

MINUTES OF THE CITY COUNCIL

Moorpark, California

June 6, 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 June 2, 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 7:21 p.m.

2. PLEDGE OF ALLEGIANCE:

Trevor Sherman, Teen Council Member, led the Pledge of Allegiance.

3. ROLL CALL:

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

Absent: Councilmember Millhouse (arrived at 7:57 p.m.).

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

4. PROCLAMATIONS AND COMMENDATIONS:

A. Introduction of Gina Hernandez, New Teen Librarian at the Moorpark City Library.

Mayor Parvin introduced Gina Hernandez, new Teen Librarian at the Moorpark City Library.

5. PUBLIC COMMENT:

David Tuttle, a resident of the Meridian Hills development, stated his concerns about the lack of communication from the developer, Resmark, in regard to the potential new owner and changes to the project plans.

Taylor Hodoose, a resident of the Meridian Hills development, stated his concerns about the changes to floor plans, size of homes, and the lack of communication regarding the new project planned by Resmark.

6. REORDERING OF, AND ADDITIONS TO, THE AGENDA:

CONSENSUS: It was the consensus of the Council to pull Item 10.C. from the Consent Calendar for individual consideration upon the request of Councilmember Mikos.

7. ANNOUNCEMENTS, FUTURE AGENDA ITEMS, AND REPORTS ON MEETINGS/CONFERENCES ATTENDED BY COUNCILMEMBERS AND MAYOR:

Councilmember Mikos stated on June 6 she had attended a meeting of the Economic Collaborative of Ventura County Executive Committee where City National Bank gave an upbeat economic forecast.

Councilmember Mikos invited the public to the King Gillette Ranch in the Santa Monica Mountains on June 9 for the grand opening of the new visitor center jointly managed by the National Parks Service, California State Parks, Santa Monica Mountains Conservancy, and the Mountains Recreation and Conservation Authority.

Councilmember Van Dam on behalf of the Council and residents thanked staff for all their efforts in bringing the 2012/13 Fiscal Year Budget into balance and which resulted in no lay-offs.

Councilmember Van Dam reported on the success of the Kiwanis "Wine and Moonlight" fund raiser.

Councilmember Van Dam encouraged support of the High Street Arts Center by recommending attendance at the performance of "The Music Man".

Councilmember Van Dam reported on having attended the Memorial Day ceremony at the Veteran's Memorial on Spring Road.

Councilmember Mikos reported on having attended the changing of the colors on Memorial Day at the Veteran's Memorial on Moorpark Avenue.

Mayor Parvin announced the Zuma Beach bus will be running Tuesdays through Thursdays until August 16.

Mayor Parvin announced the Moorpark Summer Youth Beach Bus pass is now on sale at City Hall and the Arroyo Vista Recreation Center.

Mayor Parvin reported she had attended the Ventura Women's Fortnightly annual fund raising event, "I'll Stand By You", which benefited CASA (Court Appointed Special Advocates).

Mayor Parvin reported she had attended the East County Mayors meeting where City Managers discussed keeping the East County Court House open and about holding a drug/alcohol education meeting.

Mayor Parvin reported she had attended a Government Relations/Economic Development Committee meeting at the Moorpark Chamber of Commerce.

Mayor Parvin invited everyone to attend a Special City Council meeting on June 13 to hear presentations from the various water purveyors.

Mayor Parvin announced the California Highway Patrol's is taking reservations for their June 14 free "Start Smart" teen driver awareness program to take place at the Police Services Center on Spring Road.

8. PUBLIC HEARINGS:

- A. Consider Final Review of the Assessment Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2012/2013 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. 2012-3109. ROLL CALL VOTE

Mr. Ahlers 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. 2012-3109, confirming the levy amounts for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2012/2013. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- B. Consider Final Review of the Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2012/2013 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. 2012-3110. ROLL CALL VOTE

Mr. Ahlers gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2012-3110, confirming the levy amount for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2012/2013. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

Councilmember Mikos stated for the record, the public should be made aware that the revenue from the assessments only covers 30% of park maintenance and the remainder must be taken from the General Fund; and that sometime in the future, a proposal must be put forth to bring this issue to the voters of Moorpark.

9. PRESENTATION/ACTION/DISCUSSION:

CITY COUNCIL:

- A. Consider Appointments to the 2012/2013 Teen Council. Staff Recommendation: Make appointments to the Teen Council for a one-year term ending June 30, 2013.

Ms. Benson gave the staff report.

There were no speakers

CONSENSUS: It was the consensus of the Council to waive rules and take all nominations at one time.

MOTION: Mayor Parvin moved and Councilmember Mikos seconded a motion to nominate Ryan Bermont, Natalie Drizos, Vivek Thiyagarajan, Natalie Garcia, Rebecca Johnson, Olivia Ordin, Olivia Sichmeller, Ryan Wicks, Danielle Bautista, Courtney Beaulieu, Shawn Fenerin, Jasmine Barakat, Robert Nguyen, Trevor Sherman, and Madeeha Siddiqui to serve on the 2012/3013 Teen Council for a one-year term ending June 30, 2013. The motion carried by voice vote 4-0 Councilmember Millhouse absent.

- B. Consider Response to Caltrans on Draft Environmental Impact Report (EIR) for Proposed State Route 118 Intersection Improvements at State Route 34 (Somis Road). Staff Recommendation: Direct staff to send a

comment letter to Caltrans to address the unresolved issues in the EIR, as drafted.

Mr. Bobardt gave the staff report.

The following issues were discussed by the Council and staff to add to the comment letter, including: 1) Caltrans must address the Donlon Road project proposed by Ventura County; 2) Discussion of, and mitigation measures for, the increased truck traffic on State Route 118 due to trucks avoiding the truck scales on Highway 101; and 3) Issues raised by City representatives attending the preliminary workshop for the EIR have been ignored.

CONSENSUS: It was the consensus of the Council to schedule a future agenda item to discuss the Donlon Road realignment proposal by the County of Ventura.

Councilmember Mikos reported an exparte conversation with Clyde Pratt this evening, prior to start of the meeting, and stated she also previously met with other members of "Save Our Somis" to discuss the draft EIR.

Clyde Pratt, President of "Save Our Somis" (SOS) provided a history on the Caltrans proposal of 10-years ago; SOS's lawsuit against Caltrans resulting in the requirement for the EIR, and SOS's recommendation that Caltrans adopt a "no-build" alternative.

AT THIS POINT in the meeting, Councilmember Millhouse arrived. The time was 7:57 p.m.

A discussion followed among the Councilmembers and staff regarding: 1) The safety hazards of this section of roadway; 2) Moorpark wants the intersection improved; and 3) Consideration for continuing this item to June 20 to bring back a more strongly worded letter and to allow for discussion of the County's Donlon Road realignment project.

CONSENSUS: It was the consensus of the Council to continue this item to the meeting of June 20 to bring back a more strongly worded letter including the issues raised by Council and to schedule an agenda item to consider the Donlon Road realignment project.

- C. Consider Plans and Specifications and Authorization to Advertise for Construction Bids for Alderbrook Street Asphalt Overlay (Project 8091). Staff Recommendation: Approve the plans and specifications for the subject project and authorize staff to advertise for construction bids.

Mr. Klotzle gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve the plans and specifications for the Alderbrook Street Asphalt Overlay (Project 8091) and authorize staff to advertise for construction bids. The motion carried by unanimous voice vote.

- D. Consider Plans and Specifications and Authorization to Advertise for Bids for 2012 Pavement Rehabilitation (Project 8002). Staff Recommendation: Approve the plans and specifications for the A and authorize staff to advertise for construction bids.

Mr. Klotzle gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to approve the plans and specifications for the 2012 Pavement Rehabilitation (Project 8002) and authorize staff to advertise for construction bids. The motion carried by unanimous voice vote.

SUCCESSOR AGENCY:

- E. Consider Proposal from the Moorpark Foundation for the Arts to Lease and Assume Operating Control of the High Street Arts Center on July 1, 2012. Staff Recommendation: Authorize the City Manager to negotiate and sign a three-year lease and operating agreement for the High Street Arts Center with the Moorpark Foundation for the Arts effective July 1, 2012, consistent with the terms and conditions in the agenda report, subject to final language approval by the City Manager and City Attorney, and subject to City Council budget appropriation.

Mr. Riley gave the staff report.

Mr. Kueny stated this item will now only consider the three-year lease agreement, as the City will now be considering a separate operating agreement as Item 10.E. on the Consent Calendar.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to authorize the City Manager to negotiate and sign a three-year lease agreement for the High Street Arts Center with the Moorpark Foundation for the Arts effective July 1, 2012, consistent with the terms and conditions in the agenda report, subject to final language approval by the City Manager and City Attorney, and subject to City Council budget appropriation. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

CITY COUNCIL:

- A. Consider Minutes of Special Meeting of May 9, 2012. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Special Meeting of May 16, 2012. Staff Recommendation: Approve the minutes.
- D. Consider Warrant Register for Fiscal Year 2011/12 – June 6, 2012. Staff Recommendation: Approve the warrant register.
- E. Consider Rescinding May 16, 2012, Action Regarding the Proposal from the Moorpark Foundation for the Arts to Lease and Assume Operating Control of the High Street Arts Center on July 1, 2012. Staff Recommendation: Rescind May 16, 2012 action on this item and approve a separate operating agreement between the City and the Foundation with the same terms and conditions to effectuate the proposed \$25,000 payment, subject to final language approval by the City Manager and City Attorney.
- F. Consider Rejection of Claim from: Hatem Hassan. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- G. Consider Letter from External Auditors Regarding the Fiscal Year 2011/12 Audit. Staff Recommendation: Receive and file.
- H. Consider Engagement Letter from External Auditors for Fiscal Year 2011/12 Audit. Staff Recommendation: Authorize the City Manager to sign the engagement letter, subject to the final language approval by the City Manager and City Attorney.
- I. Consider Increase in Fees for Audit Fiscal Year (FY) 2010/11 and Authorize the City Manager to Execute Amendment No. 3 to the Agreement for Independent Auditing Services. Staff Recommendation: Approve the increase of the all-inclusive audit fee by \$2,500 for fiscal year ending June 30, 2011, to include two (2) major programs in the Single Audit and related Reports; and authorize the City Manager to execute the Amendment No. 3 to the Agreement, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED

- J. Consider Amendment No. 6 to Agreement for Street Sweeping Services. Staff Recommendation: Authorize the City Manager to sign Amendment No. 6 to the Agreement for Street Sweeping Services, capping the annual CPI increase to five percent and extending the Agreement until December 31, 2012, with an additional six-month extension option.
- K. Consider Amendment to Agreement with CUSA CC, LLC for Transit Operating Services and Consider Amendment to Agreement with CUSA CC, LLC for Bus Capital Maintenance Services. Staff Recommendation: 1) Authorize the City Manager to sign Amendment No. 3 to the Agreement with CUSA CC, LLC for Transit Operating Services, subject to final language approval of the City Manager and City Attorney, extending the Agreement until December 31, 2012, with an additional six-month extension option; and 2) Authorize the City Manager to sign Amendment No. 3 to the Agreement with CUSA CC, LLC for Bus Capital Maintenance Services, subject to final language approval of the City Manager and City Attorney, extending the Agreement until December 31, 2012, with an additional six-month extension option.
- L. Consider Amendment No. 1 to Memorandum of Agreement (MOA) Between the Cities of Moorpark and Simi Valley Continuing the Authorization of Moorpark to Fuel Up to Three Compressed Natural Gas (CNG) Buses at the Simi Valley Transit Maintenance Facility. Staff Recommendation: Authorize the Mayor to sign Amendment No. 1, subject to final language approval by the City Manager and City Attorney.
- M. Consider Authorization for Recordation of the Notice of Completion for Rehabilitation of 1449 Walnut Canyon Road (APN 511-0-040-440) and Release of Bonds in Accordance with the Contract. Staff Recommendation: Authorize the City Clerk to file the Notice of Completion, and release the project bonds as outlined in the agenda report.
- N. Consider Approval of the High Street Pepper Tree Recommendation Plan for the Removal of Fourteen (14) California Pepper Trees with a High Risk of Structural Failure. Staff Recommendation: Approve the High Street Pepper tree removal plan of fourteen high risk senescent Pepper trees identified in the agenda report to take place over the next three years.
ROLL CALL VOTE REQUIRED
- O. Consider Resolution Amending the Conflict of Interest Code of the City of Moorpark and Rescinding Resolution No. 2011-3049. Staff Recommendation: Adopt Resolution No. 2012-3111, rescinding Resolution No. 2011-3049.

- P. Consider Additional Funding for Cabinetry and Casework Additions and Amendment No. 2 to the Agreement with K&Z Cabinet Company for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$42,566 for cabinetry and casework changes for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 2 in the amount of \$44,585 to K&Z Cabinet Company, Inc, subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- Q. Consider Additional Funding for Structural Steel and Miscellaneous Metals Additions and Revisions and Amendment No. 3 to the Agreement with Steelcon, Inc. for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$19,667.93 for additional structural steel and miscellaneous metals work for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 3 in the amount of \$54,749.42 to Steelcon, Inc, subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- R. Consider Additional Funding for Additional Grading and Paving Services and Amendment No. 4 to the Agreement with Damar Construction, Inc. for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$9,784.74 for additional grading services for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 4 in the amount of \$9,784.74 to Damar Construction, Inc, subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- S. Consider Additional Funding for Electrical Additions and Revisions and Amendment No. 6 to the Agreement with Taft Electric Company for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$99,034.44 for electrical additions and revisions for the Ventura County Health Care Agency medical clinic, and installation of above-ceiling telecommunications conduit for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 6 in the amount of \$119,875.33 to Taft Electric Company, subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- T. Consider Additional Funding for Building Plumbing Additions and Revisions and Amendment No. 7 to the Agreement with John S. Bascom, Inc, dba Precision Plumbing-Mechanical for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$11,327.68 for building plumbing additions and revisions for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 7 in the amount of \$11,327.68 to John S. Bascom, Inc, dba Precision Plumbing-Mechanical, subject to final

language approval by the City Manager and City Attorney. ROLL CALL
VOTE REQUIRED

The following item was pulled for individual consideration.

- C. Consider Minutes of Regular Meeting of May 16, 2012. Staff
Recommendation: Approve the minutes.

Councilmember Mikos stated she had these minutes pulled to have editorial corrections made to the motion for agenda Item 10.E. and to bring the minutes back for approval on June 20, 2012.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to make editorial corrections to the minutes of May 16, 2012 and to bring them back for approval on June 20, 2012. . The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 8:24 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk