

MINUTES OF THE CITY COUNCIL

Moorpark, California

February 15, 2012

A Regular Meeting of the City Council ("City Council") of the City of Moorpark, which also serves as the Successor Agency ("Successor Agency") and as Successor Housing Agency ("Successor Housing Agency") of the Redevelopment Agency of the City of Moorpark was held on February 15, 2012 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 7:15 p.m.

2. PLEDGE OF ALLEGIANCE:

Dave Klotzle, City Engineer/Public Works 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; Joseph Montes, City Attorney; Deborah Traffenstedt, Deputy City Manager; Ron Ahlers, Finance Director; David Bobardt, Community Development Director; David Klotzle, City Engineer/Public Works Director; Jessica Sandifer, Management Analyst; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

AT THIS POINT in the meeting the Mayor announced the meeting would be adjourned in memory of Lewis Barton Miller.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Bernardo Perez, a Moorpark resident and former Councilmember, thanked the Council for their attention to, discussion with, and response to the public in regard to the finalization of Ordinance No. 410 to fill vacancies on the Council.

Tim McGarry, a Moorpark resident, spoke in regard to his concern about an abundance of "negative speech" and asked the Council and staff, as respected members of the community, to set the example for others to follow in using "positive-speech".

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 encouraged everyone to visit the sculpture being created at the Ruben Castro Services Center to see how the art piece is developing.

Councilmember Van Dam requested a future agenda item concerning the possible need for an ordinance similar to what the cities of Los Angeles and Simi Valley have adopted, which requires the use of condoms during the production of adult films.

Mayor Parvin announced local groups wishing to visit the sculptor, John Fisher, to observe his creative process as he carves the art piece at the Ruben Castro Human Services Center should schedule an appointment by calling 707-367-9386.

Mayor Parvin announced applications are now being accepted for the Moorpark Community Emergency Response Team (CERT) class, which will begin in March.

Mayor Parvin requested a future agenda item to consider amendment of the City's smoking ordinance, which according to the American Cancer Society could be improved.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

CITY COUNCIL:

- A. Consider Presentation from Library Board Applicant and Make Appointment to Fill One Vacancy on the Library Board for a Term Ending June 30, 2013. Staff Recommendation: 1) Hear presentation from final Library Board applicant; and 2) Based upon presentations provided on February 1 and February 15, 2012, appoint one applicant to fill the vacancy on the Library Board for a term ending June 30, 2013.

In response to Mayor Parvin, Ms. Julianna Lorenzen gave a presentation on her qualifications and interest in serving on the Library Board.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Robert Perez to fill the vacancy on the Library Board for a term ending June 30, 2013. The motion carried by unanimous voice vote.

B. Consider Presentation by Rudy Gonzales of Southern California Edison.

Rudy Gonzales, Southern California Edison (SCE) Public Affairs Manager for the Moorpark Area, provided a public service video announcement on downed power lines; requested residents call SCE should they observe trees making contact with electric lines; provided information on energy efficiently in the home; reported on the status of SMART meter installations to begin in July in Moorpark; and stated after 2010/2011 studies, SCE has determined they will not be transitioning to Light Emitting Diode (LED) street lighting technology. Mr. Gonzales presented the City with a resolution commemorating SCE's 125th anniversary and thanked the City for its support over the years.

In response to Mayor Parvin's and Councilmember Mikos' requests for the results of the 2010/2011 studies SCE performed on LED street lighting technology, Mr. Gonzales stated he would make sure they received that information.

Patrick Withers, a Moorpark resident and member of the electric industry, spoke about the long-term cost savings of switching to either induction or LED street lighting. He provided examples of other cities that have achieved this transition and saved money over the long run.

Councilmember Mikos requested this subject be considered in the context of a possible goal for the City and to be included in the sustainability and General Plan update on greenhouse gas issues.

C. Consider Scheduling Special City Council Meeting in June 2012 to Hear Water Rate Presentations from Calleguas Municipal Water District and Metropolitan Water District of Southern California. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Klotzle gave the staff report.

There were no speakers.

CONSENSUS: It was the consensus of the Council to direct staff to schedule a Special City Council meeting for 7:00 p.m. on June 13, 2012, to hear water rate presentations from Calleguas Municipal Water District and Metropolitan Water District of Southern California; and to provide these entities with specific questions of concern to be answered.

- D. Consider Ranking Recommendations for Fiscal Year 2012/13 Community Development Block Grant (CDBG) Funding Proposals. Staff Recommendation: Approve the FY 2012/13 CDBG non-public service and public service project ranking recommendations and authorize staff to forward the recommendations to the County Executive Officer for review.

Ms. Sandifer gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve the Fiscal Year 2012/13 CDBG non-public service and public service project ranking recommendations and authorize staff to forward the recommendations to the County Executive Officer for review. The motion carried by unanimous voice vote.

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 unanimous roll call vote.

CITY COUNCIL:

- A. Consider Minutes of Regular City Council Meeting of January 18, 2012. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular City Council Meeting of February 1, 2012. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2011/12 – February 15, 2012. Staff Recommendation: Approve the warrant register.
- D. Consider Resolution Authorizing the Issuance of City of Moorpark, Community Facilities District No. 97-1 (Carlsberg Business Park Public Improvements), Special Tax Refunding Bonds, Series 2012. Staff Recommendation: Adopt Resolution No. 2012-3088. ROLL CALL VOTE REQUIRED
- E. Consider Resolution Authorizing Mid-Year Amendments to Fiscal Year 2011/2012 Budget. Staff Recommendation: Adopt Resolution No. 2012-3089. ROLL CALL VOTE REQUIRED \

SUCCESSOR AGENCY:

- F. Consider Minutes of Regular Redevelopment Agency Meeting of January 18, 2012. Staff Recommendation: Approve the minutes.

- G. Consider Adopting an Amended Enforceable Obligation Payment Schedule (EOPS) for January 1, 2012 through June 30, 2012. Staff Recommendation: 1) Adopt the amended EOPS as it appears in the agenda report; and 2) Direct staff to transmit the amended EOPS to the State of California and post the same on the City's website, as ordered in the legislation. ROLL CALL VOTE REQUIRED
- H. Consider Adopting an Initial Draft Recognized Obligation Payment Schedule (ROPS) for January 1, 2012 through June 30, 2012. Staff Recommendation: 1) Adopt the ROPS as it appears in the agenda report; and 2) Direct staff to transmit the ROPS to the State of California and post the same on the City's website, as ordered in the legislation. ROLL CALL VOTE REQUIRED

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 410, Amending Section 2.04.050, Filling of Vacancies, of Chapter 2.04, City Council, of Title 2, Administration and Personnel, of the Moorpark Municipal Code. Staff Recommendation: Waive full reading, declare Ordinance No. 410 read for the second time, and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Montes read the title of Ordinance No. 410.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to waive full reading, declare Ordinance No. 410 read for the second time, and adopted as read. The motion carried by unanimous roll call vote.

12. CLOSED SESSION:

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

Mr. Montes announced with respect to the one case under Item 12.A. no further description is required pursuant to Government Code Section 54956.9(b) Subdivision (3)(a). "Facts and circumstances that might result in litigation against the local agency, but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed."

CONSENSUS: It was the consensus of the Council to adjourn to closed session for discussion of one case under Item 12.A, three cases under Item 12.B, and Item 12.C. on the agenda. The time was 8:07 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- 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: City Manager; and City Attorney.

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Joseph Montes, City Attorney; Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; Dave Klotzle, City Engineer/Public Works Director; and David Moe, Redevelopment Manager. Mr. Bobardt, Mr. Klotzle, and Mr. Moe left the meeting at 9:10 p.m.

The Council reconvened into open session at 9:43 p.m. Mr. Kueny stated one case under Item 12.A, three cases 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 9:43 p.m. in memory of Lewis Barton Miller.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk