

ITEM 10.A.

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

February 19, 2014

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on February 19, 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 7:12 p.m.

2. PLEDGE OF ALLEGIANCE:

Captain Stephen Wade led the Pledge of Allegiance.

3. ROLL CALL:

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

Absent: Councilmember Millhouse (arrived at 8:15 p.m.)

Staff Present: Steven Kueny, City Manager; Hugh Riley, Assistant City Manager; Deborah Traffenstedt, Deputy City Manager; Ron Ahlers, Finance Director; David Bobardt, Community Development Director; David Klotzle, City Engineer/Public Works Director; Jeremy Laurentowski, Parks and Recreation Director; Joseph Vacca, Principal Planner; Shaun Kroes, Senior Management Analyst; Jessica Sandifer, Management Analyst; Captain Wade, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Steve Giboney, from Newbury Park, spoke in opposition to Sustainable Development and Agenda 21, which he stated is an action plan being promoted by globalists who are running our country.

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

CONSENSUS: It was the consensus of the Council to hear Items 8.A. and 9.A. to be followed by Items 9.C. and 9.D. to be heard concurrently.

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

Councilmember Mikos reported on having attended the opening night of the High Street Arts Center's production of Fiddler on the Roof, which she highly recommends.

Councilmember Millhouse reported that on February 18, 2014, in Southern California, Metrolink implemented positive train control, which is a satellite-based system that controls the movements of trains to prevent human error. The unveiling of this system will be at Union Station on February 20, 2014.

Mayor Parvin complimented the Moorpark Chamber of Commerce for having recognized small, medium, and large businesses in Moorpark on February 15, 2014, at the annual Chamber Installation and Awards Dinner.

Mayor Parvin announced registration for Spring Camp began February 3rd at Arroyo Vista Recreation Center. The Spring Camp sessions for children ages 5-12 are on March 10, March 24-28, April 18, and April 21.

Mayor Parvin announced the next "Walk with the Mayor" a part of the series of "Active Living" will be on March 1, 2014.

8. PUBLIC HEARINGS:

- A. Consider an Ordinance Approving Zoning Ordinance Amendment No. 2014-01, to Amend Chapter 17.08 (Definitions), of the Zoning Ordinance to Update Definitions of Supportive Housing and Transitional Housing, and Add a Definition for Target Population, and Recommending the City Council Make a Determination of Exemption Under CEQA in Connection Therewith. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 428 for first reading, waive full reading, and place this ordinance on the agenda for March 5, 2014, for purposes of providing second reading and adoption of the ordinance.

Mr. Vacca gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

Ms. Benson read the title of Ordinance No. 428.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to introduce Ordinance No. 428 for first reading, waive full reading, and place this ordinance on the agenda for March 5, 2014, for purposes of providing second reading and adoption of the ordinance. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Presentation on Drought Conditions. Staff Recommendation: Receive presentation.

Mr. Klotzle introduced Susan Mulligan, General Manager of Calleguas Municipal Water District and Reddy Pakala, Director of Water and Sanitation Department/Public Works for the County of Ventura, who each gave a presentation on drought conditions affecting Moorpark.

CONSENSUS: It was the consensus of the Council to receive the presentations.

AT THIS POINT in the meeting Items 9.C. and 9.D. were heard concurrently.

- C. Consider Resolution Rescinding Resolution No. 90-634, Resolution No. 90-706, Resolution No. 93-946, Resolution No. 97-1294, Resolution No. 98-1530, Resolution No. 2003-2048 and Resolution No. 2003-2121 and Establishing Parking Restrictions and Parking by Permit Only Zones on Certain Streets. Staff Recommendation: Adopt Resolution No. 2014-3273, rescinding Resolution No. 90-634, Resolution No. 90-706, Resolution No. 93-946, Resolution No. 97-1294, Resolution No. 98-1530, Resolution No. 2003-2048 and Resolution No. 2003-2121.
- D. Consider Resolution Rescinding Resolution No. 93-970, and Adopting Policies and Procedures for Establishment of Parking by Permit Only Zones and Issuance of Parking Permits within Established Parking by Permit Only Zones. Staff Recommendation: Adopt Resolution No. 2014-3274, rescinding Resolution No. 93-970.

Mr. Klotzle gave the staff reports. He provided a revised resolution for Item 9.D. with changes to Issuance of Parking Permits Nos. 5 through 20.

A discussion followed among the Councilmembers and staff, which focused on: 1) Parking problems have generally been caused by overflow from the Moorpark High School and Moorpark Community College; 2) Residents impacted by this overflow parking have requested the City attempt to mitigate this issue either with “no parking”, “restricted parking” and/or resident “permit parking” criteria; 3) The price of parking at the college has driven the students out into the neighborhoods to park; and 4) Unknown benefits from the completion of the parking structure at the college.

Councilmember Mikos reported one resident from Kernvale Avenue called her prior to these items being placed on the agenda; and from time to time she has received other calls regarding the problems of overflow parking at the college.

Councilmember Millhouse summarized comments and quantified the street names indicated from the emails and late correspondence Council had received from residents affected by the parking permits.

Mary Mesick, a resident of Honeyglen Court, cited the abuses her street has experienced from overflow student parking and spoke in favor of “no parking during school hours” as being sufficient.

Steve Nardi, a resident of Kernvale Avenue in the Parkside Tract, cited instances of speeding, proliferation of trash, and over-parking by college students in his neighborhood.

Shawn Lammer, a resident of Shakespeare Place, cited instances of illegal drug activity by college students on Doris Court near his street; stated the addition of a parking structure at the college probably will not alleviate the parking problem as students are looking for free parking; and requested whatever restrictions apply to Doris Court should also apply to Shakespeare Place.

Amer Salman, a resident of Doris Court, spoke in opposition to permit parking as he has many visitors who need parking and runs a 9-car driving school in the area and would not be issued enough permits. He stated student parking on his street has not been a problem and he thinks parking by permit only penalizes the students.

Mark Weiner, a resident of East Benwood Drive, stated a nearby church parking lot handles the overflow student parking and permit parking is not needed on Benwood Drive. He also stated the college does not hold classes on Fridays, so why impose parking restrictions on Fridays.

Gari Cuenco, a resident of Benwood Drive, stated he has no issues with parking on his street and suggested if this moves forward to issue each resident 20 parking permits so they can decide who can park on their street.

Sylvia Laabs, a resident of Doris Court spoke in favor of issuing parking permits to residents due to the influx of college student parking in her neighborhood and described numerous abuses including trash, illegal drug activity, and blocking of driveways. She stated she had contacted her Homeowners Association (HOA) with her concerns regarding student parking.

Eden Barrera, a resident of Kernvale Street, spoke in support of permit parking and stated the college parking structure will not solve the overflow problem, as this issue is not about available parking, but the cost of parking at the college.

In response to Mayor Parvin, Ms. Benson summarized 12 Written Statement Cards with six (6) in favor of parking restrictions from residents living on Honeyglen Court, Kernvale Street, Melray Street, and the Parkside Tract; and six (6) in opposition to permit parking from residents living on Benwood Drive, Kernvale Street, and Shakespeare Place.

CONSENSUS: It was the consensus of the Council to hear from late speakers.

Ericka Bryant, a resident of Doris Court, spoke in opposition to permit parking as not need on her street and an imposition to residents.

Kevin Edwardson, a resident of Kernvale Street, spoke in opposition to permit parking as he drives an ambulance and must be allowed to park it on the street, and if he has unexpected guests it would be inconvenient to obtain permits.

Councilmember Millhouse summarized by street name, the number of speakers and written statement cards in favor and opposed to the permit parking.

A discussion followed among the Councilmembers and staff, which focused on: 1) Ability for residents to work out accommodations with staff regarding exceptions to the parking; 2) Removing Benwood Drive from the resolution as the communications from residents of Benwood Drive indicate they are opposed to parking restrictions; 3) Removing the streets near the college, Delfen Street, Kernvale Avenue, Dracena Avenue, Beragan Street, Overly Street, and Melray Street from the resolution to be reconsidered for parking restrictions upon evaluation of possible improved conditions resulting from the completion of the college parking structure

and 4) Sending a formal letter to the president of the college to remind the college that the student parking in residential areas continues to be an issue.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2014-3273, as amended to: 1) Remove Benwood Drive from the resolution; 2) Restrict the hours for parking on Honeyglen Court and Summerglen Court to 7:00 a.m. to 3:00 p.m. Monday through Friday; and 3) Reconsider the restrictions on streets near Moorpark College (Delfen, Kernvale Avenue, Dracena Avenue, Beragan Street, Overly Street and Melray Street) two weeks after confirmation that the Moorpark College parking structure is open; and 4) Rescinding Resolution No. 90-634, Resolution No. 90-706, Resolution No. 93-946, Resolution No. 97-1294, Resolution No. 98-1530, Resolution No. 2003-2048 and Resolution No. 2003-2121.

AMENDMENT TO PRIOR MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded an amendment to the prior motion to include direction for staff to send a formal letter to the president of Moorpark College regarding impacts to parking in residential areas. The amended motion carried by unanimous voice vote.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2014-3274, as amended for Issuance of Parking Permits Nos. 5 through 20, and rescinding Resolution No. 93-970. The motion carried by unanimous voice vote.

B. Consider Report on Drought Measures; Agreement with Penfield and Smith for Base Mapping Services; Amendment to Agreement with Venco Western, Inc. for Landscape Renovation; and Resolution Amending the Fiscal Year 2013/14 Budget. Staff Recommendation: 1) Approve Amendment No. 1 to Agreement with Venco Western, Inc. for landscape renovation project, and authorize City Manager to sign the amendment, subject to final language approval of the City Manager and City Attorney; 2) Approve Agreement with Penfield & Smith for base mapping services on Tierra Rejada Road, and authorize City Manager to sign the Agreement, subject to final language approval of the City Manager and City Attorney; and 3) Adopt Resolution No. 2014-3275. ROLL CALL VOTE REQUIRED

Mr. Laurentowski gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to: 1) Approve Amendment No. 1 to Agreement with Venco Western, Inc. for landscape renovation project, and authorize City Manager to sign the

amendment, subject to final language approval of the City Manager and City Attorney; 2) Approve Agreement with Penfield & Smith for base mapping services on Tierra Rejada Road, and authorize City Manager to sign the Agreement, subject to final language approval of the City Manager and City Attorney; and 3) Adopt Resolution No. 2014-3275. The motion carried by unanimous roll call vote.

- 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. Kroes gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Millhouse seconded a motion to direct staff to forward comments received to VCTC prior to the end of the comment period of March 3, 2014. The motion carried by unanimous voice vote.

- F. Consider Resolution Concurring with Community Development Director's Determination under Section 17.20.030 of the Zoning Ordinance for Establishments that Primarily Sell Electronic Cigarettes and Supplies for Use Both On-site and Off-site Shall Have the Same Review Requirements as Tobacco Stores; and Making a Determination of Exemption from CEQA in Connection Therewith. Staff Recommendation: Adopt Resolution No. 2014-____.

Mr. Bobardt gave the staff report.

Shubyre (no last name provided), a small business owner and his partner Omar Ashraf, spoke in regard to an application they had already turned in to the City for the establishment of a vapor business and for which they have expended \$5,000 on product.

A discussion between the Council and staff followed, which focused on the possibility of confusion regarding a commitment to allow this business to move forward and now the potential for delay in order to amend the Moorpark Municipal Code to include e-cigarettes (vapor cigarettes) and supplies under Section 17.20.020 of the Zoning Code.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to reject adoption of the resolution; to direct staff to consider the need to update the Moorpark Municipal Code pertaining to electronic

cigarettes and related uses; and to consider an Administrative Permit as an interim process. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Special City Council Meeting of February 5, 2014. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular City Council/Successor Agency Meeting of February 5, 2014. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2013/14 – February 19, 2014. Staff Recommendation: Approve the warrant register.
- D. Consider Amendment to Agreement with Penfield and Smith for Additional Civil Engineering Services for Arroyo Vista Community Park and Resolution Amending the Fiscal Year 2013/14 Budget to Fund the Work from the Transportation System Management Fund (2001). Staff Recommendation: 1) Approve Amendment No. 2 with Penfield & Smith for Additional Civil Engineering Services related to the entrance of the access road and parking lot C at Arroyo Vista Community Park, and authorize the City Manager to sign the amendment, subject to final language approval of the City Manager and City Attorney; and 2) Adopt Resolution No. 2014-3276. ROLL CALL VOTE REQUIRED
- E. Consider Resolution Establishing New Parking Regulations for the Metrolink Train Station Additional Parking Lot. Staff Recommendation: Adopt Resolution 2014-3277.
- F. Consider Award of Bid and Project Approval for the Demolition of 236 Charles Street and Resolution Amending the Fiscal Year 2013/14 Budget to Fund the Work. Staff Recommendation: 1) Approve the removal of the structures at 236 Charles Street; 2) Award bid to Midwest Environmental Control for \$11,973.00 plus a 15% project contingency of \$1,796.00 for a total of \$13,769.00 and authorize execution of the Agreement by the City Manager, subject to final language approval by the City Manager and City Attorney; and 3) Adopt Resolution No. 2014-3278. ROLL CALL VOTE REQUIRED
- G. Consider Agreement with Pedersen Fence and Patio Company, Inc. for General Fencing Repair and Installation Services at Various Parks, Facilities, and Properties. Staff Recommendation: Award a contract to

Pedersen Fence and Patio Co., Inc. for a total cost of \$50,000.00 annually, which includes two, one-year options to extend the agreement for a total three year contract cost of \$150,000; and authorize the City Manager to execute the Agreement, subject to final language approval by the City Manager.

- H. (SUCCESSOR AGENCY) Consider Agreement with Pedersen Fence and Patio Company, Inc. for General Fencing Repair and Installation Services at Various Successor Agency Properties. Staff Recommendation: Award a contract to Pedersen Fence and Patio Co., Inc. for a total cost of \$20,000.00; and authorize the Executive Director to execute the Agreement, subject to final language approval by the Executive Director.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 10:38 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk