic System Management Fund (2001) for Metrolink South Parking Lot South Entry Capital Improvement Project 8056. Staff Recommendation: Adopt Resolution No. 2010-2919.
- O. Consider Purchase of Modular Office Buildings Being Used as Temporary City Hall and Resolution Amending the Fiscal Year 2009/10 Budget to Fund the Purchase. Staff Recommendation: 1) Authorize purchase of modular office buildings from Mobile Modular Management Corporation; 2) Adopt Resolution 2010-2920, amending the FY 2009/10 Budget; and 3) Authorize the City Manager and City Clerk to execute all documents necessary to this transaction.
- P. Consider Amendment to the Agreement for Building and Safety Services with Charles Abbott Associates Regarding Payment of Invoices. Staff Recommendation: Approve the addendum to the Agreement as described in the agenda report.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 388 Adding Chapter 8.64, Fireworks Prohibited, to Title 8, Health and Safety, of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 388 read for the second time and adopted as read. ROLL CALL VOTE REQUIRED.

Ms. Traffenstedt read the title of Ordinance No. 388.

MOTION: Mayor Parvin moved and Councilmember Van Dam a motion to waive full reading and adopt Ordinance No. 388. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of Items 12.D, 12.E, and 12.F. on the agenda.

CONSENSUS: It was the consensus of the Council to adjourn to closed session for a discussion of Items 12.D, 12.E, and 12.F. on the agenda. The time was 8:48 p.m.

- D. CONFERENCE WITH LABOR NEGOTIATOR
(Pursuant to Section 54957.6 of the Government Code)
Agency Designated Representative: Steven Kueny
Employee Organization: Service Employees International Union, AFL-CIO, CLC, Local 721
- E. CONFERENCE WITH LABOR NEGOTIATOR
(Pursuant to Section 54957.6 of the Government Code)
Agency Designated Representative: Steven Kueny
Unrepresented employees: Accountant I; Active Adult Center Supervisor; Administrative Services Director/City Clerk; Assistant City Clerk; Assistant City Engineer; Assistant City Manager; City Engineer/Public Works Director; Community Development Director; Finance and Accounting Manager; Finance Director; Human Resources Analyst; Information Systems Analyst; Information Systems Manager; Landscape/Parks Maintenance Superintendent; Management Analyst; Parks and Recreation Director; Principal Planner; Public Works Superintendent/Inspector; Recreation Supervisor; Redevelopment Manager; and Senior Management Analyst

F. 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, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Montes, City Attorney (via telephone conference call joined the meeting at 8:54 p.m. and left the meeting at 9:20 p.m.); and Deborah Traffenstedt, Administrative Services Director/City Clerk.

The Council reconvened into open session at 10:18 p.m. Mr. Kueny stated Items 12.D, 12.E, and 12.F. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 10:18 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk