

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

January 16, 2013

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on January 16, 2013, 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 7:21 p.m.

2. PLEDGE OF ALLEGIANCE:

Harvey Plaks, a Moorpark resident and member of Volunteers in Policing, led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Kevin Ennis, City Attorney; 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; Captain Ron Nelson, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Recognition of Captain Ron Nelson of the Moorpark Police Department.

Mayor Parvin presented Captain Ron Nelson with the City's plaque in recognition of his service to the City of Moorpark.

5. PUBLIC COMMENT:

Harvey Plaks, as a member of Volunteers in Policing spoke in regard to Captain Nelson's high caliber of service to the community of Moorpark.

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 Van Dam reported he and Captain Nelson has attended a safety meeting of the Moorpark Unified School District (MUSD) held at Walnut Canyon School with 125-150 in attendance to discuss safety in Moorpark schools. He also spoke about the decision made last year by the MUSD not to a share of the funding for the High School Resources Officer (HSRO) whose hours on campus have been reduced. Councilmember Van Dam requested a future agenda item to discuss financing options such as a parcel tax.

Councilmember Millhouse recommended, as members of the City/MUSD Facilities, Programs and Advance Planning Ad Hoc Committee, that he and Councilmember Van Dam meet with MUSD to discuss the funding for the HSRO and then report back to Council.

Councilmember Mikos announced the annual meeting of the Economic Collaborative Committee of Ventura County will be held in the evening on January 16 at the Spanish Hills Golf Course where the main speaker will discuss health care costs to businesses.

Mayor Parvin announced the City will host a free electronic waste collection and secure paper shredding event on Saturday, January 19th, from 9 a.m. to 2 p.m. at the Moorpark Public Services Facility located at 627 Fitch Avenue – behind the Police Services Building.

Mayor Parvin announced the City of Moorpark, Moorpark Chamber of Commerce, Visit California, and participating Moorpark restaurants, are proud to present the first annual “Moorpark Restaurant Week” from January 21-27.

Mayor Parvin announced the Ventura County Transportation Commission is currently accepting comments up until February 11, 2013, on potential unmet transit needs. There will be a public meeting at the Moorpark Civic Center on Wednesday, January 23rd from 6:30-7:30 p.m. with extended Dial-A-Ride service hours are available for Senior and ADA participants interested in attending the meeting.

Mayor Parvin announced the Moorpark Chamber of Commerce Annual Installation and Awards Dinner will be held on January 26 at the Moorpark Country Club.

8. PUBLIC HEARINGS:

- A. Consider 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. (continued from December 5, 2012) Staff Recommendation: 1) Continue to accept public testimony; and 2) Continue the item with the public hearing open to February 20, 2013, with no further advertising.

Mr. Bobardt stated that the applicant has asked that the hearing be continued to February 20, 2013.

Mayor Parvin announced the public hearing remains open.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Millhouse seconded a motion to continue the item with the public hearing open to February 20, 2013, with no further advertising. The motion carried by unanimous voice vote.

- B. Consider Resolution Approving Commercial Planned Development No. 2012-01, a Request to Construct a 77,834 Square-Foot, Two-Story Medical Office Building on a 4.0 Acre Parcel at 635 Los Angeles Avenue, on the Application of Mark Armbruster for Grand Moorpark, LLC. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2013-3152, approving Commercial Planned Development No. 2012-01, subject to Conditions of Approval.

Mr. Bobardt gave the staff report.

Mayor Parvin opened the public hearing.

Mark Armbruster, representing Grand Moorpark, LLC, 12400 Ventura Boulevard, Suite 470, Studio City, California, stated they concur that the access easement is part of the requirement for the development to proceed.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Mikos moved and Councilmember Parvin seconded a motion to adopt Resolution No. 2013-3152, approving Commercial Planned Development No. 2012-01, subject to Conditions of Approval. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Options for the Moorpark Arts Commission. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Kueny gave the staff report.

Mary Schwaubauer, Moorpark Arts Commissioner, spoke in support of continuing the commission as it now stands.

Jean Amador, Moorpark Arts Commissioner, spoke in support of continuing the commission as it is now.

A discussion among the Councilmembers and staff focused on: 1) The High Street Arts Center is no longer the focus of the commission; 2) The Moorpark Municipal Code needs to be revised to update the commission's function; 3) Staffing constraints in preparing agenda items; 4) Funding for the arts is available; 5) Explore funding the commission from the Public Art Fund; and 6) Desire to keep the commission as a separate entity.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to maintain the status quo of the Moorpark Arts Commission with revisions to the Moorpark Municipal Code to reflect changes due to the leasing of the High Street Arts Center. The motion carried by unanimous voice vote.

Mr. Kueny stated funding for compensation to the Moorpark Arts Commissioners will be discussed during the 2013/14 budget process.

- B. Consider Presentations from Applicants for Moorpark Arts Commission, Parks and Recreation Commission and Planning Commission and Appointments to the Moorpark Arts Commission, Parks and Recreation Commission, and Planning Commission. Staff Recommendation: Based upon presentations from the December 19, 2012, and January 16, 2013, meetings, appoint five (5) Commissioners each, to serve on the Moorpark Arts Commission, Parks and Recreation Commission, and Planning Commission for two-year terms expiring in December 2014.

Ms. Benson stated George Estrella, applicant for the Parks and Recreation Commission, withdrew his application from consideration on January 16, 2013.

The Council heard presentations from the following applicant for the Planning Commission:

Kipp Landis

The Council heard presentations from the following applicants for the Moorpark Arts Commission:

Lisa Leal Alvarado

Jean Amador
Chrisanne Eastwood
Rose Hoberg

The Council heard presentations from the following applicants for the Parks and Recreation Commission:

Thomas Pflaumer
Sandra Thompson
Adam Haverstock
Ron McFaden
John Wozniak
Tom Ristau
Tina Brown
Robert Babcock
Julie Weisberger

CONSENSUS: It was the consensus of the Council to waive rules and allow the Mayor to nominate the Planning Commission in one motion.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Mark DiCecco, Diana Gould, Daniel Groff, Bruce Hamous, and Kipp Landis to serve on the Planning Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Mary Schwabauer to serve on the Moorpark Arts Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Pollock seconded the nomination of Jean Amador to serve on the Moorpark Arts Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Pollock seconded the nomination of Charles Blaugrund to serve on the Moorpark Arts Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Rose Hoberg to serve on the Moorpark Arts Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Chrisanne Eastwood to serve on the Moorpark Arts Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Sandra Thompson to serve on the Parks and Recreation Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Adam Haverstock to serve on the Parks and Recreation Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Pollock seconded the nomination of Thomas Pflaumer to serve on the Parks and Recreation Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Tina Brown to serve on the Parks and Recreation Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Robert Babcock to serve on the Parks and Recreation Commission for a two-year term expiring in December 2014. The motion carried by unanimous voice vote.

- C. Consider Ordinance Replacing in its Entirety Section 5.08.020, Exempt Organizations, Activities, Persons; of Chapter 5.08, Business Registration Permit; of Title 5, Business Taxes, Licenses and Regulations; of the Moorpark Municipal Code; and Consider Resolution Adopting a Revised Fee Schedule for Services Rendered Pursuant to the Moorpark Municipal Code Relating to Business Registration Fees and Rescinding Resolution No. 2011-2994. Staff Recommendation: 1) Introduce Ordinance No. 417 for first reading, waive full reading, and schedule second reading and adoption for February 6, 2013; and 2) Adopt Resolution No. 2013-3153.
ROLL CALL VOTE REQUIRED

Mr. Bobardt gave the staff report and provided amendments to Exhibit A.

Section 5.08.020 B.3. changed in its entirety to read: "Independent city contractors. Independent city contractors providing any work or

service exclusively to the city and not to any person, business, or entity located in the city.”

Section 5.08.010 B 8. modified to read: “Businesses engaged in providing professional design work, including but not limited to architecture or landscape architecture services, provided such work does not involve on-site work within the city.

There were no speakers.

Mr. Ennis read the title of Ordinance No. 417.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to waive further reading, declare Ordinance No. 417, as amended, read for the first time, and schedule second reading and adoption for February 6, 2013. The motion carried by unanimous roll call vote.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2013-3153, adopting a revised fee schedule for services rendered pursuant to the Moorpark Municipal Code relating to Business Registration Fees and rescinding Resolution No. 2011-1994. The motion carried by unanimous roll call vote.

D. Consider Potential City Welcome Sign on State Route-23 at Los Angeles Avenue. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Bobardt gave the staff report.

Councilmember Mikos reported she and Councilmember Pollock serving on the Community and Economic Development committee could not come up with a unified recommendation for this signage.

A discussion followed among the Councilmembers and staff focused on:
1) Recognition of economic development potential of the sign; 2) Concern regarding the conceptual design; 3) Not wanting to set a precedence for signage along State Route 23 corridor; 4) Consider siting the cell tower within an architectural structure rather than signage; 5) City retains control of cell tower sites if coverage can be obtained elsewhere; and 6) Desire to explore more options.

There were no speakers.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion not to proceed with the City Welcome Sign on State Route-23 at Los Angeles Avenue. The motion carried by voice vote 3-2, Councilmembers Pollock and Van Dam dissenting.

- E. Consider Providing Comments on Possible Unmet Transit Needs to the Ventura County Transportation Commission (VCTC) and Receive Report on Unmet Transit Needs, Findings, and Goals. Staff Recommendation: Provide comments and direct staff to forward them to VCTC, prior to the end of the public comment period.

Mr. Klotzle gave the staff report.

Councilmember Mikos suggested VCTC work with large employers and especially the community colleges in Moorpark and Oxnard to find ways to increase transit ridership by gathering data from these entities to facilitate communicating directly with these potential riders.

A discussion followed among the Council and staff concerning: 1) Staff to provide a Box Item communication to Council to confirm existence of an Americans with Disabilities Act (ADA) transfer point in Camarillo and whether the VCTC Countywide Human Services Transportation and Transit Services Coordination Study relates to Moorpark; and 2) Acknowledgment that Ventura County is the only county without a tax for transit.

CONSENSUS: It was the consensus of the Council to direct staff to forward to VCTC before the end of the public comment period on February 11, 2013, their comments regarding contacting large local employers and local colleges to gather data to facilitate targeted communications to increase transit ridership.

- F. Consider Plans and Specifications and Authorization to Advertise for Construction Bids for the Widening of Los Angeles Avenue Between Maureen Lane and Leta Yancy Road (Project 8058). 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 Mayor Parvin seconded a motion to approve the plans and specifications for the widening of Los Angeles Avenue between Maureen Lane and Leta Yancy Road (Project 8058) and authorize staff to advertise for construction bids. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to approve the Consent Calendar. The motion carried by unanimous roll call vote.

- A. Consider Warrant Register for Fiscal Year 2012/13 – January 16, 2013.
Staff Recommendation: Approve the warrant register.
- B. Consider Resolution Authorizing the City's Participation in the Re-Designation of the Ventura County Recycling Market Development Zone.
Staff Recommendation: Adopt Resolution No. 2013-3154.
- C. Consider Notice of Completion for the 2012 Sidewalk Reconstruction Project (Project 8001) and Authorization for Release of Project Bonds in Accordance with Contract Provisions. Staff Recommendation: Authorize the City Clerk to file the Notice of Completion for the project, and authorize the release of the project bonds as outlined in the agenda report.
- D. Consider Resolution Amending the Fiscal Year 2012/2013 Budget and Authorizing the Transfer of Gas Tax and General Funds to Cover Fiscal Year 2011/2012 Year-End Deficits in Certain Funds for the City's Landscaping and Lighting Assessment Districts. Staff Recommendation: Adopt Resolution No. 2013-3155. ROLL CALL VOTE REQUIRED
- E. Consider Resolutions to Initiate Proceedings Related to Citywide Landscape and Lighting Maintenance Assessment District and the Parks and Recreation Maintenance Improvement District for Fiscal Year 2013/2014. Staff Recommendation: Adopt Resolution Nos. 2013-3156 and 2013-3157. ROLL CALL VOTE REQUIRED
- F. Consider Regular Meeting Schedule for City Council Standing Committees for Calendar Year 2013. Staff Recommendation: Approve regular meeting schedule for Standing Committees for 2013.
- G. Consider Revised Management Benefits Resolution Staff Recommendation: Adopt Resolution No. 2013-3158 rescinding Resolution No. 2010-2987.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 416 Terminating Development Agreement No. 1998-04 Adopted by Ordinance No. 250 and Adopting Development Agreement No. 2012-01 by and between the City of Moorpark and A-B Properties for Approximately 34.53 Acres, North of the Union Pacific

Railroad Right-of-Way, West of Gabbert Road. Staff Recommendation: Waive full reading, declare Ordinance No. 416 read for the second time, and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Ennis read the title of Ordinance No. 416.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to waive full reading, declare Ordinance No. 416 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. and 12.E. on the agenda.

Mr. Ennis announced under Government Code Section 54956.9 (b)(3)(B) that the facts and circumstances for discussion of the one case under Item 12.A. involve payment of redevelopment pass through payments to the Moorpark Unified School District.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adjourn to closed session for a discussion of one case under Item 12.A. and Item 12.E. on the agenda. The motion carried by unanimous voice vote. The time was 10:17 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)
- 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; Kevin Ennis, City Attorney (left the meeting at 10:52 p.m.); Deborah Traffenstedt, Deputy City Manager; and Ron Ahlers, Finance Director.

The Council reconvened into open session at 10:58 p.m. Mr. Kueny stated one case under Item 12.A. and Item 12.E. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 10:58 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk