

ITEM 10.A.

MINUTES OF THE CITY COUNCIL

Moorpark, California

March 21, 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 March 21, 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 7:17 p.m.

2. PLEDGE OF ALLEGIANCE:

Samuel Marsicano, from Boy Scout Troop 604, led the Pledge of Allegiance.

3. ROLL CALL:

Present: Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin.

Staff Present: Steven Kueny, City Manager; Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; David Klotzle, City Engineer/Public Works Director; David Moe, Redevelopment Manager; Joseph Fiss, Principal Planner; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Recognition of Patrick Ellis for His Service as President and CEO of the Moorpark Chamber of Commerce.

Mayor Parvin presented Patrick Ellis with a certificate of recognition for his service as President and CEO of the Moorpark Chamber of Commerce.

5. PUBLIC COMMENT:

None.

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 reported on having attended a meeting last week of the Economic Development Collaborative of Ventura County and described the PACE program for loans for energy saving upgrades for commercial and industrial entities.

Councilmember Mikos reported she and Mayor Parvin had attended a ribbon cutting ceremony on March 20th for PenneyMac Loan Services, a new company in Moorpark on Condor Drive.

Councilmember Mikos reported she had attended the Mayor's State of the City address today.

Councilmember Mikos reported she had met last week to discuss how the City works with Boy Scout, Samuel Marsicano who is working on a merit badge.

Councilmember Millhouse reported last week he had attended the National League of Cities Conference in Washington, DC where issues regarding cyber security for local municipalities were discussed.

Councilmember Millhouse reported, also while in Washington, DC last week, he and representatives from the cities of Simi Valley and Thousand Oaks met with the Department of Transportation and lobbied for the Transportation Investment Generating Economic Recovery ("TIGER") grant program for improvements to the Highway 101/Highway 23 interchange.

Councilmember Millhouse reported, today, he had attended a Special Meeting of the Transportation Committee and Community Economic Development Committee of the Southern California Association of Governments today, where adoption of the Regional Transportation Plan was on the agenda.

Mayor Parvin announced the Moorpark City Library and the Girls Scouts will be celebrating their 100th Anniversaries at the High Street Arts Center with fashion shows, silent auctions, prizes and more, on this Saturday, March 24th.

Mayor Parvin announced on the evening of March 24th the 3rd Annual "Moorpark Has Talent" will take place at the High Street Arts Center.

Mayor Parvin announced starting April 6th at the High Street Arts Center, is "*Harvey*", a 1944 play by American playwright Mary Chase, in which Elwood P. Dowd, an affable man claims to have an unseen (and presumably imaginary) friend Harvey - whom Elwood describes as a six-foot, three-and-one-half-inch rabbit.

Mayor Parvin announced on April 7th, the Annual Easter Egg Hunt will take place at Arroyo Vista Community Park from 10 a.m. to 1 p.m.

Mayor Parvin announced, sculptor, John Fisher is carving an art piece for the Ruben Castro Human Services Center through April 15th at the construction site at 612 Spring Road.

Mayor Parvin announced Moorpark residents may take solid waste and recyclables to the Simi Valley Landfill and Recycling Center located at 2801 Madera Road free of charge on April 15th between the hours of 10 a.m. and 4 p.m.

Mayor Parvin reported, a week ago, she had attended the Moorpark/Simi Valley/Conejo Women's Council of Realtors' Forum where the focus was on what is going on with redevelopment.

Mayor Parvin reported she had attended a 5th grade class at Peach Hill Academy where she and Hugh Riley gave a presentation on the Moorpark Mammoth story.

Mayor Parvin reported, today, she and Captain Nelson had delivered the State of the City address at Café Firenze.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

CITY COUNCIL:

- A. Consider Zoning Clearance 2012-69, A Request to Modify the Color of a Building Enhancement Stripe on a Building Located at 14399 Princeton Avenue, on the Application of Brad Lewis on Behalf of Turbonetics, Inc.
Staff Recommendation: Direct the Community Development Director to approve Zoning Clearance 2012-69 to allow for the change in color as proposed in the agenda report.

Mr. Fiss gave the staff report.

A discussion followed among the Councilmembers and staff which focused on: 1) Why such a minor item was brought before the Council; and; 2) How staff could change the old 1997 requirements so that the City Council did not to have to approve a change in paint color on a project.

Brad Lewis, President of Turbonetics, Inc, described the business and noted the number of employees on site.

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to direct the Community Development Director to approve Zoning Clearance 2012-

69 to allow for the change in color as proposed in the agenda report. The motion carried by unanimous voice vote.

CONSENSUS: It was the consensus of the Council for staff to prepare an item for Council consideration to allow staff to modify minor conditions of approval such as paint colors.

- B. Consider City of Moorpark Representatives to the Oversight Board for the Successor Agency of the Redevelopment Agency of the City of Moorpark. Staff Recommendation: 1) Confirm the appointment of Mayor Parvin and Hugh Riley, Assistant City Manager, as her alternate, to serve on the oversight board to represent the City; and 2) Confirm the appointment of Kathy Priestley, Administrative Secretary to serve on the oversight board as the former Agency employee.

Mr. Moe gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to: 1) Confirm the appointment of Mayor Parvin and Hugh Riley, Assistant City Manager, as her alternate, to serve on the oversight board to represent the City; and 2) Confirm the appointment of Kathy Priestley, Administrative Secretary, to serve on the oversight board as the former Agency employee. The motion carried by unanimous voice vote.

SUCCESSOR AGENCY:

- C. Consider Adopting an Administrative Budget as Required by ABX1 26 for the Successor Agency of the Redevelopment Agency of the City of Moorpark. Staff Recommendation: Adopt the budget as outlined in the agenda report. ROLL CALL VOTE REQUIRED

Mr. Moe gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to adopt the Administrative budget as required by ABX1 26 for the Successor Agency of the Redevelopment Agency of the City of Moorpark as outlined in the agenda report. The motion carried by unanimous roll call 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 Meeting of February 15, 2012. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular Meeting of March 7, 2012. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2011/12 – March 21, 2012. Staff Recommendation: Approve the warrant register.
- D. Consider Resolution Approving Program Supplement No. NO12 to Administering Agency – State Agreement for Federal Aid Projects No. 07-5436R for the Driveway Connecting Metrolink South Parking Lot to First Street Project. Staff Recommendation: Adopt Resolution No. 2012-3095.
- E. Consider Opposition to AB 1778 (Williams) Pertaining to Ventura County Transportation Commission: Local Transportation Funds. Staff Recommendation: Oppose AB 1778 and authorize the Mayor to send a letter of opposition to the Legislature.
- F. Consider Rejection of Claim from: Drew and Bess Kaplan. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.

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.A. (one case), 12.B. (three cases), 12.D. and 12.E. on the agenda. Mr. Kueny announced the City Attorney would be joining closed session via teleconference.

Mr. Kueny announced for Item 12.A. the facts and circumstances creating significant exposure to litigation consist of written communication threatening litigation received from the Mexican American Legal Defense and Educational Fund pertaining to solicitation in the public right-of-way.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to adjourn to closed session for a discussion of Items 12.A. (one case), 12.B. (three cases), 12.D., and 12.E. on the agenda. The motion carried by unanimous voice vote. The time was 7:45 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)
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: 50 Moorpark Avenue (APN 512-0-111-320)
City Negotiator: Steven Kueny, City Manager
Negotiating Parties: Primji Aladdin and Susan Trust
Under Negotiation: Price and terms of sale
- E. 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 (via teleconference at 7:58 p.m.); Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; and David Moe, Redevelopment Manager. Mr. Bobardt and Mr. Moe left the meeting at 8:02 p.m. Mr. Montes left the meeting at 8:16 p.m.

The Council reconvened into open session at 8:21 p.m. Mr. Kueny stated Items 12.A. (one case), 12.B. (three cases), and 12.D. and 12.E. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:21 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk