

MINUTES OF THE CITY COUNCIL

Moorpark, California

September 19, 2012

1. CALL TO ORDER:

Mayor Parvin called the meeting to order at 7:33 p.m.

2. PLEDGE OF ALLEGIANCE:

Kayla Bailey, Miss Ventura County, led the Pledge of Allegiance.

3. ROLL CALL:

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

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

CONSENSUS: It was the consensus of the Council to hear Item 9.A. prior to Item 7. on the agenda and to hear Item 4.A. immediately after Item 9.A. as there is a PowerPoint presentation.

4. PROCLAMATIONS AND COMMENDATIONS:

B. Proclamation Recognizing September as Library Card Sign-up Month.

Mayor Parvin presented proclamation to Youth Services Librarian, Meg Thackoorie, recognizing September as Library Card Sign-up Month.

C. Presentation of the Government Finance Officers Association Certificate and Award of Financial Reporting Achievement to the Finance Department in Recognition of the City of Moorpark's Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2011.

Mayor Parvin presented Ron Ahlers, Finance Director, with the Government Finance Officers Association Certificate and Award of Financial Reporting Achievement to the Finance Department in Recognition of the City of Moorpark's Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2011.

5. PUBLIC COMMENT:

Kayla Bailey, Miss Ventura County, spoke about her experiences participating in competition and the support and expert assistance she received from the Ventura/Santa Barbara Scholarship Association. She solicited support for this organization from the Moorpark community.

Louie Valdez, President of the Board of the Moorpark Foundation of the Arts, provided an update on the profitability of the organization, the diverse entertainment being offered, and the success of a recent fund raiser.

Bernardo Perez, Secretary of the Board of the Moorpark Foundation of the Arts reported on two new Board Members, David McGuire, Executive Vice-President of Telepictures Productions in Burbank; and Scott Medlock, Sports Artist from Scott Medlock Studios.

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

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

AT THIS POINT in the meeting Items 9.A. and 4.A. were heard.

9. A. PRESENTATION/ACTION/DISCUSSION:

Consider Presentation on Reducing the Overpopulation of Unwanted Pets Given by Lowell Novy, Doctor of Veterinary Medicine and Founder of Valley Veterinary Clinic Charitable Non-Profit Corporation.

Lowell Novy, DVM, gave a presentation on the free non-profit spay/neuter clinic located in Simi Valley and the need to inform more people of this service, which will help reduce the number of euthanized animals in Ventura County.

4. A. PROCLAMATION:

Proclamation Recognizing California State University Channel Islands upon the Occasion of their 10th Anniversary.

Dr. Rush, President of California State University Channel Islands (CSUCI) gave a PowerPoint presentation on the accomplishments, enrollment numbers, and campus improvements of 10-year old CSUCI.

Mayor Parvin presented Dr. Rush with a proclamation recognizing CSUCI upon the occasion of their 10th Anniversary.

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

Councilmember Millhouse acknowledged former Councilmember John Wozniak and his wife, Mary, as attendees in the audience.

Councilmember Pollock stated the Secretary of State has announced voters may now register on-line at www.sos.ca.gov up until October 22, 2012.

Councilmember Pollock discussed Measure "O" and the Argument in Favor of Measure "O" which the City Council has placed on the November 6, 2012, ballot.

Councilmember Pollock stated he represented the City of Moorpark as the voting delegate to the League of California Cities Conference held in San Diego on September 5, 2012.

Councilmember Pollock announced the City of Moorpark and Ventura County Health Care Agency are presenting a screening of a segment of the documentary "Weight of the Nation" on September 29th at Arroyo Vista Community Park.

Councilmember Mikos stated at 10:00 a.m. on September 29th the dedication of the Ruben Castro Human Services Center will take place.

Councilmember Mikos stated she had attended the 3rd annual Moorpark Foundation for the Arts event on September 6th.

Councilmember Mikos stated she attended the opening night of "Rex Bravo" at the High Street Arts Center.

Councilmember Mikos reported the Community Action of Ventura County, on which she serves on the Board, has recently hired Executive Director, Tim Hockett, a national community action leader.

Councilmember Van Dam thanked Captain Nelson and the Moorpark Police Department for a safe start on the first day of school.

Mayor Parvin attended the Commercial Brokers Breakfast sponsored by the Moorpark Chamber of Commerce and Wells Fargo Bank to promote available commercial space in Moorpark where Community Development Director, David Bobardt and Redevelopment Manager, David Moe gave presentations.

Moorpark Parvin stated at the Ventura Council of Governments (VCOG) meeting last week, VCOG voted to take on the role of Inter-agency Counsel on Homelessness to coordinate and evaluate the 10-Year Strategy to end homelessness as requested by the Ventura County Homeless and Housing Coalition and the 10-Year Strategy to End Homeless Working Group.

Mayor Parvin stated she met with the Ventura County Grand Jury on Monday, September 17, 2012 for the annual protocol visit.

Mayor Parvin stated she had attended the September 18, 2012 meeting of the Oversight Board to the Successor Agency of the Redevelopment Agency of the City of Moorpark.

Mayor Parvin announced a new event in Moorpark, the First Annual Moorpark Giving Day called the "The Big Splash" to be held Saturday, September 22nd.

Mayor Parvin announced September 29th is National Prescription Drug Take-Back Day. Moorpark residents may participate in this national event by bringing unwanted, expired, or unused medication to the Police Services Center.

8. PUBLIC HEARINGS:

- A. Consider a Resolution Approving Conditional Use Permit No. 2012-03 to Allow an Outdoor Recreational Vehicle Storage Facility at 4875 Spring Road on the Application of Banny Anderson (for Moorpark RV and Storage). Staff Recommendation: 1) Open the public hearing and accept public testimony; and 2) Continue the item with the public hearing open to October 17, 2012 with no further advertising.

Mr. Bobardt stated the applicant was unable to attend the meeting and has requested a continuance to October 17, 2012.

Mayor Parvin opened the public hearing.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to continue the open public hearing to October 17, 2012 with no further advertising. The motion carried by unanimous voice vote.

- B. Consider an Ordinance Approving Zoning Ordinance Amendment 2010-01 to Amend Chapter 17.08 (Definitions), 17.20 (Uses by Zone) to Address the Religious Land Use and Institutionalized Persons Act, and Add Section 17.28.060 Standards Relating to Emergency Shelters, and Single Room Occupancy Units to the Moorpark Municipal Code to Ensure Compliance with the Adopted Housing Element, and Consistency with Changes in Federal and State Law. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 415, approving Zoning Ordinance Amendment 2010-01, for first reading, waive full reading, and schedule second reading and adoption for October 3, 2012.

Mr. Vacca gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

Mr. Murphy read the title of Ordinance No. 415.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to waive full reading, declare Ordinance No. 415 read for the first time, and schedule second reading and adoption for October 3, 2012. The motion carried by unanimous voice vote.

9. B. PRESENTATION/ACTION/DISCUSSION:

Consider Providing Direction to City Staff on Applicant's Proposed Amendments to the Essex Portfolio, L.P. Unsigned Development Agreement. (continued from July 18, 2012) Staff Recommendation: Concur with staff recommendations in the July 18, 2012 agenda report.

Mr. Bobardt gave the staff report.

John Eudy, representing the developer, Essex Property Trust, 925 E. Meadow Drive, Palo Alto, California, stated they would comply with the conditions included in the agenda report and hope this project can move forward by the end of this year.

Wayne Colmer, owner of the property, representing Colmer Construction, 23679 Calabasas Road No. 333, Calabasas, California, stated he is grateful for the spirit of cooperation that has allowed this project to move forward.

John Newton, 5152 Commerce Avenue, Moorpark, land use consultant to Mr. Colmer and Essex Property Trust, stated this project has been under consideration since the year 2000 and it is now ready to proceed, which will bring much needed affordable housing stock to Moorpark along with generating jobs.

Scott Mosher, Chief Professional Officer of the Moorpark Boys and Girls Club, 200 Casey Road, Moorpark, spoke in support of the project and described Essex Property Trust as a partner in the community allowing the use of their property for the Boys and Girls Club in support of local youth.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion concurring with staff recommendations as contained in the July 18, 2012 agenda report.

- C. Consider Award of Contract for 2012 Sidewalk Reconstruction Project (Project 8001). Staff Recommendation: Award a construction contract to Toro Enterprises, Inc., and authorize the City Manager to execute the construction contract, subject to final language approval by the City Manager and City Attorney, in an amount not to exceed \$125,000.00 for the subject project.

Mr. Klotzle gave the staff report.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Mikos seconded a motion to award a construction contract to Toro Enterprises, Inc., and authorize the City Manager to execute the construction contract, subject to final language approval by the City Manager and City Attorney, in an amount not to exceed \$125,000.00 for the subject project. The motion carried by unanimous voice vote.

- D. Consider Agreement for Construction and Maintenance of the Railroad Crossing Improvements at Spring Road (Project 8039). Staff Recommendation: Authorize the City Manager to execute the Construction and Maintenance Agreement with Southern California Regional Rail Authority for the Railroad Crossing Improvements at Spring Road, subject to final language approval by the City Manager and the City Attorney.

Mr. Klotzle gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to authorize the City Manager to execute the Construction and Maintenance Agreement with Southern California Regional Rail Authority for the Railroad Crossing Improvements at Spring Road, subject to final language approval by the City Manager and the City Attorney. The motion carried by unanimous voice vote.

- E. Consider Agreement for Construction Management and Inspection Services for the Widening of Los Angeles Avenue between Maureen Lane and Leta Yancy Road (Project 8058). Staff Recommendation: Authorize the City Manager to award a consultant agreement for construction management, inspection and material testing services to KOA Corporation in an amount not to exceed \$105,116.38, subject to final language approval by the City Manager and City Attorney.

Mr. Klotzle gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to authorize the City Manager to award a consultant agreement for construction management, inspection and material testing services to KOA Corporation in an amount not to exceed \$105,116.38, subject to final language approval by the City Manager and City Attorney. The motion carried by unanimous voice vote.

- F. Consider Authorizing Two Years Additional Service Credit Retirement Incentive for One Position Pursuant to Government Code Section 20903 and Consistent with the City's Contract with California Public Employees' Retirement System (CalPERS). Staff Recommendation: Direct staff to schedule the adoption of a resolution for the October 3, 2012 regular meeting, to grant another designated period for two years additional service credit for the one identified position.

Ms. Traffenstedt gave the staff report.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to direct staff to schedule the adoption of a resolution for the October 3, 2012 regular meeting, to grant another designated period for two years additional service credit for the one identified position. The motion carried by unanimous voice vote.

- G. Consider Cancellation of November 21, 2012 Regular City Council Meeting. Staff Recommendation: Direct staff to post a notice of meeting cancellation for November 21, 2012.

Ms. Benson gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to direct staff to post a notice of meeting cancellation for November 21, 2012. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

CITY COUNCIL:

- A. Consider Minutes of Special Joint City Council/Library Board Meeting of May 9, 2012. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Special Meeting of July 18, 2012. Staff Recommendation: Approve the minutes.
- C. Consider Minutes of Regular Meeting of July 18, 2012. Staff Recommendation: Approve the minutes.
- D. Consider Warrant Register for Fiscal Year 2011/12 – September 19, 2012. Staff Recommendation: Approve the warrant register.
- E. Consider Warrant Register for Fiscal Year 2012/13 – September 19, 2012. Staff Recommendation: Approve the warrant register.
- F. Consider Resolution Authorizing the Destruction of City Records (Correspondence and Backup Data Related to Requests and/or Purchases for Goods and Services, Correspondence from Various Vendors Promoting Unsolicited Goods and Services, and Requests to be on City's Bid List; Owner Manuals for Equipment; Purchasing Files; Copies of Purchase Orders, Vendor/Supplier Information, Correspondence, and Backup Data) on File in the Administrative Services Department. Staff Recommendation: Adopt Resolution No. 2012-3127.
- G. Consider Report of Annual Development Agreement Review, Established in Connection with Canyon Crest Ranch Partners-Moorpark, LLC (Birdsall), Located on Approximately 42.4 Acres East of Walnut Canyon Road at Championship Drive (Tentative Tract Map 5437), on the Application of Canyon Crest Ranch Partners-Moorpark, LLC (Birdsall). Staff Recommendation: 1) Accept the Community Development Director's report and recommendation, on the basis of substantial evidence, that Canyon Crest Ranch Partners-Moorpark, LLC (Birdsall), has complied in good faith with the terms and conditions of the agreement; and 2) Deem the 2012 annual review process complete.
- H. Consider Report of 2012 Annual Development Agreement Review, Established in Connection with Planning Area No. 7 of the Moorpark Highlands Specific Plan No. 2, Tract No. 5860, Located at the Southeast Corner of Elk Run Loop and Ridgecrest Drive, on the Application of Pardee Homes. Staff Recommendation: 1) Accept the Community Development Director's report and recommendation, on the basis of substantial evidence, that Pardee Homes, has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete.

- I. Consider Professional Services Agreement to Prepare 2014-2021 Update to the City's Housing Element of the General Plan. Staff Recommendation: Authorize the City Manager to negotiate and execute a Professional Services Agreement with J. H. Douglas and Associates for the preparation of the 2014-2021 Housing Element update, subject to final language approval by the City Manager and City Attorney.
- J. Consider Resolution Amending Fiscal Year 2012/13 Budget to Increase Appropriations for Fiscal Year 2011/2012 Purchase Order Carry Over. Staff Recommendation: Adopt Resolution No. 2012-3128. ROLL CALL VOTE REQUIRED
- K. Consider Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on Amendments to Chapters 17.08 (Definitions), 17.20 (Uses by Zone), 17.32 (Off-Street Parking Requirements) and 17.44 (Application Review Procedures) of the Zoning Ordinance to Address Farmworker Housing, Reasonable Accommodation Procedures, and Residential Parking Requirements. Staff Recommendation: Adopt Resolution No. 2012-3129.
- L. Consider Resolution Amending the Fiscal Year 2012/13 Budget to Appropriate Funds for the Feasibility Study of a Second Access to Arroyo Vista Community Park (Project 8089) and Rescinding Resolution No. 2010-2957. Staff Recommendation: 1) Authorize the City Manager to sign an agreement with KOA Corporation for a feasibility study of the subject project at a cost not to exceed \$34,995.00, subject to final language approval by the City Manager and the City Attorney; and 2) Adopt Resolution No. 2012-3130, amending the FY 2012/13 Budget to fund the feasibility study for Project 8089 and rescind Resolution No. 2010-2957.
- M. Consider Request from the Rotary Club of Moorpark Morning to Use North Metrolink Parking Lot on High Street and Waive Rental Fees for a Beer and Food Tasting Event Scheduled for October 6, 2012, from 5:00 p.m. to 10:30 p.m. on High Street. Staff Recommendation: 1) Waive fees for use of north Metrolink parking lot; and 2) Require the Rotary Club of Moorpark Morning to provide the City with an indemnification agreement, and naming the City as additional insured in the insurance policy.
- N. Consider Authorizing Use of North Metrolink Parking Lot on High Street to Support the Annual Roam'N Relics Car Show on October 28, 2012, and Waive Rental Fee. Staff Recommendation: Approve use of north Metrolink parking lot and waiving of rental fee, and require Club to provide the City with an indemnification agreement, and name the City as additional insured in the insurance policy.

- O. Consider Approving a Request from Moorpark Chamber of Commerce to Use North Metrolink Parking Lot on High Street to Support the Country Days Parade and Street Fair on October 6, 2012, and Request for Waiving Rental Fees. Staff Recommendation: Approve the use of north Metrolink parking lot and waive rental fees, and require the Moorpark Chamber of Commerce to provide the City with an indemnification agreement, naming the City as additional insured in the insurance policy.

The following items were pulled for individual consideration.

- P. Consider Resolution Acknowledging the Successor Agency of the Redevelopment Agency of the City of Moorpark and the Successor Housing Agency of the Redevelopment Agency of the City of Moorpark as Separate Public Entities. Staff Recommendation: Adopt Resolution No. 2012-3131.

Ms. Traffenstedt stated a revised resolution is presented to acknowledge only the Successor Agency as a separate public agency at this time; and staff will agendize for Council consideration, revised City Council Rules of Procedure to incorporate a combined agenda format.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2012-3131, as amended to declare only the Successor Agency as a separate public entity. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 9:13 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk