

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

January 20, 2016

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on January 20, 2016, 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 7:11 p.m.

2. PLEDGE OF ALLEGIANCE:

Parks and Recreation Director, Jeremy Laurentowski led the Pledge of Allegiance.

3. ROLL CALL:

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

Staff Present: Steven Kueny, City Manager; Deborah Traffenstedt, Assistant City Manager; Ron Ahlers, Finance Director; David Bobardt, Community Development Director; Jeremy Laurentowski, Parks and Recreation Director; Brian Chong, Administrative Services Manager; Captain Wade, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Recognition of Pacific Coast Auto Body Upon the Occasion of Their 30th Anniversary of Service to the Community.

Mayor Parvin presented Kam and Mark Holland of Pacific Coast Auto Body with a certificate of recognition upon the occasion of their 30th anniversary of service to the community.

B. Introduction of New City Employee, Brian Chong, Administrative Services Manager in the Administrative Services Department.

Mayor Parvin introduced new City employee, Brian Chong, Administrative Services Manager in the Administrative Services Department.

5. PUBLIC COMMENT:

Bruce Rokos, Chairman of the Moorpark Chamber of Commerce, congratulated Mr. and Mrs. Holland on Pacific Coast Auto Body's 30th anniversary. He announced the Moorpark Chamber of Commerce Installation and Awards Dinner will be on January 30 at the Moorpark Country Club where the Pacific Coast Auto Body will be honored as the "Business of the Year". He reminded everyone to "Shop Moorpark".

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 announced she had attended the Four Star Theatre Alliance Awards gala event at the High Street Arts Center where various people and productions were honored.

Councilmember Mikos announced the High Street Arts Center is presenting classic movies once a month. She recently attended a showing of a comedy by Steven Spielberg entitled "1941".

Councilmember Millhouse requested a future agenda item at the next Council meeting for a presentation from Darren Kettle, CEO of the Ventura County Transportation Commission (VCTC) to speak about the State of Transportation. The Mayor requested he include an update on the intersection of High Street and Moorpark Avenue.

Councilmember Van Dam requested a future agenda item to discuss changing the start time of City Council meetings to 6:00 p.m. or 6:30 p.m. for the benefit of the public and staff.

Mayor Parvin stated the meeting would be adjourned in memory of Anthony (Tony) Bellasalma, long-time resident of Moorpark, who passed away on December 29.

Mayor Parvin announced the month of January is "California Restaurant Month". Moorpark has over 75 places to eat so take advantage and dine out.

Mayor Parvin announced unused or expired prescription drugs may be dropped off in Prescription Drug Collection boxes at the Moorpark Police Services Center and that it is dangerous to throw medicine in the trash.

Mayor Parvin announced the City will host a Transportation Needs Interactive Forum for VCTC on January 25 in the Citrus Room at the Community Center. VCTC wants to know what Ventura County needs to keep traffic flowing and to help travelers better navigate the region.

Mayor Parvin announced there will be a Free Bus Day on January 29 to celebrate the City's brand new EZ Rider II buses that began service on January 14. These new CNG buses have replaced two older diesel buses; creating a 100% CNG fleet for a cleaner environment.

8. PUBLIC HEARINGS:

- A. Consider Ordinance Approving Zoning Ordinance Amendment No. 2015-02, 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 Regulate 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. 437, approving Zoning Ordinance Amendment No. 2015-02, for first reading, waive full reading, and place this ordinance on the agenda for February 3, 2016, for purposes of providing second reading and adoption of the ordinance.

Mr. Bobardt gave the staff report.

A discussion followed among the Councilmembers and staff to clarify the process for appointment of a primary care giver, documentation of such, and whether a substitute could be named.

In response to Council, Captain Wade stated law enforcement would approach any instance of marijuana delivery on a case by case basis and would ascertain whether this was a drug deal or a primary care giver making a delivery to a patient under their care.

Mayor Parvin opened the public hearing.

Vega Christine Pah, representing the Ventura County Cannabis Alliance, stated they are supporting the rights of patients and medical providers to be able to get assistance for deliveries in a responsible way. She cautioned that there may be some individuals who have no primary care giver, but who indeed need the medication delivered to them.

Mayor Parvin closed the public hearing.

A discussion followed among the Councilmembers and Captain Wade focusing on the ordinance protecting the patient and allowing them access to the medication and if the ordinance proves to be too restrictive it can be revisited.

Ms. Benson read the title of Ordinance No. 437.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to waive full reading, introduce Ordinance No. 437 for first reading, and place this ordinance on the agenda for February 3, 2016, for purposes of providing second reading and adoption of the ordinance. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider the Establishment of an Ad-Hoc Committee to Develop a Draft Development Agreement between 1 Moorpark LLC (Ernie Mansi) and the City of Moorpark for General Plan Amendment No. 2013-02; Zone Change No. 2013-2; and Residential Planned Development No. 2013-01. Staff Recommendation: Appoint two (2) Councilmembers to an Ad-Hoc committee to develop a draft Development Agreement for this project.

Mr. Bobardt gave the staff report.

There were no speakers.

Councilmembers Van Dam and Pollock volunteered to serve on the Ad Hoc Committee

CONSENSUS: It was the unanimous consensus to appoint Councilmembers Van Dam and Pollock to serve on the 1 Moorpark LLC (Ernie Mansi) Ad Hoc committee.

- B. Consider Revised Plans and Specifications and Project Approval and Authorization to Advertise for Bids for the Recreational Trail System at Arroyo Vista Community Park (AVCP) (CIP Project 7852). Staff Recommendation: 1) Approve the revised plans and specifications; and 2) Authorize staff to advertise for bids.

Mr. Laurentowski gave the staff report.

There were no speakers.

In response to Mayor Parvin, Mr. Laurentowski stated staff will consider inserting or carving the park name into the monument sign to avoid theft of an individual letter.

MOTION: Councilmember Pollock moved and Mayor Parvin seconded a motion to: 1) Approve the revised plans and specifications; and 2) Authorize staff to advertise for bids. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Millhouse 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 December 2, 2015. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular City Council/Successor Agency Meeting of December 16, 2015. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2015/16 – January 20, 2016. Staff Recommendation: Approve the warrant register.
- D. Consider Regular Meeting Schedule for City Council Standing Committees for Calendar Year 2016. Staff Recommendation: Approve Regular Meeting Schedule for Standing Committees for 2016.
- E. Consider Annual Financial Statements and Other Audit Reports for Fiscal Year Ended June 30, 2015. Staff Recommendation: Accept the Comprehensive Annual Financial Report (CAFR), Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*, Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets, Independent Auditor's memo regarding significant audit matters, Housing Successor Fund Audited Financial Statements, Housing Successor Fund Addendum to the Annual Progress Report and receive and file this report. ROLL CALL VOTE REQUIRED
- F. Consider Request for Proposals to Provide Consultant Services for Evaluation and Recommendations for Moorpark City Transit. Staff Recommendation: Approve the Request for Proposal and authorize staff to advertise for receipt of proposals.
- G. Consider Agreement with RJR Engineering Group, LLC, for Final Design of the Metrolink South Parking Lot Entrance. Staff Recommendation:

Award Professional Services Agreement to RJR Engineering Group, LLC, and authorize the City Manager to execute the Agreement in the amount of \$38,299.98 plus a contingency of \$3,830.00 for a total not to exceed amount of \$42,129.98, subject to final language approval by the City Manager and City Attorney.

- H. Consider Agreement with RJR Engineering Group, LLC, for Implementation of a Post Construction Best Management Practices (BMP) Program. Staff Recommendation: Award Professional Services Agreement to RJR Engineering Group, LLC, and authorize the City Manager to execute the Agreement in the amount of \$20,201.28 with a contingency of \$2,020.13 for a total not to exceed amount of \$22,221.41, subject to final language approval by the City Manager and City Attorney.
- I. Consider the Release of Cash Bond for Shea Homes, LLP for Tract 5425 and Resolution Amending the Fiscal Year 2015/2016 Operating and Capital Improvement Budget to Refund the Cash Bond. Staff Recommendation: 1) Adopt Resolution No. 2016-3470, amending the FY 2015/16 Budget to appropriate \$273,130.78 from LA AOC Fund (2501); and 2) Authorize the City Manager or his designee to release the cash bond deposit in the amount of \$273,130.78 to Shea Homes, LP. ROLL CALL VOTE REQUIRED
- J. Consider Retroactive Authorization for Use of the North Metrolink Parking Lot on High Street to Support the Annual Roam'n Relics Car Show on October 25, 2015, Waive Rental Fee, and Require Reimbursement of City Liaison Time, Law Enforcement, and Other City Support Services. Staff Recommendation: Retroactively approve use of north Metrolink parking lot, waive rental fee; approve reimbursement of City Liaison, law enforcement, and other City support services.
- K. Consider Resolution Amending the City's Salary Plan and Rescinding Resolution No. 2015-3460. Staff Recommendation: Adopt Resolution No. 2016-3471, rescinding Resolution No. 2015-3460.
- L. Consider Resolution Adopting a Revised Management Benefits Program and Rescinding Resolution No. 2015-3463. Staff Recommendation: Adopt Resolution No. 2016-3472, rescinding Resolution No. 2015-3463.
- M. Consider 25 Blanket Agreements for Emergency Response Services and Resolution Amending the Fiscal Year 2015/16 Budget to \$500,000 Appropriation for Emergency Response Services (9238). Staff Recommendation: 1) Authorize the City Manager to sign 25 Blanket Agreements for emergency response services, subject to final language approval by the City Manager; and 2) Adopt Resolution No. 2016-3473. ROLL CALL VOTE REQUIRED

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No 436, An Ordinance of the City of Moorpark, California, 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 of Marijuana and Medical Marijuana in All Zones and Determination That This Action Is Not a Project Approval Subject to the California Environmental Quality Act. Staff Recommendation: Waive full reading, declare Ordinance No. 436 read for the second time, and adopted as read. ROLL CALL VOTE REQUIRED

Ms. Benson read the title of Ordinance No. 436.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to waive full reading, declare Ordinance No. 436 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 Items 12.C. and 12.D. on the agenda.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to adjourn to closed session for a discussion of Items 12.C. and 12.D. on the agenda. The motion carried by unanimous voice vote. The time was 8:02 p.m.

- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Pursuant to Government Code Section 54956.8)  
Property: APN 506-0-020-120, 240 East Los Angeles Avenue  
City Negotiator: Steven Kueny, City Manager  
Negotiating Parties: The City of Moorpark and Judith A. Patton  
Under Negotiation: Price and terms of payment
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Pursuant to Government Code Section 54956.8)  
Property: 702 Walnut Street, Moorpark, CA 93021 - APN: 512-0-063-030  
City Negotiator: Steven Kueny, City Manager  
Negotiating Parties: Braemon Hanes (for First Baptist Church of Moorpark)  
Under Negotiation: Price and terms of payment

Present in closed session were Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin; Steven Kueny, City Manager; Deborah Traffenstedt,

Assistant City Manager; David Bobardt, Community Development Director, Jeremy Laurentowski, Parks and Recreation Director, and Jessica Sandifer, Program Manager.

The Council reconvened into open session at 8:23 p.m. Mr. Kueny stated Items 12.C. and 12.D. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 8:23 p.m. in memory of Anthony Bellasalma.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk