

MINUTES OF THE CITY COUNCIL

Moorpark, California

October 6, 2010

A Regular Meeting of the City Council of the City of Moorpark was held on October 6, 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 7:26 p.m.

2. PLEDGE OF ALLEGIANCE:

Chaya Turrow, a Moorpark resident, 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; David Bobardt, Community Development Director; Ron Ahlers, Finance Director; Dave Klotzle, Assistant City Engineer; David Moe, Redevelopment Manager; Teri Davis, Senior Management Analyst; Sergeant Paul Higgason, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Assistant City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Recognizing the 30th Anniversary of Child Development Resources of Ventura County, Inc.

Mayor Parvin presented Tanya McMahan, Child Car Service Manager and Frank Millar, Executive Director from Child Development Resources of Ventura County, Inc. with a proclamation recognizing their 30th Anniversary.

B. Proclamation Declaring October 24th as World Polio Day.

Mayor Parvin presented proclamations declaring October 24th as World Polio Day to both the Morning Moorpark Chamber of Commerce and to the Moorpark Chamber of Commerce.

5. PUBLIC COMMENT:

Stuart Cooper, President of the Moorpark Community Foundation for the Arts, presented the City with a check payable to the Redevelopment Agency in the amount of \$2,000 to be used to purchase equipment for the High Street Arts Center.

David Tuttle, a Moorpark Meridian Hills resident, provided an update on landscaping concerns, poor location of water meters, lack of a landscape plan for the bridal path, and overall lack of communication between the developer and the residents.

Chaya Turrow, a Moorpark resident, introduced her Girl Scout troop leader, Deborah Warner, and then spoke in regard to her project to prevent fires caused by spontaneous combustion from manure piles.

Donna Frank, a Meridian Hills Moorpark resident, described issues of continued concerning clearing items from the developer's punch list; and requested information on any policy or protocol the City may have approved for the developer in regard to the slope grading on Walnut Canyon.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 8:07 p.m. The City Council meeting reconvened at 8:10 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 announced the opening of "Evita" at the High Street Arts Center on October 8.

Councilmember Pollock commended the Moorpark Police Department for the recent arrest of a felony graffiti vandal.

Councilmember Pollock requested staff look at the landscaping along Tierra Rejada Road, which were damaged by the recent hot weather.

Councilmember Pollock announced that Caltrans will be resurfacing on State Route 23 from Los Angeles Avenue to Shekell Road until early November and motorists should allow extra time for commuting along this route.

Councilmember Millhouse and Mayor Parvin requested a future agenda item to discuss the City's residential rental inspection ordinance.

Councilmember Van Dam requested a future agenda item to discuss the policy for realtor sign fees.

Councilmember Van Dam thanked staff, the Moorpark Chamber of Commerce, and the Rotary Club for making Country Days a success. He stated the well attended and successful beer tasting benefit on Friday evening sponsored by the Moorpark Morning Rotary Club put the "s" on Country Days this year.

Councilmember Van Dam announced his son has graduated from boot camp and is now a United States Marine.

Councilmember Mikos announced she would like to pull Item 10.L. from the Consent Calendar.

**CONSENSUS:** It was the consensus of the Council to pull Item 10.L. from the Consent Calendar for individual consideration.

Councilmember Mikos announced having attended the Country Days Parade where she toured one of the City's new buses.

Councilmember Mikos announced she had attended a recent meeting of the Santa Monica Mountains Conservancy where the City was complimented on the rental inspection ordinance. At this same meeting the sad news was relayed that their Chair, Ronald Schafer, who was also the California State Parks Superintendent of the Angeles District, had suddenly passed away. She requested the meeting be adjourned in his memory.

Councilmember Mikos announced the Electronic Waste event held on September 18 was very worthwhile and encouraged the public to consider recycling their old electronics at the next event.

Councilmember Mikos congratulated staff on the opening of the Dog Park.

Councilmember Mikos announced the dedication of Moorpark College's new Academic Center took place on September 24.

Mayor Parvin announced the Active Adult Center is sponsoring the Arts Week Gourd Show until October 7.

Mayor Parvin announced the Moorpark City Library will have fun spooky events during the month of October; "Little Bilingual Readers" story time on Tuesday mornings in both English and Spanish; and on every Thursday pre-school story time with crafts.

Mayor Parvin announced the Moorpark City Library will sponsor "HalloTWEEN/TEEN Haunt & Movie" will take place on October 28 at the Community Center.

Mayor Parvin thanked the Moorpark Chamber of Commerce for sponsoring another fantastic Country Days; the Moorpark Police volunteers for helping with crowd and traffic control; Teen Council volunteers who worked in the City's Arroyo Vista Recreation Center booth; and all members of the Moorpark Community Arts Foundation along with several Moorpark Arts Commissioners who were on hand to staff the City's booth.

Mayor Parvin gave special recognition to Senior Management Analyst, John Brand who for several years has served as the City's liaison and coordinator for this wonderful community event and to the 24 City management staff who donated over 103 hours of their time in preparing for the Country Days Parade, Allen Walter, Dave Bobardt, David Moe, Teri Davis, Joe Fiss, Melody Johnston, Deborah Burdorf, Stephanie Shaw, Joan Archer, Maureen Benson, Ron Ahlers, Shaun Kroes, Atanas Beltchev, Debbie Traffenstedt, Jennifer Mellon, Jessica Sandifer, David Lasher, Hugh Riley, Jeremy Laurentowski, Joe Vacca, Ashraf Rostom, Dave Klotzle, and Peggy Rothschild. Many in this group also donate their time to the City's July 3rd fireworks extravaganza.

Mayor Parvin announced the Moorpark High School baseball team will hold their 9th annual golf tournament on October 17.

Mayor Parvin announced the Ventura County Animal Services is celebrating October as "Adopt a Shelter Dog" this month at the Camarillo shelter.

Mayor Parvin announced she had attended the League of California Cities Annual Conference from September 15-17.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider an Ordinance Amending Section 2.04.055, Compensation and Benefits, of Chapter 2.04, City Council, of Title 2, Administration and Personnel, of the Moorpark Municipal Code. Staff Recommendation: Introduce Ordinance No. 393 for first reading, waive full reading, and schedule second reading for October 20, 2010.

Ms. Davis gave the staff report.

There were no speakers.

Mr. Montes read the title of Ordinance No. 393.

**MOTION:** Councilmember Millhouse moved and Councilmember Van Dam seconded the motion to waive full reading, declare Ordinance No. 393 read for the first time, and scheduled second reading and adoption for October 20, 2010. The motion carried by unanimous voice vote.

- B. Consider Authorization to Proceed with Preparation of a Feasibility Study of a Second Access to Arroyo Vista Community Park (Project 8089) and a Resolution Amending the Fiscal Year 2010/11 Budget to Appropriate Funds for the Project. Staff Recommendation: 1) Direct staff on which second access locations are to be included in the feasibility study; 2) Authorize the City Manager to sign a consultant agreement for a feasibility study of the subject project at a cost not to exceed \$35,000.00; and 3) Adopt Resolution No. 2010-2957, amending the FY 2010/11 Budget to fund the feasibility study for Project 8089. ROLL CALL VOTE REQUIRED

Mr. Klotzle gave the staff report.

There were no speakers.

**CONSENSUS:** It was the consensus of the Council to direct staff to have all three second access locations included in the feasibility study.

**MOTION:** Councilmember Millhouse moved and Councilmember Pollock seconded a motion to: 1) Authorize the City Manager to sign a consultant agreement for a feasibility study of the subject project at a cost not to exceed \$35,000.00; and 2) Adopt Resolution No. 2010-2957, amending the FY 2010/11 Budget to fund the feasibility study for Project 8089. The motion carried by unanimous roll call vote.

- C. Consider Forwarding Preliminary Draft General Plan 2008-2014 Housing Element Update to State of California Housing and Community Development for Review and Comments. Staff Recommendation: Review the Preliminary Draft Housing Element, receive comments, provide direction as appropriate, and authorize staff to submit the Preliminary Draft 2008-2014 Housing Element Update to the California Department of Housing and Community Development for review and comments.

Mr. Bobardt introduced John Douglas, the City's consultant, who prepared the City's draft Housing Element housing consultant for the City. Mr. Douglas presented the staff report.

The following issues were discussed by the Councilmembers and staff:

1) Show the Stand Alone Single Room Occupancy (SRO) and Stand Alone Emergency Shelters and Transitional/Supportive Housing in the more appropriate C-2 zones only;

2) Clarify placement of churches and transitional housing in residential zones;

3) Update stamped page 56 of the agenda report (page III-4 of the Housing Element) in the fourth paragraph to reflect the Area Housing Authority of Ventura County multi-family rental project on Charles Street has been approved for the tax credit allocation;

4) Change the name of Catholic Charities and Moorpark Food Pantry to reflect its real name of Catholic Charities and Moorpark Community Services on stamped page 57 of the agenda report (page 111-5 of the Housing Element);

5) Identify PM 5371 (Sun State) on stamped page 105 of the agenda report (page B-5 of the Housing Element) near the end of the table as two new homes developed on a subdivided lot with an existing home on the west side of Peach Hill Road;

6) Correct the designation OS 1 for Waste Management on stamped page 107 of the agenda report (page B-7 of the Housing Element) to reflect the correct number;

7) Add additional properties located to the east of the Area Housing Authority project on Charles Street to the affordable housing total;

8) Change William Lyons Homes to Resmark Development on stamped page 13 of the agenda report in paragraph two;

9) Add Senate Bill 716 effective in 2014 to Infrastructure Constraints on stamped page 78 as it will make road maintenance difficult for cities;

10) Consider using Code Compliance staff to promote single-family residential rehabilitation; and

11) Have the Community and Economic Development Committee consider the Housing Rehabilitation Program.

Tanya McMahan, Child Care Service Manager, for Child Development Resources, Inc. 221 E. Ventura Boulevard, Oxnard, California, requested Child Care facilities be added to the Housing Element.

Bernardo Perez, Cabrillo Economic Development Corporation, 11175 Nardo Street, Ventura, California, requested greater consideration be given to more than 20-units per acre and to recognize the need for farm worker housing.

**CONSENSUS:** It was the consensus of the Council not to delay submission of the draft Housing Element to the State of California Housing and Community Development for editorial changes or the addition of a Child Care component.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to authorize staff to submit the Preliminary Draft 2008-2014 Housing Element Update to the California Department of Housing and Community Development for review and comments and to incorporate editorial changes per Council discussion and the addition of a Child Care component in the revised edition . The motion carried by unanimous voice vote.

- D. Consider Paying Off the CalPERS Side Fund. Staff Recommendation: 1) Proceed with paying off the “side fund” of the City’s PERS retirement plan; and 2) Receive and file the report.

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to: 1) Proceed with paying off the “side fund” of the City’s PERS retirement plan; and 2) Receive and file the report. The motion carried by unanimous voice vote.

- E. Consider Update of Annual Investment Policy and Resolution Establishing the City of Moorpark’s Investment Policy for Fiscal Year 2010/11. Staff Recommendation: Adopt Resolution No. 2010-2958.

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2010-2958 establishing the City of Moorpark’s Investment Policy for Fiscal Year 2010/11. The motion carried by unanimous voice vote.

- F. Consider Adopting Revised City Council Policies Resolution and Rescinding Resolution No. 2010-2892. Staff Recommendation: Adopt Resolution No. 2010-2959.

Ms. Traffenstedt gave the staff report.

There were no speakers

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2010-2959, adopting revised City Council Policies and rescinding Resolution No. 2010-1892. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Special Meeting of August 10, 2010. Staff Recommendation: Approve the minutes
- B. Consider Minutes of Special Meeting of September 1, 2010. Staff Recommendation: Approve the minutes
- C. Consider Minutes of Regular Meeting of September 1, 2010. Staff Recommendation: Approve the minutes.
- D. Consider Warrant Register for Fiscal Year 2010-2011 – October 6, 2010. Staff Recommendation: Approve the warrant register.
- E. Consider Resolution Amending the Conflict of Interest Code of the City of Moorpark and Rescinding Resolution No. 2009-2860. Staff Recommendation: Adopt Resolution No. 2010-2960, rescinding Resolution No. 2009-2860.
- F. Consider Rejection of Claim from: Brandi Lee Tillery, Lilee Rose Tillery, and Jonah Andrew Tillery. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimants.
- G. Consider Rejection of Claim from: Quang Tran. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- H. Consider Accepting Grant Deed for Fee Simple Title of the Downtown Parking Lot (APN 512-0-090-050) to the City of Moorpark. Staff Recommendation: Authorize the City Clerk to accept the grant deed for fee simple title of Downtown Parking Lot and record with the County of Ventura.
- I. Consider Approval of Implementation Agreement for Countywide Stormwater Program. Staff Recommendation: Authorize the Mayor to sign the Agreement, subject to final language approval by City Manager and City Attorney.
- J. Consider Purchase of Traffic Signal Poles and Equipment Required for the Construction of a Traffic Signal at Collins Drive and University Drive – Project 8078. Staff Recommendation: Authorize staff to proceed with the purchase of traffic signal poles and controller equipment for the Collins

Drive and University Drive Traffic Signal – Project 8078 at a not-to-exceed cost of \$46,000.00.

- K. Consider Resolution Authorizing the Acquisition of 1449 Walnut Canyon Road Property, Amending the Fiscal Year 2010/11 Budget to Fund the Purchase and Accepting the Grant Deed for Recordation. Staff Recommendation: 1) Adopt Resolution No. 2010-2961; 2) Authorize the City Manager to execute all documents necessary to this transaction; and 3) Authorize the City Clerk to accept and consent to the recordation of any deed. ROLL CALL VOTE REQUIRED
  
- M. Consider Resolution Amending Classification Plan and Rescinding Resolution No. 2010-2956 and Resolution Amending Salary Plan and Rescinding Resolution No. 2010-2942. Staff Recommendation: 1) Adopt Classification Plan Resolution No. 2010-2962; and 2) Adopt Salary Plan Resolution No. 2010-2963.
  
- N. Consider Waiving Formal Bid Procedure for Purchase of New Staff Computers Budgeted for Fiscal Year 2010/11. Staff Recommendation: Waive formal bidding procedure for purchase of new staff computers, and authorize staff to purchase directly from Dell for the Western States Alliance Contract price and the imaging fee.

The following item was pulled for individual consideration.

- L. Consider Resolution Authorizing the Destruction of City Records Meeting or Exceeding the Required Retention Period (On-going List of Annual City Accomplishments; Unsuccessful Bids / Proposals Files; Certificates / Proclamations and Related Correspondence; City General E-Mail Correspondence; Parks and Recreation Commission Resignation Correspondence; Correspondence Related to Citizen Complaints; Service Requests, Protests, Inquiries, Suggestions, and Compliments; General Requests for Records and/or Information; Public Records Requests and Related Correspondence; Private Vehicle Use Forms; Reports of Street Lights Out/Malfunctioning; City Engineering/Public Works Departmental Closed Purchase Orders; Letters of Parking Citation Hearing Results; Letters of Dismissed Parking Citations Hearing Results; and Duplicate Parking Citations). Staff Recommendation: Adopt Resolution No. 2010-2964.

In response to Councilmember Mikos, Ms. Traffenstedt stated the annual combined list of City Accomplishments was still being retained and only the working documents are subject to destruction per the resolution.

**MOTION:** Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2010-2964 authorizing the destruction of City

records as described in the resolution. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:40 p.m. in memory of Ronald Schafer, California State Parks Superintendent of the Angeles District.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, Assistant City Clerk