

## **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

May 7, 2014

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

2. PLEDGE OF ALLEGIANCE:

American Legion - Moorpark Post 502 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; David Bobardt, Community Development Director; David Klotzle, City Engineer/Public Works Director; Jeremy Laurentowski, Parks and Recreation Director; Irmina Lumbad, Budget and Finance Manager; Captain Wade, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Recognizing May 2014 as Military Appreciation Month.

Mayor Parvin presented Jim Carpenter, Past Commander and Adjutant of American Legion – Moorpark Post 502 with a proclamation recognizing May 2014 as Military Appreciation Month.

5. PUBLIC COMMENT:

Douglas Tapking, Executive Director of the Ventura County Area Housing Authority gave an update on the Authority's affordable housing properties located in the City of Moorpark.

Bernard Luskin, Interim President of Moorpark Community College, spoke in regard to the student parking situation at the college and in the surrounding residential areas adjacent to the college.

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 Mikos reported on the success of last weekend's Relay for Life, as hosted by the City of Moorpark; and thanked all those who participated.

Councilmember Mikos reported on having attended the May 7, meeting of the Executive Committee of the Economic Development Collaborative of Ventura County where availability of CRA (Community Reinvestment Act) funding was discussed.

Councilmember Mikos announced Bruce Stenslie of the Economic Development Collaborative of Ventura County would be making a presentation at the July 2, City Council meeting.

Councilmember Van Dam announced the Moorpark Kiwanis Club will be holding its annual fundraiser "Wine and Moonlight" at the Secret Garden on High Street on May 18.

Councilmember Van Dam announced Moorpark Kiwanis Club will be transporting canned goods to the Moorpark Food Party as collected from Moorpark residents by the United States Post Office on May 10.

Councilmember Pollock stated as a Foundation Board Member of Simi Valley Hospital, he was pleased to announce "Consumer Reports" recently rated the hospital as the safest of the six hospitals in Ventura County.

Councilmember Pollock stated on April 26, he attended the Blues Festival at Moorpark College and noted that the new parking structure is ideal for handling the parking from large events.

Councilmember Pollock reported he attended the May 1, Annual SCAG (Southern California Association of Governments) conference in Indian Wells where private enterprise provided information on how they are trying to help with public transportation.

Councilmember Pollock congratulated Councilmember Millhouse on his past chairmanship of the SCAG Transportation Committee where he made a great impact on getting the next 25-Year Plan approved.

Councilmember Pollock reported he attended the quarterly meeting of the League of California Channel Counties Division in Buellton where Lieutenant General Jay Raymond, Commander of Vandenberg Air Force Base, gave a presentation.

Mayor Parvin announced the City is recruiting to fill vacancies on the Area Housing Authority Board, Citizens Transportation Advisory Committee, and the Library Board. Visit the City's website at [www.moorparkca.gov](http://www.moorparkca.gov) for more information.

Mayor Parvin announced the Moorpark City Library has two great events during the month of May. Classic Movie Monday is viewing "Casablanca" on May 12 and "Ted Talks" will feature Sheryl Sandberg, Chief Operating Officer of Facebook and Diana Nyad, author and long-distance swimmer. Visit the Library's website at [www.moorparklibrary.org](http://www.moorparklibrary.org) for more information.

Mayor Parvin announced the City will host a free electronic waste collection and secure paper shredding event on Saturday, May 17 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](http://www.moorparkca.gov) for more information.

Mayor Parvin invited the public to celebrate National Train Day on May 10 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](http://metrolinktrains.com) and [www.amtrak.com](http://www.amtrak.com).

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

A. Consider Presentation from Interface Children & Family Services on 2-1-1 Ventura County Annual Report.

Erik Sternad, Executive Director of Interface Children & Family Services gave a presentation on the 2-1-1 Ventura County Annual Report.

B. Consider Resolution Approving the Preliminary Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2014/2015 and Providing Notice of

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Public Hearing on June 4, 2014. Staff Recommendation: Adopt Resolution No. 2014-3287.

Ms. Lumbad gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to adopt Resolution No. 2014-3287, approving the Preliminary Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2014/2015 and providing Notice of Public Hearing on June 4, 2014. The motion carried by unanimous voice vote.

- C. Consider Resolution Approving the Preliminary Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2014/2015 and Providing Notice of Public Hearing on June 4, 2014. Staff Recommendation: Adopt Resolution No. 2014-3288

Ms. Lumbad gave the staff report.

There were no speakers.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2014-3288, approving the Preliminary Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2014/2015 and providing Notice of Public Hearing on June 4, 2014. The motion carried by unanimous voice vote.

- D. Consider Golf Tax. Staff Recommendation: Direct staff to notice a public meeting on a proposed golf tax for May 21, 2014.

Mr. Kueny gave the staff report.

Wade Norwood, attorney representing the Moorpark Country Club, spoke in opposition to the golf tax as applying to only one business in Moorpark, which is currently only breaking even, making this financially infeasible.

Jay Lee, General Manager for the Moorpark Country Club, 11800 Championship Drive, Moorpark, spoke in opposition to the golf tax and stated he would be willing to meet with staff to show them financial statements as proof the Moorpark Country Club could not afford to charge higher prices to their patrons nor absorb the tax themselves.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to continue this item to the regular meeting of May 21, 2014, to allow staff time to meet with Moorpark Country Club staff.

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 Minutes of Regular City Council/Successor Agency Meeting of April 16, 2014. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2013/14 – May 7, 2014. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution Authorizing the Payment to California Joint Powers Insurance Authority (CJPIA) for the Liability Insurance Pool and Workers Compensation Pool and Amending Fiscal Year 2013/2014 Budget. Staff Recommendation: Adopt Resolution No. 2014-3289. ROLL CALL VOTE REQUIRED
- D. Consider Agreement for Sales, Use and Transaction Tax Audit and Information Services to Hindlerliter, De Llamas and Associates (HdL) and Consider Resolution Authorizing Examination of Sales Use and Transaction Tax Records. Staff Recommendation: 1) Award the Agreement to HdL; and authorize the City Manager to execute the Agreement, subject to final language approval by the City Manager and City Attorney. Additional, authorize the City Manager to sign "Sales Tax Audit, Work Authorizations" to enable HdL to perform audit services by contacting certain businesses and the State Board of Equalization; and 2) Adopt Resolution No. 2014-3290. ROLL CALL VOTE REQUIRED
- E. Consider Agreement for Property Tax Audit and Information Services to HdL, Coren and Cone. Staff Recommendation: Award the Agreement to HdL, Coren and Cone; and authorize the City Manager to execute the Agreement, subject to final language approval by the City Manager and City Attorney. Additionally, authorize the City Manager to sign property tax audits to enable HdL, Coren and Cone to perform audit services.
- F. Consider Exclusive Negotiating Agreement Between the City of Moorpark and Aldersgate Investment, LLC to Study the Feasibility of an Offsite Affordable Housing Project at the Southerly Terminus of Millard Street. Staff Recommendation: Approve Exclusive Negotiating Agreement, subject to final language approval by the City Manager and City Attorney.

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- G. Consider Rejection of Claim from: Virga Siauciunaite Paskus. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant.
- H. Consider Changing Sustainability Report from Annual to Bi-Annual Report. Staff Recommendation: Approve changing Sustainability Report from an annual to bi-annual report as described in the agenda report.
- I. Consider Confirmation of Solid Waste Franchise Ad Hoc Committee. Staff Recommendation: Confirm appointment of Mayor Parvin and Councilmember Millhouse to the Solid Waste Franchise Ad Hoc Committee.
- J. Consider Award of Agreement to Durham School Services L.P., for Bus Excursions and Charter Bus Transit Services. Staff Recommendation: 1) Award a bus excursion and charter bus transit services agreement to Durham School Services, L.P.; and 2) Authorize the City Manager to sign the Agreement for said services, subject to final language approval of the City Manager and City Attorney.
- K. Consider Permit Adjustment No. 1 to Commercial Planned Development (CPD) 2001-01 (Moorpark Marketplace) to Allow the Removal of an Architectural Feature (Arched Screen Wall) at the Food Court and Replacement of Fountain Tile at the Southeast Corner of the Site Located at 888 Los Angeles Avenue on the Application of Steve Welch for Moorpark Marketplace LLC. Staff Recommendation: Direct the Community Development Director to issue a letter approving Permit Adjustment No. 1 to CPD 2001-01, subject to conditions of approval.
- L. Consider Amendment No. 3 to Agreement with Library Systems and Services, LLC (LSSI). Staff Recommendation: Authorize the City Manager to execute Amendment No. 3 to the Agreement with Library Systems and Services, LLC, subject to final language approval by the City Manager.
- M. Consider Landscape Maintenance Contract Documents and Specifications and Authorize Staff to Solicit Bid Proposals for Landscape Maintenance Districts (LMD). Staff Recommendation: Approve the contact documents and specifications for LMD landscape maintenance services, subject to final language approval of the City Manager, and authorize staff to solicit bid proposals.
11. ORDINANCES: (ROLL CALL VOTE REQUIRED)
- A. Consider Ordinance No. 429 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: Waive full reading, declare Ordinance No. 429 read for the second time, and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Ennis read the title of Ordinance No. 429.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded the motion to waive full reading and declare Ordinance No. 429 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 three cases under Item 12.B. on the agenda.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to adjourn to closed session for a discussion of three cases under Item 12.B. on the agenda. The motion carried by unanimous voice vote. The time was 9:02 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)

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Kevin Ennis, City Attorney; Deborah Traffenstedt, Deputy City Manager; David Bobardt, Community Development Director; and David Moe, Economic Development and Housing Manager. Mr. Moe left the meeting at 9:13 p.m.

The Council reconvened into open session at 9:42 p.m. Mr. Kueny stated three cases under Item 12.B. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:42 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk