

ITEM 10.C.

MINUTES OF THE MEETINGS OF THE MOORPARK CITY COUNCIL AND SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK ("SUCCESSOR AGENCY")

Moorpark, California

November 7, 2012

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on November 7, 2012, in the Council Chambers of said City located at 799 Moorpark Avenue, Moorpark, California. All items listed are heard and acted upon by the City Council unless otherwise noted.

1. CALL TO ORDER:

Mayor Parvin called the meeting to order at 7:20 p.m.

2. PLEDGE OF ALLEGIANCE:

Boy Scout Troop 3601 led the Pledge of Allegiance.

3. ROLL CALL:

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

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, Redevelopment Manager; Teri Davis, Senior Management Analyst; Captain Ron Nelson, Sheriff's Department; and Blanca Garza, Deputy City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Douglas Tapking, Executive Director of the Area Housing Authority, provided a review of the Charles Street Terrace apartment project.

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

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

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

CONSENSUS: It was the consensus of the Council to pull Items 10.J. and 10.R. from the Consent Calendar for individual consideration upon the request of Councilmember Millhouse.

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

Councilmember Pollock reported he attended his first Southern California Association of Governments' meeting on the Energy and Environment Committee as a representative of Ventura Council of Governments.

Councilmember Mikos reported she attended the regular Santa Monica Mountains Conservancy meeting.

Councilmember Mikos discussed recent election results and thanked the voters for re-electing her for another term.

Councilmember Millhouse reported the Port of Hueneme made a presentation at the last Ventura County Transportation Commission (VCOG) meeting. He stated the shipping of goods by truck will impact the City of Moorpark, but VCOG will continue to mitigate traffic impacts to alleviate the burden to residents of Moorpark.

Councilmember Millhouse congratulated Mayor Parvin, Councilmember Mikos and thanked the voters for their support and trust in re-electing him.

Councilmember Van Dam congratulated Mayor Parvin, Councilmember Mikos and Councilmember Millhouse on their re-election.

Councilmember Van Dam announced he attended the Glen Miller Orchestra performance at the High Street Arts Center on November 3rd and highly recommends seeing them if they return.

Mayor Parvin stated she attended the October 30, 2012 meeting of the Oversight Board to the Successor Agency of the Redevelopment Agency of the City of Moorpark.

Mayor Parvin reported she attended a meeting with the American Legion to discuss a program they are putting together called Wreaths Across America. She indicated additional information will follow as the project moves along.

Mayor Parvin announced she attended a Boys and Girls Club of Moorpark fundraiser.

Mayor Parvin announced the Civil War Reenactment at Tierra Rejada Ranch is scheduled for November 10th and 11th. She stated the proceeds from the event are put back into our community.

Mayor Parvin announced the Metrolink Holiday Express will arrive in Moorpark on Saturday, December 1st at 7:00 p.m. with over 50,000 twinkling lights and holiday decorations adorning a 650-ton Metrolink train that will bring Santa and Mrs. Claus on board. Also on site will be the Firefighters' Spark of Love Toy Drive collecting new, unwrapped toys.

Mayor Parvin announced empty sand bags and a supply of sand are available to the community at no cost to prepare for the upcoming rainy season. Residents are responsible to fill and transport the sand bags on their own. The sand bag supplies have been placed along the access road behind the Moorpark City Library located at 699 Moorpark Avenue just north of High Street, and at the end of College View Avenue south of Campus Park Drive; next to the Moorpark Dog Park. Residents may call the City Public Works Department at (805) 517-6362 with any questions about the sand bags.

Mayor Parvin announced an invitation to hear the bands at the "Band Jam" at 7:00 p.m. on Saturday, November 10th at the Moorpark Community Center. The event will have live performances by teen bands from all over Ventura County, including: March 4th, Colony Collapse, and Kismet.

Mayor Parvin thanked the voters for their support and congratulated Councilmember Mikos and Councilmember Millhouse.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to reorder Item 10.O. from the Consent Calendar, to be heard before Item 8.A. upon the request of staff. The motion carried by unanimous voice vote.

AT THIS POINT in the meeting Item 10.O. was heard.

10. CONSENT CALENDAR:

- O. Consider a One-Year Extension for Industrial Planned Development No. 2009-01 and Conditional Use Permit No. 2009-01 (Moorpark West Studios). Staff Recommendation: Direct the Community Development Director to issue a letter granting a one-year extension of Industrial Planned Development No. 2009-01 and Conditional Use Permit No. 2009-01 (Moorpark West Studios), to November 18, 2013.

Mayor Parvin pulled the Item to receive an update on the project.

Mr. Bobardt gave the requested update.

Valerie Draeger, Moorpark West Studios, also provided an update.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to direct the Community Development Director to issue a letter granting a one-year extension of Industrial Planned Development No. 2009-01 and Conditional Use Permit No. 2009-01 (Moorpark West Studios), to November 18, 2013. The motion carried by unanimous voice vote.

8. PUBLIC HEARINGS:

- A. Consider Ordinance Amending a Development Agreement with A-B Properties for Approximately 34.53 Acres, North of the Union Pacific Railroad Right-of-Way, West of Gabbert Road. (continued from October 3, 2012) Staff Recommendation: 1) Accept public testimony; and 2) Continue the item with the public hearing open to December 5, 2012, with no further advertising.

Mr. Bobardt stated A-B Properties has requested another continuance to December 5, 2012.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to continue the item with the public hearing open to December 5, 2012, with no further advertising. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Calendar Year 2013 Water Rate Analysis Being Considered by the Ventura County Board of Supervisors. Staff Recommendation: Direct staff as deemed appropriate.

Ms. Davis gave the staff report and introduced Eric Keller, Deputy Director of Operations and Anne Dana, Administrative Manager for Ventura County Water Works District I, as available for questions.

In response to Councilmember Pollock, Ms. Dana stated they would perform some research on the income received from the consumer and how much of their conservation effort impacts the Water District's income and will provide that information to the Council.

A discussion followed among the Councilmembers and staff regarding water usage data and the revenue to the water districts in order for Council to evaluate the net impact to Moorpark residents; and continuing to work with regional boards such as the Southern California Association of Governments on which the Council serves, to apply regional pressure at the state level.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to direct staff to receive and file the analysis; and to provide a mail box item to the Council on water usage data for Moorpark and related income to the water districts. The motion carried by unanimous voice vote.

- B. Consider Resolution Updating Staff Billing Rates, Deposits, and Fees for Development Processing by Reducing Deposits and Fees for Certain Permits and Rescinding Resolution No. 2011-3014. Staff Recommendation: Adopt Resolution No. 2012-3139, rescinding Resolution No. 2011-3014. ROLL CALL VOTE REQUIRED

Mr. Bobardt gave the staff report.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2012-3139 updating Staff Billing Rates, Deposit, and Fees for Development processing by reducing deposits and fees for certain permits; and rescinding Resolution No. 2011-3014. The motion carried by unanimous roll call vote.

- C. Consider Scheduling Interviews for Moorpark Arts, Parks and Recreation, and Planning Commission Applicants; and Consider Cancellation of the January 2, 2013, Regular Meeting. Staff Recommendation: 1) Schedule meeting dates for presentations from the applicants for the three commissions; and 2) Direct staff to post a notice of cancellation for the January 2, 2013, regular meeting.

Ms. Traffenstedt gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Millhouse seconded a motion to schedule meeting dates for presentations from the applicants for the three commissions for December 19, 2012, and January 16, 2013; and to direct staff to post a notice of cancellation for the January 2, 2013, regular meeting.

- D. Consider Termination of Agreement for City Attorney Services with Burke, Williams & Sorensen. Staff Recommendation: Approve termination of the Agreement for City Attorney Services with Burke, Williams and Sorensen effective November 30, 2012, and authorize the Mayor to send the required written notice.

Mr. Kueny gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to approve termination of the Agreement for City Attorney Services with Burke, Williams and Sorensen effective November 30, 2012, and authorize the Mayor to send the required written notice. The motion carried by unanimous voice vote.

- E. Consider Legal Services Agreement between the City of Moorpark and Richards, Watson & Gershon for the Provision of City Attorney Services. Staff Recommendation: Approve Legal Services Agreement between the City of Moorpark and Richards, Watson & Gershon, and authorize the Mayor to sign on behalf of the City.

Mr. Kueny gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to approve Legal Services Agreement between the City of Moorpark and Richards, Watson & Gershon, and authorize the Mayor to sign on behalf of the City. 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 with the exception of Items 10.J, 10.O, 10.P, and 10.R, which were pulled for individual consideration. The motion carried by unanimous roll call vote.

- A. Consider Warrant Register for Fiscal Year 2012/13 – November 7, 2012. Staff Recommendation: Approve the warrant register.
- B. Consider Additional Funding for Survey Services and Amendment No. 4 to Professional Services Agreement with Jensen Design and Survey for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$3,470.00 for re-staking services for the Ruben Castro Human Services Center, and authorize the City Manager to execute Amendment No. 4 in the amount of \$3,470.00 to Jensen Design and Survey, Inc., subject to final language approval of the City Manager and City Attorney.
- C. Consider Additional Funding for Construction Revisions and Additions and Amendment No. 8 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 \$34,427.94 for site improvements and additional paving

requests by the City of Moorpark and repairs for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 8 in the amount of \$34,427.94 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

- D. Consider Additional Funding for Cabinetry and Casework Revisions and Amendment No. 3 to Agreement with K&Z Cabinet Company for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$1,656.00 for cabinet and casework revisions for the Ventura County Health Care Agency medical clinic and the City of Moorpark for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 3 in the amount of \$1,656.00 to K&Z Cabinet Company, Inc., subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- E. Consider Additional Funding for Building Specialties Additions and Revisions and Amendment No. 3 to the Agreement with John Pence Building Specialties, Inc., for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$26,275.53 for signage additions and revisions for the Ventura County Health Care Agency medical clinic, and per the request of the Ventura County Fire Protection District and City of Moorpark for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 3 in the amount of \$26,275.53 to John Pence Building Specialties, Inc., subject to final language approval of the City Manager and City Attorney. ROLL CALL VOTE REQUIRED
- F. Consider Additional Funding for Electrical Additions and Revisions and Amendment No. 8 to the Agreement with Taft Electric Company for the Ruben Castro Human Services Center. Staff Recommendation: Approve additional funding in the amount of \$90,604.66 for electrical additions and revisions for the Ventura County Health Care Agency medical clinic, to the site, and per the request of the City of Moorpark for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 8 in the amount of \$90,604.66 to Taft Electric Company, subject to final language approval by the City Manager and the City Attorney. ROLL CALL VOTE REQUIRED
- G. Consider Memorandum of Understanding (MOU) with Service Employees International Union (SEIU) CTW, CLC, Local 721. Staff Recommendation: 1) Authorize approval of a new MOU for the time period from July 1, 2012, through June 30, 2013, and authorize the City Manager to sign the new MOU, subject to final language approval by the City Manager and City Attorney; and 2) Direct staff to schedule an amendment of the Personnel Rules as discussed in the agenda report.

- H. Consider Cooperative Agreement with the State Department of Health Services and Agencies Applying Pesticides for Public Health Purposes. Staff Recommendation: Approve the Cooperative Agreement and authorize the Mayor to execute the Agreement on behalf of the City.
- I. Consider Reducing Service Hours of Moorpark City Transit Fixed Route and Dial-A-Ride Services on Christmas Eve and New Year's Eve. Staff Recommendation: Approve reducing Moorpark City Transit's service hours from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 4:00 p.m. on Christmas Eve and New Year's Eve on an annual basis.
- K. Consider Resolution Authorizing the City's Fiscal Year 2012/13 Transportation Development Act Claim. Staff Recommendation: Adopt Resolution No. 2012-3140.
- L. Consider an Agreement with DNA Electric for Electrical Services at Various City Properties. Staff Recommendation: Award a contract to DNA Electric for electrical repair services at various City properties and authorize the City Manager to execute an Agreement at a cost of \$50,000 annually, with a total contract cost of \$150,000 over an optional three (3) year term, subject to final language approval by the City Manager and City Attorney.
- M. Consider an Agreement with Metro Landscape for Landscape and Construction Services at Various City Properties. Staff Recommendation: Award a contract to Metro Landscape for landscape and construction services at various City properties and authorize the City Manager to execute an Agreement at a cost of \$50,000 annually, with a total contract cost of \$150,000 over an optional three (3) year term, subject to final language approval by the City Manager and City Attorney.
- N. Consider Authorizing the City Manager to Execute a Fourteen (14) Month Agreement Amendment with Kelly Cleaning and Supplies, Inc. for Janitorial Services with Compensation Not to Exceed \$71,583. Staff Recommendation: Amend Kelly Cleaning and Supplies, Inc., Agreement to include janitorial services at the Ruben Castro Human Services Center, and authorize the City Manager to execute a fourteen (14) month term Amendment for \$71,583, subject to final language approval by the City Manager and City Attorney.
- Q. Consider Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on a Revised Development Agreement with Essex Portfolio, L.P. for Approximately 10.57 Acres South of Casey Road. Staff Recommendation: Adopt Resolution No. 2012-3141.

- S. Consider Canceling a Special City Council Meeting to Consider Library Development Options. Staff Recommendation: Cancel the November 28, 2012, Special Meeting.

- T. (SUCCESSOR HOUSING AGENCY) Consider Ratification of Development Fees for the Charles Street Terrace Affordable Housing Project. Staff Recommendation: Ratify staff's determination that the \$100,000.00 Park and \$100,000.00 Citywide Traffic fee amounts have been appropriately charged and collected for the Project

- U. (SUCCESSOR HOUSING AGENCY) Consider Authorization for Recordation of the Certificate of Completion for the Charles Street Terrace Project. Staff Recommendation: Authorize the City Clerk to file the Certificate of Completion.

The following items were pulled for individual consideration.

AT THIS POINT in the meeting, Councilmember Millhouse recused himself from discussion on Items 10.J. and 10.R. and left the dais. The time was 8:11 p.m.

CONSENSUS: It was the consensus of the Council to take Items 10.J. and 10.R. together.

- J. Consider Sponsorship of the 2012 Metrolink Holiday Toy Express. Staff Recommendation: Approve \$1,000.00 sponsorship for the 2012 Metrolink Holiday Toy Express.

- R. Consider Access Agreement with Ventura County Transportation Commission and Consider Access Agreement with Union Pacific Railroad Company to Provide Maintenance of the Railroad Crossing Improvements at Spring Road (Project 8039). Staff Recommendation: 1) Authorize the City Manager to execute an access agreement with the Ventura County Transportation Commission for maintenance of the Railroad Crossing Improvements at Spring Road relating to Project 8039, subject to final language approval by the City Manager and City Attorney; and 2) Authorize the City Manager to execute an access agreement with Union Pacific Railroad Company for maintenance of the Railroad Crossing Improvements at Spring Road relating to Project 8039, subject to final language approval by the City Manager and City Attorney

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to approve \$1,000.00 sponsorship for the 2012 Metrolink Holiday Toy Express for Item 10.J; and to: 1) Authorize the City Manager to execute an access agreement with the Ventura County Transportation Commission for maintenance of the Railroad Crossing Improvements at Spring Road relating to Project 8039, subject to final language approval by the City Manager and City Attorney; and 2) Authorize the City Manager to execute an

access agreement with Union Pacific Railroad Company for maintenance of the Railroad Crossing Improvements at Spring Road relating to Project 8039, subject to final language approval by the City Manager and City Attorney for Item 10.R. The motion carried by unanimous voice vote

AT THIS POINT in the meeting, Councilmember Millhouse returned to the dais. The time was 8:12 p.m.

- P. Consider Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on an Amendment to Chapter 17.40 (Sign Regulations) of the Zoning Ordinance. Staff Recommendation: Adopt Resolution No. 2012-3142.

Councilmember Mikos stated she pulled this item to have the Sign Ordinance examined, or for staff to follow-up as needed, with regard to ensuring the rules do not prohibit a tenant of the City, Successor Agency, or other public entity for which the City Council acts as governing board, from being allowed to put up political signs, unless prohibited by law.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2012-3142. The motion carried by unanimous voice vote

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of Item 12.C. on the agenda.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to adjourn to closed session for a discussion of Item 12.C. on the agenda. The motion carried by unanimous voice vote. The time was 8:15 p.m.

- 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; Hugh Riley, Assistant City Manager; and Deborah Traffenstedt, Deputy City Manager.

The Council reconvened into open session at 8:28 p.m. Mr. Kueny stated Item 12.C. was discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:28 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk