

## **ITEM 10.B.**

### 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

May 15, 2013

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on May 15, 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 7:28 p.m.

2. PLEDGE OF ALLEGIANCE:

Scott Mosher, Chief Professional Officer of the Moorpark Boys and Girls Club, led the Pledge of Allegiance.

3. ROLL CALL:

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

Absent: Councilmember Millhouse.

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; Joseph Fiss, Principal Planner; Captain Wade, Sheriff's Department; Dylan Gunning, Recreation Coordinator; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Recognition of Outgoing Teen Council Members.

Mayor Parvin and Dylan Gunning, Recreation Coordinator, presented certificates of recognition to outgoing Teen Council members Danielle, Bautista, Courtney Beaulieu, Ryan Bermont, Shawn Fenerin, Natalie Garcia, Robert Nguyen, Olivia Ordin, Trevor Sherman, and Olivia Sichmeller.

5. PUBLIC COMMENT:

Gary Mussell, a resident of Villa del Arroyo Mobile Home Park, requested: 1) An update on the status of the City's appeal of the high intensity lights at the golf driving range on Tierra Rejada Road at State Route 23; 2) Restriping of faded lines on roadway in front of Villa del Arroyo Mobile Home Park, and also the faded striping on the Collins Drive Bridge; and 3) Including veterans returning from the Iraq and Afghanistan Wars in the Country Days Parade, which could be extended to turn the corner on High Street and end at the Veterans Memorial on Spring Road.

Mayor Parvin stated Mr. Mussel should leave his contact information with staff so they can update him on the status of the golf driving range lighting; and that the City Engineer/Public Works Director will look into the roadway striping. She stated the Council and staff will discuss his recommendation regarding honoring the returning war veterans at the budget workshop to be scheduled later in this meeting.

Elmer Silfies, Sr., a Moorpark resident, requested the Council reconsider installing a secondary access to Arroyo Vista Community Park at Mesa Verde Drive due to concerns regarding increased traffic, decreased street parking for residents, and safety issues.

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

CONSENSUS: It was the consensus of the Council to remove Item 10.D. from the Consent Calendar, upon the request of staff.

In response to Councilmember Mikos, Mr. Kueny stated the typographical error in the resolution title for Item 10.Q. would be corrected.

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

Councilmember Pollock reported on having attended the annual Southern California Association of Governments Conference on May 5 and 6, as the City's delegate.

Councilmember Van Dam announced Moorpark's Post 502 of the American Legion will be hosting a Memorial Day Ceremony at Spring Road and Flynn Avenue at the Veteran's Memorial on Monday, May 27th.

Councilmember Van Dam reported that the Moorpark Kiwanis Club transported eight tons of food to the Food Pantry, which was collected by United States

Postal workers from Moorpark residents placing food donations at their mail boxes.

Mayor Parvin announced the following free programs for teens at the Moorpark City Library: Teen Book to Movie Group, Teen Volunteer Training Meetings, Summer Reading Club, "Weird Eats", Wii Games, and Bingo Games.

Mayor Parvin announced Summer Camp Moorpark at Arroyo Vista Recreation Center begins June 13 and runs through August 20.

Mayor Parvin announced the 3rd of July Fireworks Extravaganza will once again take place at Arroyo Vista Community Park.

Mayor Parvin announced Assistant City Manager, Hugh Riley was honored as Public Servant of the Year by the Moorpark Chamber of Commerce at their 10th Annual Moorpark Community Awards luncheon on May 1st at the Moorpark County Club. She reported Mr. Riley had also shared the Moorpark Mammoth story with Peach Hill Elementary School students.

8. PUBLIC HEARINGS:

- A. Consider Resolution Approving Commercial Planned Development (CPD) Permit No. 2012-02 and Conditional Use Permit (CUP) No. 2012-07 for a 21,644 Square-Foot Church on a 2.78 Acre Lot at 13960 Peach Hill Road, on the Application of Hollee L. King, AICP/SitesPacific, Inc. for the Kim Clement Center. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2013-3180, approving CPD Permit No. 2012-02 and CUP No. 2012-07 with Conditions of Approval.

Mr. Fiss gave the staff report.

Mayor Parvin opened the public hearing.

Hollee L. King, AICP, from SitesPacific, Inc, 1617 Carnation Avenue, Ventura, California, provided the history of the project and stated the applicant is in concurrence with the conditions of approval.

David Van Hoy, architect for the project, 2860 Baseline Avenue, Santa Ynez, California, the project is a "Green" site, contains design features for dealing with water run-off, and satisfies the requirements of the Carlsberg Specific Plan.

Mayor Parvin closed the public hearing.

MOTION: Mayor Parvin moved and Councilmember Mikos seconded the motion to adopt Resolution No. 2013-3180, approving Commercial Planned Development (CPD) Permit No. 2012-02 and Conditional Use Permit (CUP) No. 2012-07 for a 21,644 square-foot church on a 2.78 acre lot at 13960 Peach Hill Road, on the application of Hollee L. King, AICP/Sites Pacific, Inc. for the Kim Clement Center. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- B. Consider Resolution Authorizing the Acceptance of General Plan Amendment Application for Review Consistent with General Plan Amendment Pre-Screening No. 2012-01 to Change the Land Use Designation on 49.52 Acres North of Casey Road and West of Walnut Canyon Road from Rural Low (RL) to Very High (VH) Density Residential Planned Development (RPD) on the Application of 1 Moorpark, LLC (c/o Ernie Mansi) to Allow Development of a Proposed 390-unit Senior Continuing Care Retirement Community. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2013-3181, authorizing the acceptance of a General Plan Amendment application for review.

Mr. Fiss gave the staff report and corrected stamped page 29 of the agenda report to delete the mention of "Specific Plan" from the first paragraph.

Mayor Parvin opened the public hearing.

Ernie Mansi of Aldersgate of Investment, 300 E. Esplanade Drive #1550, Oxnard, California, representing the applicant, described the project as a quality facility for the aging in Moorpark.

Susan Delgado, a Moorpark resident adjacent to the project site, spoke in opposition to development in this location due to increased traffic, past history of water drainage problems in this area, the loss of rural atmosphere, disruption to wildlife, and loss of skyline view from her home.

Ricky Delgado, a Moorpark resident adjacent to the project site, spoke in opposition to the project as it would double the current density allowed, and increase traffic on Casey Road. He stated if it is approved, the roadway should be planned to run through the Meridian Hills project, not down Casey Road.

James Scott, a potential Moorpark resident looking to purchase property near the project site, stated this project has merit, but expressed concerns about access to the project and its incompatibility with the adjacent Rural-Exclusive/5-acre properties, which are mainly agricultural and equestrian in nature.

In response to the public's concerns, Bruce Sanders, Project Manager, stated this is a conceptual design and the number of homes has yet to be determined; there is an assisted living component whose residents will not be generating vehicular traffic; and the process, if approved, will include a formal traffic study and meetings with the neighbors will be scheduled to discuss their concerns.

In response to the public's concerns, Jim Fall of South Coast Engineering Group stated they will be addressing drainage on the site and traffic flow. He stated a public trail system that winds through the project and the grading on the east side of the project will leave the existing hill as a buffer between the project and the existing adjacent homes.

In response to Council concerns, Mr. Mansi stated: 1) 3-bedroom units may end up being down-sized, 2) Location of a guest bathroom outside of bedrooms will be taken into consideration; 3) Meetings will be held with existing homeowners to discuss the project; and 4) The project is in the conceptual stage, and they are seeking approval to submit the applications.

Mayor Parvin closed the public hearing.

Councilmember Mikos, a member of the Mansi Ad Hoc Committee, stated the committee had recommended the applicant be allowed to submit the applications and had suggested a 3-D map be presented by the applicant when this project is ready for the public and the Council to visualize. She stated there is a need for this type of senior project in Moorpark.

**MOTION:** Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2013-3181, authorizing the acceptance of a General Plan Amendment Application for review consistent with General Plan Amendment Pre-Screening No. 2012-01 to change the land use designation on 49.52 acres north of Casey Road and west of Walnut Canyon Road from Rural Low (RL) to Very High (VH) Density Residential Planned Development (RPD) on the application of 1 Moorpark, LLC (c/o Ernie Mansi) to allow development of a proposed 390-unit Senior Continuing Care Retirement Community and that a development agreement be required. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider Resolution Approving Tentative Tract Map No. 5906, a Re-Subdivision of Tract No. 5147 for 17 Industrial Lots on 34.70 Acres, Located 1300 Feet West of Gabbert Road, North of the Union Pacific Railroad Right-of-Way, on the Application of A-B Properties. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2013-3182,

approving Tentative Tract Map No. 5906, subject to Conditions of Approval.

Mr. Fiss gave the staff report.

Mayor Parvin opened the public hearing.

John Newton, representing A-B Properties, 505 East Thousand Oaks Boulevard, Thousand Oaks, California, provided copies of a letter from the applicant's attorney regarding the formation of a Landscape Maintenance Association District and the establishment of a Property Owners Association. He also provided copies of City Council Resolution No. 2009-2799, approving the "Standard Conditions of Approval for Entitlement Projects", which was adopted after the first Tract Map for this project was recorded in 2007. Mr. Newton described the history of the project and its complications due to a lawsuit with Southern California Edison.

Mr. Newton identified the following conditions as problematic to recording the new map within the next 30 days:

1) Special Condition No. 7. on stamped page 81 of the agenda report is a mirror image of Development Agreement Section 6.14 on stamped page 49 of the agenda report, which should identify the access as a "private easement with access to the public" not as a "public street" to dedicated to the City.

2) Special Condition No. 11. on stamped page 82 of the agenda report is a mirror image of Development Agreement Section 6.22 on stamped page 52 of the agenda report is incorrect as there is no ability to form the funding mechanism prior to recordation of the final map. A possible solution would be to be to transfer the current bonds, which are to be relieved, for the underpass to be reassigned for this requirement.

3) Special Condition No. 24. on stamped page 84 of the agenda report is a new condition added since the Planning Commission's approval on February 26, 2013, requiring the applicant to set up a Landscape Maintenance Assessment District (LMD), which cannot be accomplished prior to recordation of the map within 30 days. Mr. Newton referenced the letter from the applicant's attorney recommending the use of the Property Owners Association with the future owners of the industrial development to fund the LMD;

4) Special Condition No. 25. on stamped page 85 of the agenda report requires formation of a Property Owner Association prior to recordation of the map is redundant as this was already accomplished by recordation of CC&Rs with the first map; and

5) Resolution No. 2009-2799 imposing 217 Standard Conditions of Approval as adopted in 2009 should not apply to this project as conditions

for approval were adopted in 2007 and with recordation of the map in 2007, there was compliance with the conditions.

In response to Mr. Newton's comments, Mr. Kueny stated:

1) Language would be added to the first paragraph on stamped page 80 of the agenda report for the Standard Conditions that the final determination of their applicability would be as determined by the City Manager;

2) Language for Special Condition No. 7. on stamped page 81 cannot be changed as it is contained in the Development Agreement in identical language; however, staff does concur that dedicated public access means open to the public;

3) Special Condition No. 11. on stamped page 82 of the agenda report would require that the City agree to an estimate provided for a new bonding amount for the riders that have been delivered to the City for reassignment of the existing bonds to this new requirement;

4) Language to Special Condition No. 24 on stamped page 84 of the agenda report would be modified such that prior to the issuance of the first building permit for the property, a Landscape Maintenance District shall be formed for maintenance of any parkway and slope landscaping adjacent to North Hills Parkway; and the applicable period for items a, b, and c, would be completed within 120 days;

5) Language to Special Condition No. 25 on stamped page 85 subject to the City Attorney's approval, would be added to clarify and to ensure that in the event that any or all of the first seven (7) lots are sold and controlled by another entity that the following additional wording be added to protect the City in event a Landscape Maintenance District is not formed, "In addition, developer (Property Owner Association when it is legally a successor to developer) shall submit an annual payment to the City for the purposes of management maintenance of the parkway and slope landscaping areas adjacent to North Hills Parkway. The initial annual payment shall be \$70,000. The initial annual payment shall not be required until prior to the issuance of a building permit for any portion of the property that exceeds 40% of the acreage of the total of all developable lots." And the typical cost of living language would be added such that the \$70,000 shall be adjusted annually upon the anniversary of the first payment; and then CPI factors would be noted as typically used. And in the event an LMD is formed and in place prior to the date the initial payment is due, then this provision shall be null and void.

Mr. Newton stated the applicant concurs with these changes, which will allow them to move forward with recording the map.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Pollock moved and Mayor Parvin seconded a motion to adopt Resolution No. 2013-3182, approving Tentative Tract Map No. 5906, a re-subdivision of Tract No. 5147 for 17 industrial lots on 34.70 acres, located 1300 feet west of Gabbert Road, north of the Union Pacific Railroad right-of-way, on the application of A-B Properties, subject to changes as specified, to the Special Conditions, and subject to final determination by the City Manager of applicable Standard Conditions of Approval. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- D. Consider Ordinance Approving Zoning Ordinance Amendment No. 2013-01: Replacing in its Entirety Section 17.28.020(B), Home Occupations and Garage Sales; of Title 17, Zoning; of the Moorpark Municipal Code. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 418 for first reading, waive full reading, and schedule second reading and adoption for June 5, 2013.

Mr. Fiss gave the staff report and corrected the date in the second recital of the ordinance on stamped page 88 to be May 5, 2013 not May 1, 2013.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

Mr. Ennis read the title of Ordinance No. 418.

MOTION: Councilmember Van Dam moved and Councilmember Pollock seconded a motion to introduce Ordinance No. 418 for first reading, as amended on stamped page 88, waive full reading, and schedule second reading and adoption for June 5, 2013. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Presentations from Applicants to the Library Board. Staff Recommendation: Hear presentations from applicants and defer appointments to fill vacancies for two (2) board members for the remaining term expiring in June 2014 and two (2) board members for a term expiring in June 2016, until the June 5, 2013, meeting after the remainder of the applicants have made their presentations.

Mayor Parvin called the Library Board applicants to give their presentations in the order their names were drawn by the City Clerk prior to the start of the meeting.

The Council listened to presentations of the Library Board applicants in the following order:

Robert Perez  
Valerie Krone  
Anne Dickson

CONSENSUS: It was the consensus of the Council to defer appointments to the Library Board until the June 5, 2013, regular meeting, following the remaining Library Board applicant presentations.

- B. Consider Request of Councilmember Millhouse to Conduct a Public Hearing on General Plan Amendment Pre-Screening Application No. 2012-02 (Coastline RE Holdings Moorpark) without Review by the City Council Community and Economic Development Committee. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Bobardt requested this item be continued to the meeting of June 19, 2013.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Pollock seconded a motion to continue this item to the regular meeting of June 19, 2013. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider Resolution Approving the Preliminary Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2013/2014 and Providing Notice of Public Hearing on June 5, 2013. Staff Recommendation: Adopt Resolution No. 2013-3183.

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to adopt Resolution No. 2013-3183, approving the Preliminary Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2013/2014 and providing notice of public hearing on June 5, 2013. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- D. Consider Resolution Approving the Preliminary Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2013/2014 and Providing Notice of

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Public Hearing on June 5, 2013. Staff Recommendation: Adopt Resolution No. 2013-3184.

Mr. Ahlers gave the staff report.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2013-3184, approving the Preliminary Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year and providing notice of public hearing on June 5, 2013. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- E. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2013/2014 Staff Recommendation: Approve Mission Statement, Priorities, Goals and Objectives for FY 2013/2014 and determine which, if any, objectives are to be referred to a Standing Committee.

Mr. Kueny gave the staff report.

There were no speakers.

Councilmember Pollock requested a future agenda item to discuss campaign contribution limits, rather than adding this subject as a Potential Objective.

MOTION: Councilmember Van Dam moved and Mayor Parvin seconded a motion to approve the Mission Statement, Priorities, Goals and Objectives for FY 2013/2014. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- F. Consider Proposed Operating and Capital Improvement Budget for the Fiscal Year 2013/2014. Staff Recommendation: Receive the budget and set a workshop at 6:00 p.m. for Wednesday, May 29, 2013.

Mr. Kueny gave the staff report and stated the proposed budget would be delivered to Council on either Monday, May 20 or Tuesday, May 21.

There were no speakers.

CONSENSUS: It was the consensus of the Council to receive the budget and set a workshop at 6:00 p.m. for Wednesday, May 29, 2013.

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.D, which was removed from the Consent Calendar. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- A. Consider Minutes of Special City Council Meeting of March 20, 2013. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular City Council/Successor Agency Meeting of April 17, 2013. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2012/2013 – May 15, 2013. Staff Recommendation: Approve the warrant register.
- E. Consider Authorization for Recordation of a Notice of Completion for City of Moorpark Contract #2011-073; Bid Package #06 – Structural Steel and Miscellaneous Metals – Steelcon, Incorporated for the Ruben Castro Human Services Center. Staff Recommendation: Authorize the City Clerk to file a Notice of Completion for the specified work, and authorize the release of the project bonds as described in the agenda report.
- F. Consider Authorization for Recordation of a Notice of Completion for City of Moorpark Contract #2011-122; Bid Package #05 – Concrete, Site Furnishing, and Concrete Masonry Unit (CMU) – Santa Clarita Concrete for the Ruben Castro Human Services Center. Staff Recommendation: Authorize the City Clerk to file a Notice of Completion for the specified work, and authorize the release of the project bonds as described in the agenda report.
- G. Consider Authorization for Recordation of a Notice of Completion for City of Moorpark Contract #2011-064; Bid Package #09 – Roofing – Best Contracting Services, Inc. for the Ruben Castro Human Services Center. Staff Recommendation: Authorize the City Clerk to file a Notice of Completion for the specified work, and authorize the release of the project bonds as described in the agenda report.
- H. Consider Information Letter from External Auditors Regarding the Fiscal Year 2012/2013 Audit. Staff Recommendation: Receive and file.
- I. Consider Engagement Letter from External Auditors for Fiscal Year 2012/2013 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.
- J. Consider Resolution Authorizing Mid-Year Amendments to Fiscal Year 2012/2013 Budget. Staff Recommendation: Adopt Resolution No. 2013-

3185, amending the FY 2012/2013 budget as noted in Exhibits A, B, and C of the resolution. ROLL CALL VOTE REQUIRED

- K. Consider Amendment to Agreement for Widening Los Angeles Avenue Between Maureen Lane and Leta Yancy Road (Project 8058). Staff Recommendation: Authorize the City Manager to sign Amendment No. 1.
- L. Consider Award of Contract for 2013 Pavement Markings Project (Project 8092) and Resolution Amending the Fiscal Year 2012/2013 Budget to Fund the Project. Staff Recommendation: 1) Award a construction contract to Sterndahl Enterprises, Incorporated, and authorize the City Manager to execute the construction contract in the amount of \$96,694.90 for the subject project; 2) Authorize the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$14,500.00, if and when the need arises for extra work and services; and 3) Adopt Resolution No. 2013-3186, amending the Fiscal Year 2012/2013 Budget to appropriate \$52,021.05 from the Highway Users Tax 2103 Fund (Fund 2606) and \$59,173.85 from the Traffic Congestion Relief Fund (Fund 2610) to fund the subject project. ROLL CALL VOTE REQUIRED
- M. Consider 2013 Moorpark Beach Bus and Summer Youth Bus Pass Programs. Staff Recommendation: Approve the proposed 2013 Moorpark Beach Bus and Summer Youth Bus Pass Programs.
- N. Consider Amendment to Agreement with BJ Palmer and Associates, Inc., for Analysis of the Relocation of Electrical Utility Facilities for the Essex Site to Waive Conflict of Interest. Staff Recommendation: Approve Amendment to Agreement with BJ Palmer and Associates, Inc, subject to final language approval of the City Manager and City Attorney.
- O. Consider Resolution Finding No City Purpose for the City-Owned Property Located at 798 Moorpark Avenue and Approve Lease Agreement between the City of Moorpark and the Boys and Girls Club of Moorpark for Said Property. Staff Recommendation: Adopt Resolution No. 2013-3187, finding that there is no City purpose for the Property and approving the lease agreement between the City and the Boys and Girls Club of Moorpark, subject to final language approval by the City Manager and City Attorney.
- P. Consider Affordable Housing Agreement Between the City of Moorpark and Pardee Homes for Seven Single Family Homes to be Sold to Eligible Low Income Buyers. Staff Recommendation: 1) Approve the Affordable Housing Agreement, subject to final language approval by the City Manager and City Attorney; 2) Authorize City Manager to execute said Affordable Housing Agreement; and 3) Direct the City Clerk to cause said

Affordable Housing Agreement to be recorded in the Office of the Recorder of the County of Ventura.

- Q. Consider Sidewalk Improvements on Condor Drive and Resolution Approving Revised Parking Restrictions on Condor Drive Allowing On Street Parking, and Rescind Resolution No. 1995-1149. Staff Recommendation: 1) Rescind Resolution No. 1995-1149 and adopt Resolution No. 2013-3188 allowing on street parking on one side of Condor Drive with no overnight parking as described in the agenda report; and 2) Direct staff to return to City Council with a recommendation on sidewalk installation on Condor Drive and other potential industrial streets.

The following item was removed from the Consent Calendar

- D. Consider Amendment No. 5 to the Agreement with Steelcon, Incorporated, for Structural Steel and Miscellaneous Metals at the Ruben Castro Human Services Center; and Consider Resolution Amending the Fiscal Year 2012/2013 Budget to Appropriate \$13,100 from the RDA-SA 2006 TAB Proceeds Fund 9104 to Cover the Cost of Amendment No. 5 to the Steelcon, Inc. Agreement. Staff Recommendation: Adopt Resolution No. 2013-\_\_\_\_, amending the FY 2012/2013 Budget to cover the cost of Amendment No. 5 to Steelcon, Inc. Agreement. ROLL CALL VOTE REQUIRED

This item was removed from the Calendar, as it was approved as Item 6.A. on the agenda of the Special Meeting of May 15, 2013, held prior to the Council meeting.

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.C, 12.D, and 12.E. on the agenda.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adjourn to closed session for a discussion of Items 12.C, 12.D, and 12.E. on the agenda. The motion carried by voice vote 4-0, Councilmember Millhouse absent. The time was 10:02 p.m.

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Paragraph 1 of Subdivision (d) of Government Code Section 54956.9)

Name of Case: California Public Utilities Commission (CPUC) Hearing on Application No. 08-12-023 for Southern California Edison (SCE) Presidential Substation Project

- D. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Employee Organization: Service Employees International Union, AFL-CIO, CLC, Local 721
- E. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Unrepresented employees: Accountant I; Active Adult Center Supervisor; Administrative Services Manager; Assistant City Manager; Assistant Engineer; Budget and Finance Manager; City Clerk; City Manager; City Engineer/Public Works Director; Community Development Director; Deputy City Manager; Finance Director; Human Resources Analyst; Landscape/Parks Maintenance Superintendent; Management Analyst; Parks and Landscape Manager; Principal Planner; Public Works Superintendent/Inspector; Recreation Superintendent; Recreation Supervisor; Redevelopment Manager; Senior Information Systems Analyst; and Senior Management Analyst

Present in closed session were Councilmembers Mikos, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Kevin Ennis, City Attorney; Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; and David Bobardt, Community Development Director.

The Council reconvened into open session at 10:28 p.m. Mr. Kueny stated Items 12.C, 12.D, and 12.E. were discussed and there was no action to report.

Mayor Parvin adjourned the meeting at 10:28 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk