

MINUTES OF THE CITY COUNCIL

Moorpark, California

June 16, 2010

A Regular Meeting of the City Council of the City of Moorpark was held on June 16, 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 7:16 p.m.

2. PLEDGE OF ALLEGIANCE:

Jeremy Laurentowski, 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; Joseph Vacca, Principal Planner; 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:

A. Introduction of Sergeant John Reilly, new Detective Sergeant with Moorpark Police Department.

Captain Nelson introduced new Detective Sergeant John Reilly with the Moorpark Police Department.

B. Introduction of Senior Deputy John Stubblefield, new Lead Traffic Investigator with Moorpark Police Department.

Captain Nelson introduced new Senior Deputy John Stubblefield with the Moorpark Police Department.

5. PUBLIC COMMENT:

Stephanie Nelson, Mark Samet, and Cameron Peterson, representatives from the LaRouche Political Action Committee each made a presentation on the Glass-Steagall Resolution to separate commercial and investment banks and shut down derivatives.

Moy Serrano, Estela De la Cruz, and Teresa A. Cortes, representing the 1st Annual Latin Festival each made a presentation promoting the upcoming festival on July 17, 2010, to raise funds for Help Our Youth (H.O.Y.).

Jayla Rogers Haxton and Cindy Hollister, Gabbert Road residents in Moorpark, each spoke about the need for brush clearance along Gabbert Road by adjacent property owners, Hitch Ranch, AB Properties, and Rasmussen.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:46 p.m. The City Council meeting reconvened at 7:47 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:

Mayor Parvin announced on Friday, June 18, display boards of the Oral History Project by Moorpark College will be on exhibit at the Moorpark Active Adult Center.

Mayor Parvin announced the first annual Moorpark Latin Festival will be held on High Street, Saturday, July 17.

Mayor Parvin announced a full summer of events is planned at the Moorpark City Library.

Mayor Parvin announced the Library is also offering "Brainfuse" all summer long.

Mayor Parvin announced she and Councilmembers Mikos and Pollock had attended the League of Cities Channel Counties Division meeting a week ago.

Mayor Parvin announced she had attended the graduation ceremonies at Moorpark High School.

Mayor Parvin requested a future agenda item reporting on the status of graffiti abatement in the City. Councilmember Mikos requested this subject be agendized for the Community and Economic Development Committee to discuss and report back to Council.

Mayor Parvin requested a future agenda item to discuss the policy for recruitment to fill vacancies on commissions and committees.

Mayor Parvin requested a future agenda item to review the residential rental inspection ordinance in regard to frequency of rental inspections.

8. PUBLIC HEARINGS:

- A. Consider Resolution Approving Commercial Planned Development No. 2010-01, a Request to Construct a 77,834 Square-Foot, Two-Story Medical Office Building on a 4.0-Acre Site at 635 Los Angeles Avenue, on the Application of John Parezo for Grand Moorpark, LLC. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2010-2921, approving Commercial Planned Development Permit No. 2010-01, subject to Conditions of Approval.

Mr. Vacca gave the staff report.

Mayor Parvin opened the public hearing.

John Parezo, architect for Grand Moorpark, LLC, 5000 N. Parkway Calabasas, Calabasas, California, stated that they are starting the permit process all over again due to changes in the Code; they are still in favor of pursuing reciprocal access with Mission Bell Plaza; and hope to begin construction in 2011.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2010-2921, approving Commercial Planned Development Permit No. 2010-01, subject to Conditions of Approval. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Appointment of Ventura County Area Agency on Aging Representatives. Staff Recommendation: Appoint two (2) representatives to serve a two-year term beginning July 1, 2010 and ending June 30, 2012.

Ms. Traffenstedt gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to waive Council policy for putting forth each individual name to be approved for appointment and instead take the appointments collectively.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination to appoint Anthony Bellasalma and Joseph Catrambone to serve as representatives on the Ventura County Area Agency on Aging Advisory Council for a two-year term ending June 30, 2012. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- B. Consider Teen Council Appointments. Staff Recommendation: Make appointments to the Teen Council for a one-year term to end on June 30, 2011.

Ms. Traffenstedt gave the staff report.

There were no speakers.

Councilmember Van Dam requested future Teen Council applications state the school year for the upcoming term.

CONSENSUS: It was the consensus of the Council to waive Council policy for putting forth each individual name to be approved for appointment and instead take the appointments collectively.

MOTION: Mayor Parvin nominated and Councilmember Pollock seconded the nomination of Davis Mustacchio, Anthony Valdez, Dakota Hembre, Nick Johannessen, Sarah Conway, Kaylyn Yawn, Trevor Sherman, Hunter Van Dam, Clara Chen, Anthony Peterson, Jasmin Alexander, Katherine Delgado, Alexis Morra, Tyler Peterson, and Juliana Zaragoza to serve on the Teen Council for 2010/2011 term ending June 30, 2011. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider Schedule for Planning Commission Candidate Interviews. 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 schedule Planning Commission candidate interviews and appointment for July 21 to fill a vacancy for the term ending December 31, 2010.

- D. Consider Resolution of Intention to Annex Territory to Community Facilities District No. 2004-1 (Moorpark Highlands) and to Consider Amendment of the Special Tax Formula and to Authorize the Levy of Special Taxes in the Annexed Area. Staff Recommendation: Adopt Resolution No. 2010-2922.

Mr. Riley gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2010-2922 of intention to annex territory to Community Facilities District No. 2004-1 (Moorpark Highlands) and to amend the special tax formula and to authorize the levy of special taxes in the annexed area. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- E. Consider Resolution Rescinding Resolution No. 98-1492 and Establishing a New Bail Schedule for Violations of the Moorpark Municipal Traffic Code, which Apply to Vehicle Parking Violations. Staff Recommendation: Adopt Resolution No. 2010-2923, and rescinding Resolution No. 98-1492.

Captain Nelson gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2010-2923, rescinding Resolution No. 98-1492 and establishing a new bail schedule for violations of the Moorpark Municipal Traffic Code, which apply to vehicle parking violations. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- F. Consider an Ordinance to Add Section 9.20.040, Drinking Games Prohibited to Chapter 9.20 of the Moorpark Municipal Code. Staff Recommendation: Introduce Ordinance No. 389 for first reading, waive full reading, and schedule second reading and adoption for July 7, 2010.

Captain Nelson gave the staff report.

A discussion among the Councilmembers followed concerning whether there was a need for this ordinance and whether it represented over regulation.

There were no speakers.

Ms. Traffenstedt read the title of Ordinance No. 389.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to waive full reading, declare Ordinance No. 389 read for the first time, and schedule second reading and adoption for July 7, 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- G. Consider Resolution Adopting an Operating and Capital Improvements Budget for the City of Moorpark for Fiscal Year 2010/2011. Staff Recommendation: Adopt Resolution No. 2010-2924. ROLL CALL VOTE REQUIRED

Mr. Kueny gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2010-2924 adopting an Operating and Capital Improvements Budget for the City of Moorpark for Fiscal Year 2010/2011. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- H. Consider Resolution Updating Existing Stormwater Inspection Fees and Establishing New Fees Consistent with Sections 8.52.150, 8.52.160 and 8.52.170 of the Moorpark Municipal Code (Business Inspection) Relating to Stormwater Quality Management. Staff Recommendation: Adopt Resolution No. 2010-2925. ROLL CALL VOTE REQUIRED

Mr. Kroes gave the staff report and corrected the Current Fees referenced in the table on stamped page 81 of the agenda report to read \$90.00.

There were no speakers.

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to adopt Resolution No. 2010-2925, updating existing stormwater inspection fees and establishing new fees consistent with Sections 8.52.150, 8.51.160, and 8.52.170 of the Moorpark Municipal Code (Business Inspection) relating to Stormwater Quality Management. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam 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 Special Joint City Council/Planning Commission Meeting of April 28, 2010. Staff Recommendation: Approve the minutes.

- B. Consider Minutes of Special Meeting of May 27, 2010. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2009-2010 – June 16, 2010. Staff Recommendation: Approve the warrant register.
- D. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2010/2011. Staff Recommendation: Approve the Mission Statement, Priorities, Goals and Objectives for FY 2010/11.
- E. Consider Resolution Adopting Loan Agreement between the City of Moorpark and the Moorpark Redevelopment Agency. Staff Recommendation: Adopt Resolution No. 2010-2926. ROLL CALL VOTE REQUIRED
- F. Consider Resolution Establishing the Appropriation Limitation for Fiscal Year 2010/2011 for the City of Moorpark at \$25,896,031. Staff Recommendation: Adopt Resolution No. 2010-2927.
- G. Consider Resolution Authorizing the Destruction of City Records (Park & Recreation Commission, Planning Commission, and Administrative Services Records). Staff Recommendation: Adopt Resolution No. 2010-2928.
- H. Consider Resident Commissioner to the Area Housing Authority of the County of Ventura. Staff Recommendation: Direct that a letter be sent to the Area Housing Authority Board ratifying the appointment of Tomas Garcia as Resident Commissioner.
- I. Consider Election Resolutions: 1) Resolution Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements, Determining Resolution of Tie Votes Pursuant to State Elections Code Section 15651(a), and Rescinding Resolution No. 98-1476; 2) Resolution Calling and Giving Notice of the Holding of the General Municipal Election to be Held on Tuesday, November 2, 2010, for the Election of Certain Officers of the City and Requesting the Board of Supervisors of the County of Ventura to Consolidate said Municipal Election with the Statewide General Election on said Date; and 3) Resolution Requesting the Board of Supervisors of the County of Ventura to Permit the County Clerk to Render Services to the City of Moorpark for the General Municipal Election and to Canvass the Returns of the General Municipal Election. Staff Recommendation: Adopt Election Resolutions Nos. 2010-2929, 2010-2930, and 2010-2931.
- J. Consider Amendment No. 4 Revising the Scope of Services and Compensation Plan for Fiscal Year 2010/2011 of the Agreement with Library Systems & Services, LLC (LSSI). Staff Recommendation:

- Approve Amendment No. 4 to the Agreement, which includes a revised Scope of Services and Compensation Plan for FY 2010/11, subject to final language approval by the City Manager and City Attorney.
- K. Consider Resolution to Adopt the Americans with Disabilities Act (ADA) Transition Plan and Self-Evaluation. Staff Recommendation: Adopt Resolution No. 2010-2932.
- L. Consider Exoneration of Surety Bonds for Tuscany Square Partners, LLC (CPD 2005-02). Staff Recommendation: Authorize the City Clerk to exonerate Grading and Improvements Bond No. 733474S, Off-site Public Improvements Bond No. 733475S, and Off-site Caltrans Improvements Bond No. 733476S.
- M. Consider Amendment to Hamner, Jewell and Associates Consultant Agreement for Property Acquisition and Relocation Assistance Services for Fiscal Year 2010/2011. Staff Recommendation: Authorize the City Manager to sign Amendment No. 2 for a one-year extension to the agreement, subject to final language approval of the City Manager and City Attorney.
- N. Consider Resolution Authorizing Submittal of a Safe Routes to School Grant (SR2S) Application for Funding to Caltrans for Construction of Approximately 2,100-Linear Feet of Sidewalk/Bike Path on Arroyo Vista Park Access Road to Connect Moorpark High School to Arroyo Simi Pedestrian Bridge. Staff Recommendation: Use Traffic Systems Management or Transportation Development Act Article 3 for the local 10% match; and 2) Adopt Resolution No. 2010-2933.
- O. Consider Report of Annual Development Agreement Review for 34.5 Acres of Land (Tract 5147) Located West of Gabbert Road, North of the Union Pacific Railroad Right-of-Way (A-B Properties). Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation, and find, on the basis of substantial evidence, that A-B Properties has complied in good faith with the terms and conditions of their agreement with the City; and 2) Deem the annual review process complete for A-B Properties' Development Agreement.
- P. Consider Amendment to Agreement for Transit Operating Services and to Consider Amendment to Agreement for Bus Capital Maintenance Services. Staff Recommendation: 1) Authorize the City Manager to sign Amendment No. 1 to Agreement for Transit Operation Services, subject to final language approval by the City Manager and City Attorney; and 2) Authorize the City Manager to sign Amendment No. 1 to Agreement for Bus Capital Maintenance Services, subject to final language approval of the City Manager and City Attorney.

- Q. Consider Additional Costs for Preventative Maintenance Services in 2009/10 Fiscal Year; and Amendment No. 2 to Agreement with Direct A/V, Inc. for Moorpark Metrolink Station Security Camera Maintenance Services Extending the Agreement for One Year for 2010/11 Fiscal Year, and Expanding the Scope of Services to Include Preventative Maintenance Services at Poindexter Park. Staff Recommendation: 1) Approve payment of \$4,400 for FY 2009/10 expenditures; and 2) Approve and authorize the City Manager to sign Amendment No. 2, subject to final language approval of the City Manager and City Attorney.
- R. Consider Report on Historical Uniform Crime Rates in the City of Moorpark from 1991 through 2009. Staff Recommendation: Receive and file.
- S. Consider Glenwood Park Restroom Construction Plans and Specifications. Staff Recommendation: Approve the design and specifications and authorize bid process.
- T. Consider Change Order Nos. 1, 2, and 3 for the Community Center and Arroyo Vista Recreation Center Roofing Project and Consider Resolution Amending the Fiscal Year 2009/10 Budget. Staff Recommendation: 1) Approve Change Order Nos. 1, 2, and 3 as described in the agenda report; and 2) Adopt Resolution No. 2010-2934. ROLL CALL VOTE REQUIRED
- U. Consider Replacing the Existing HVAC Units at the Active Adult Center and Community Center, Award Contract to American Building Comfort Services, Inc. and Authorize City Manager to Execute Agreement. Staff Recommendation: 1) Approve the replacement of seven (7) existing HVAC units; and 2) Award a contract to American Building Comfort Services, Inc. and authorize the City Manager to execute an agreement at cost of \$73,886 with approval for a contingency not to exceed \$11,000.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

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.

**MOTION:** Councilmember Mikos moved and Mayor Parvin seconded a motion to adjourn to closed session for a discussion of Items 12.D, 12.E, and 12.F. on the agenda. The motion carried by unanimous voice vote. The time was 9:17 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; and Deborah Traffenstedt, Administrative Services Director/City Clerk.

The Council reconvened into open session at 9:52 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 9:52 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, Assistant City Clerk