

## **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

December 16, 2015

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on December 16, 2015, 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:

Hunter Harnes of Boy Scout Troop 760 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; Deborah Traffenstedt, Assistant City Manager; Ron Ahlers, Finance Director; David Bobardt, Community Development Director; Jeremy Laurentowski, Parks and Recreation Director; Jennifer Mellon, Administrative Services Manager; Captain Wade, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

None.

5. PUBLIC COMMENT:

Bruce Rokos, Chairman of the Moorpark Chamber of Commerce, thanked the City for hosting the recent Chamber Mixer at City Hall where everyone enjoyed the opportunity to meet staff in attendance. He presented the "Shop Moorpark" business award of the month to Shalee Olson, Manager for Carrara Bakery. Mr. Rokos announced the Moorpark Chamber of Commerce Installation and Awards Dinner will be on January 30 at the Moorpark Country Club and the Chamber Breakfast on December 18 at the Moorpark Country Club.

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 having attended the Santa Monica Mountains Conservancy Advisory Committee meeting on December 14 where there was progress made on the Alamos Canyon wildlife corridor project and where the Las Virgenes wildlife corridor crossing project received more funding.

Mayor Parvin announced the City is hosting a Free Mulch Give-away in the lot adjacent to the Moorpark City Library on January 9.

Mayor Parvin announced on January 16, the City will hold a Free Electronic Waste Disposal and Secure Paper Shredding event at the Public Services Facility on Fitch Avenue.

Mayor Parvin announced the Library is pleased to present a new activity, "Adult Coloring" on January 20.

Mayor Parvin complimented Librarian, Jo Rolfe on the great success of the Library's Holiday Party with Santa in attendance.

Mayor Parvin stated last week she had participated in a Student Citizenship program at Campus Canyon school.

Mayor Parvin reported on having attended an Animal Services Commission meeting where they requested comments from City staff on the by-laws for the Commission.

Mayor Parvin announced the Boys and Girls Club will be hosting their annual community breakfast on December 17 at the Moorpark Country Club.

8. PUBLIC HEARINGS:

- A. Consider Ordinance Approving Zoning Ordinance Amendment No. 2015-01, An Amendment to Sections 17.20.050 (Permitted Uses in Open Space, Agricultural, Residential, and Special Purpose Zones) and 17.20.060 (Permitted Uses in Commercial and Industrial Zones) of Chapter 17.20 (Uses by Zone) of Title 17, (Zoning) of the Moorpark Municipal Code to Prohibit Cultivation and Mobile Delivery of Marijuana and Medical Marijuana in All Zones and Determination That This Action Is

Exempt from the California Environmental Quality Act. Staff Recommendation: 1) Open the public hearing, accept public testimony and close the public hearing; and 2) Introduce Ordinance No. 436, approving Zoning Ordinance Amendment No. 2015-01, for first reading, waive full reading, and place this ordinance on the agenda for January 20, 2016, for purposes of providing second reading and adoption of the ordinance.

Mr. Bobardt gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

A discussion followed among the Councilmembers and staff regarding concerns about the delivery of medical marijuana to those in need and the definition of "primary caregiver", how one becomes qualified to be one, and who issues the primary caregiver certificates.

CONSENSUS: It was the unanimous consensus of the Council to remove the Mobile Delivery of Marijuana and Medical Marijuana prohibitions from the ordinance to allow staff time to research the "primary caregiver" requirements. A new ordinance to include the mobile delivery prohibition language could be introduced at a subsequent meeting once this information is obtained.

Mr. Ennis read the amended title of Ordinance No. 436.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to introduce Ordinance No. 436 for first reading, as amended to delete the reference to mobile delivery of marijuana and medical marijuana, waive full reading, and place this ordinance on the agenda for January 20, 2016, for purposes of providing second reading and adoption of the ordinance. The motion carried by voice vote unanimous.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Revisions to City Council Policy 2.20: Moorpark City Library Materials Collection; Policy 2.21: Moorpark City Library Internet and Computer Use and Patron Agreement; Policy 2.22: Moorpark City Library Circulation; Policy 2.23: Moorpark City Library Standards of Conduct; As Well As the Library Card Application. Staff Recommendation: Approve staff changes to City Council Policy 2.20: Moorpark City Library Materials Collection; Policy 2.21: Moorpark City Library Internet and Computer Use and Patron Agreement; Policy 2.22: Moorpark City Library Circulation;

Policy 2.23: Moorpark City Library Standards of Conduct; as well the Moorpark City Library Card Application to be incorporated as part of the next City Council Policies Update.

Ms. Mellon gave the staff report.

There were no speakers.

A discussion followed among the Councilmembers and staff resulting in direction to add to the list of prohibited items in Policy 2.23, "any other transportation device" in addition to skateboards, roller skates as listed.

MOTION: Mayor Parvin moved and Councilmember Pollock seconded a motion to approve staff changes to City Council Policy 2.20: Moorpark City Library Materials Collection; Policy 2.21: Moorpark City Library Internet and Computer Use and Patron Agreement; Policy 2.22: Moorpark City Library Circulation; Policy 2.23: Moorpark City Library Standards of Conduct, as amended to add "any other transportation device"; as well the Moorpark City Library Card Application to be incorporated as part of the next City Council Policies Update. The motion carried by unanimous voice vote.

- B. Consider Award of Contract for Banking Services to Wells Fargo Bank.  
Staff Recommendation: Authorize the City Manager to execute an agreement with Wells Fargo Bank, subject to final language approval by the City Manager and City Attorney. ROLL CALL VOTE REQUIRED

AT THIS POINT in the meeting, Councilmember Pollock recused himself from participating in the discussion. He left the dais at 7:59 p.m.

Mr. Ahlers gave the staff report and disclosed he has a personal transaction relationship with Wells Fargo Bank, but that it did not influence his recommendation.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to authorize the City Manager to execute an agreement with Wells Fargo Bank, subject to final language approval by the City Manager and City Attorney. The motion carried by roll call vote 4-0, Councilmember Pollock absent.

AT THIS POINT in the meeting, Councilmember Pollock returned to the dais. The time was 8:05 p.m.

- C. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for Pedestrian Access Improvements at City Hall

Complex. Staff Recommendation: Approve plans and specifications and authorize advertisement for bids.

Mr. Laurentowski gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Mayor Parvin seconded a motion to approve plans and specifications and authorize advertisement for bids for Pedestrian Access Improvements at City Hall Complex. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam moved and Councilmember Pollock 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 November 4, 2015. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2015-2016 – December 16, 2015. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution Amending the Fiscal Year 2015/16 Budget to Purchase Financial and Permitting Software. Staff Recommendation: Adopt Resolution No. 2015-3464 to appropriate \$350,000 from the General Fund (1000) for the purchase and installation of Tyler Technologies software and to provide for contractual accounting services. ROLL CALL VOTE REQUIRED
- D. Consider Report Titled “Accounting of Fund Information as Required by Section 66006 of the California Government Code for Fiscal Year 2014/2015”. Staff Recommendation: Receive and file report.
- E. Consider Resolution Amending the Fiscal Year 2015/2016 Budget and Authorizing the Transfer of General Fund Money to Cover Fiscal Year 2014/2015 Year-End Deficits in Certain Funds for the City’s Landscaping and Lighting Assessment Districts. Staff Recommendation: Adopt Resolution No. 2015-3465. ROLL CALL VOTE REQUIRED
- F. Consider Active Adult Center Annual Report for Fiscal Year 2014/2015. Staff Recommendation: Receive and file report.
- G. Consider Affordable Housing Agreement Between the City of Moorpark and Canyon Crest Ranch Partners-Moorpark, LLC (Tract 5437) for Two

- Single Family Homes to Be Sold to Income Qualified Buyers. Staff Recommendation: Approve the Affordable Housing Agreement, subject to final language approval by the City Manager and City Attorney; authorize the Mayor to execute said Agreement; and direct the City Clerk to cause the Agreement to be recorded in the Office of The Recorder of the County of Ventura.
- H. Consider Resolution Amending the City's General Plan Amendment Pre-Screening Application Review Procedure and Rescinding Resolution No. 2013-3242. Staff Recommendation: Adopt Resolution No. 2015-3466, rescinding Resolution No. 2013-3242.
- I. Consider Extending Suspension of Enforcement of Recreational Vehicle and Trailer Parking and Storage Standards on Private Property in Residential Zones. Staff Recommendation: Direct staff to continue suspension of code compliance efforts at enforcing provisions of Section 17.32.120 (Recreational vehicle and trailer parking and storage standards) of the Moorpark Municipal Code through April 30, 2016.
- J. Consider Amendment No. 13 to Agreement with David S. Hopkins (Pacific Sweep) for Street Sweeping Services. Staff Recommendation: Authorize the City Manager to sign Amendment No. 13, extending the Agreement until June 30, 2016, subject to final language approval by the City Manager.
- K. Consider Authorization for Recordation of the Notice of Completion for Parking Lot Improvement Project at Various City Parks and Facilities and Release of Bonds in Accordance with the Contract. Staff Recommendation: Authorize the City Clerk to file the Notice of Completion, and release the project bonds as outlined in the agenda report.
- L. Consider Amendment No. 2 to the Agreement with SCI Consulting Group for Professional Consulting, Engineer of Work and Levy Administration. Staff Recommendation: Approve Amendment No. 2 to the Agreement, subject to final language approval by the City Manager; and authorize the City Manager to sign Amendment No. 2. ROLL CALL VOTE REQUIRED
- M. Consider Agreement with Phoenix Civil Engineering, Inc. for Construction Management Services for the Retaining Wall Project at Arroyo Vista Community Park and Resolution Amending the Fiscal Year 2015/16 Budget. Staff Recommendation: 1) Approve Agreement with Phoenix Civil Engineering, Inc. in the amount of \$33,396, and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager; and 2) Adopt Resolution No. 2015-3467 amending the FY

2015/16 budget to appropriate \$33,396.00 from the General Fund (1000) Reserve to fund this work. ROLL CALL VOTE REQUIRED

- N. Consider Purchase of 61 High Street and Resolution Authorizing the Acceptance of the Grant Deed for Recordation; and Amending Fiscal Year 2015/16 Budget to Fund the Transaction. Staff Recommendation: 1) Authorize purchase and sale agreement; and 2) Adopt Resolution No. 2015-3468 authorizing the purchase of property at 61 High Street, acceptance of the Grant Deed by the City Clerk for recordation; and authorizing the City Manager to sign all documents relevant to the transaction; and amending the Fiscal Year 2015/16. ROLL CALL VOTE REQUIRED
- O. Consider Cancellation of the Moorpark Arts Festival 2016 Event. Staff Recommendation: Direct staff to cancel the Spring 2016 Moorpark Arts Festival and recommend changes to the event by April 30, 2016.
- P. Consider Adoption of a Revised Classification Plan Resolution with Changes to Job Descriptions and Rescinding Resolution No. 2015-3434. Adopt Classification Plan Resolution No. 2015-3469, rescinding Resolution No. 2015-3434.

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.A. and two cases under Item 12.B. on the agenda.

Mr. Ennis announced the facts and circumstances creating significant exposure to litigation for discussion of the one case under Item 12.A. are covered under Paragraph (2) of Subdivision (d) of Government Code Section 54956.9.

MOTION: Councilmember Mikos moved and Councilmember Van Dam seconded a motion to adjourn to closed session for discussion of one case under Item 12.A. and two cases under Item 12.B. on the agenda. The motion carried by unanimous voice vote. The time was 8:11 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation (Pursuant to Paragraphs (2) or (3) of Subdivision (d) of Government Code Section 54956.9: (Number of cases to be discussed - 4)

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation (Pursuant to Paragraph (4) of Subdivision (d) of  
Government Code Section 54956.9: (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, Assistant City Manager; and David Bobardt,  
Community Development Director.

The Council reconvened into open session at 9:17 p.m. Mr. Kueny stated one  
case under Item 12.A. and two cases under Item 12.B. were discussed and there  
was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:17 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk