

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

April 16, 2014

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on April 16, 2014, 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 7:13 p.m.

2. PLEDGE OF ALLEGIANCE:

Captain Stephen Wade, Sheriff's Department, 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; Jeremy Laurentowski, Parks and Recreation Director; Allen Walter, Landscape/Parks Maintenance Superintendent; Joseph Fiss, Principal Planner; Joe Vacca, Principal Planner; Captain Wade, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Recognizing April 24, 2014, as Arbor Day in the City of Moorpark.

Mayor Parvin presented Allen Walter, Landscape/Parks Maintenance Superintendent, with the proclamation recognizing April 24, 2014, as Arbor Day in the City of Moorpark.

5. PUBLIC COMMENT:

None.

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

Councilmember Pollock announced he would be abstaining from Item 9.B. on the agenda as he resided in the Meridian Hills development.

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

Councilmember Pollock reported he participated in a ride-along with the California Highway Patrol on March 29.

Councilmember Millhouse responded to recent email correspondence from the public regarding the grant for improvements for the Moorpark railroad crossing being in jeopardy due new requirements from Caltrans. He stated the City Engineer is actively working with Caltrans and Metrolink for a hopeful positive outcome.

Councilmember Millhouse responded to recent email correspondence from the public regarding the number of suicides taking place at the State Route 118/23 overpass. He stated he spoke with Assistant Deputy Director of Caltrans to ask them to revisit their decision not to install some kind of suicide prevention barrier. Councilmember Millhouse reported Mayor Parvin spoke to Senator Pavley about this situation and the senator has contacted him to coordinate communications with Caltrans. Caltrans is expected to give a presentation at the next meeting of the Ventura County Transportation Commission meeting.

Councilmember Mikos reported on having attended the opening performance at the High Street Arts Center of "Tom Sawyer". She recommended it to families as the cast includes many youthful performers. Councilmember Mikos also reported next month a production of the musical "The Producers" will take place at the High Street Arts Center.

Councilmember Van Dam announced the "Blues Festival" will be held at Moorpark College on April 26, 2014.

Mayor Parvin announced the City is recruiting for applicants for the Area Agency on Aging Advisory Council, Citizens Transportation Advisory Committee, Moorpark City Library Board, and the Teen Council. Visit the City's website at www.moorparkca.gov for more information.

Mayor Parvin announced the City will host a free electronic waste collection and secure paper shredding event on Saturday, May 17th at the Public Services Facility on Fitch Avenue, which is open to Moorpark residents and businesses. Visit the City's website at www.moorparkca.gov for more information.

Mayor Parvin invited the public to celebrate National Train Day on May 10th by using the local Metrolink or Amtrak services for commuting. Both services provide convenient connections from Moorpark into Los Angeles Union Station. Schedules are available at metrolinktrains.com and www.amtrak.com.

Mayor Parvin reported, after meeting with the president of Moorpark College, he is open to hearing from residents regarding the parking conditions associated with the college campus and surrounding Moorpark neighborhoods.

8. PUBLIC HEARINGS:

- A. Consider Resolution Approving Administrative Permit (AP) No. 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1 to Allow a 79,042 Square-Foot Multi-Tenant Indoor Retail Operation in an Existing Building in the M-1 Zone at 709 Science Drive, and Adopting a Mitigated Negative Declaration Under CEQA in Connection Therewith, on the Application of Community Marketplace (Manny Asadurian, Jr.). (continued open public hearing from April 2, 2014) Staff Recommendation: 1) Continue to accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2014-3286. (Staff: David Bobardt)

Mr. Fiss gave the staff report.

Mayor Parvin stated the public hearing remains open.

Councilmember Mikos stated she had met with John Newton, the applicant's representative, to tour the project site.

John Newton, representing the applicant, stated they concur with the new conditions added to this project; but have one remaining question regarding the cost estimate provided for complying with the landscape requirements in the parking lot. Mr. Newton requested possible options in regard to filing for the Variance, such as an in lieu fee.

In response to Mayor Parvin, Ms. Benson summarized 13 Written Statement cards, all in favor of the project, from Jason Leigh of Diamondoor, Mike Friel of M. Friel Construction, Katalin Andrassy, of Swiss Corrective Skincare, George Segesvary of German Prestige Autos, Inc., Rick Franklin, Tim Galagher of The 2020 Network, Linda Brafford of A Private Affair, Eve[sic] Parneu of Cotton Baby, Robert Rudzitis, June Wheeler of Junezees, Evelyn Reiser of Halbre Trust, Chris Quintrail of The Hair House, and Michael Reiser of PAPA Micheyr Distributors.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to adopt Resolution No. 2014-3286, approving Administrative Permit No. 2013-19 and Modification No. 4 to Industrial Planned Development No. 93-1 to allow a 79,042 square-foot, multi-tenant, indoor retail operation in an existing building in the M-1 Zone at 709 Science Drive, and adopting a Mitigated Negative Declaration under CEQA in connection therewith, on the application of Community Marketplace (Manny Asadurian, Jr.). The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

A. Consider an Ordinance Adding Subsection F. to Section 1.12.180, Liability to City for Its Costs to Chapter 1.12, Nuisances of Title 1, General Provisions of the Moorpark Municipal Code to Allow for Recovery of Attorney's Fees from Abatement of a Public Nuisance. Staff Recommendation: Introduce Ordinance No. 429 for first reading, waive full reading, and place this ordinance on the agenda for May 7, 2014, for purposes of providing second reading and adoption of the ordinance.

Mr. Bobardt gave the staff report.

There were no speakers.

Mr. Ennis read the title of Ordinance No. 429

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to introduce Ordinance No. 429 for first reading, waive full reading, and place this ordinance on the agenda for May 7, 2014 for purposed of providing second reading and adoption of the ordinance. The motion carried by unanimous voice vote.

AT THIS POINT in the meeting, Councilmember Pollock left the dais. The time was 7:36 p.m.

B. Consider Status Update on the Amended Implementation Plan for Improvements Associated with Tract Nos. 5187-1&2 and 5405, the Meridian Hills Residential Development Project, on the Application of Resmark Equity Partners, LLC, (ORA Ashford 94, LLC). Staff Recommendation: Receive and file report.

Mr. Vacca gave the staff report.

Brent Caldwell of Caldwell Land Solutions, 2300 Dupont Drive, Suite 312, Irvine, California, new Project Manager with TriPoint Homes, which represents Resmark Equity Partners, LLC, reported on the progress made in correcting landscape deficiencies, increased number of Homeowner Association meetings, and changes made to the maintenance to be provided by Valley Crest Landscaping.

A discussion followed among the Councilmembers, staff, and Mr. Caldwell, which focused on: 1) Continued outreach on the part of the developer to build confidence among the residents that the landscape issues will be properly handled; and 2) Possible completion date for the trails.

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to receive and file the status update on the Amended Implementation Plan for improvements associated with Tract Nos. 5187-1&2 and 5405, the Meridian Hills Residential Development Project. The motion carried by voice vote 4-0, Councilmember Pollock absent.

AT THIS POINT in the meeting, Councilmember Pollock returned the dais. The time was 7:50 p.m.

- C. Consider the Plans and Specifications for the Park Site at 161 Second Street (Project 5081). Staff Recommendation: Approve the plans and specifications for the Second Street Park project and authorize bid solicitation for construction of the park.

Mr. Laurentowski gave the staff report and introduced revised Civil Plan sheet pages 2, 3, 5, 6 and 7 with a revision date of April 16, 2014, showing modification to the mid-block crossing in front of the park to include:

- Removal of the striping and signage designating the pedestrian crossing adjacent to the park.
- Removal of the pedestrian ramps on the north and south side of the street.
- Removal of the drain grates.
- Changes to the curb radius from a 10' partial radius to a 10' tangent radius.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to approve the plans, as revised, and specifications for the Second Street Park project and to authorize bid solicitation for construction of the park. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

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

- A. Consider Minutes of Regular City Council/Successor Agency Meeting of April 2, 2014. Staff Recommendation: Approve the minutes.

- B. Consider Warrant Register for Fiscal Year 2013/14 – April 16, 2014. Staff Recommendation: Approve the warrant register.
- C. Consider Agreement for Professional Engineering Services with Linocut, Law & Greenspan Engineers for the Moorpark Civic Center Campus Project. Staff Recommendation: Authorize the City Manager to sign the Agreement in an amount not to exceed \$77,800, subject to final language approval by the City Manager and the City Attorney.
- D. Consider Request by Residential Strategies LLC for Coastline RE Holdings Moorpark Corporation to Withdraw Application for General Plan Amendment Pre-Screening No. 2012-02 to Expand the City's Corporate Boundaries and City Urban Restriction Boundary (CURB) to Develop 552 to 765 Homes of Various Densities on Approximately 200 Acres of a 665-acre Site North of Moorpark College. Staff Recommendation: Accept the request to withdraw the application for GPA Pre-Screening No. 2012-02.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

Mr. Kueny requested the City Council go into closed session for discussion of one case under Item 12.B. and 12.C. on the agenda.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to adjourn to closed session for a discussion of one case under Item 12.B. and Item 12.C. on the agenda. The motion carried by unanimous voice vote. The time was 7:59 p.m.

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 4)
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: APN 519-0-210-055
City Negotiator: Steven Kueny, City Manager
Negotiating Parties: Ralph Mahan
Under Negotiation: Lease price and terms of payment

Present in closed session were Councilmembers Mikos, Millhouse, 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 Klotzle, City Engineer/Public Works Director.

The Council reconvened into open session at 8:26 p.m. Mr. Kueny stated one case under Item 12.B. and Item 12.C. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:26 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk