

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** The Honorable City Council

**FROM:** Maureen Benson, City Clerk *MB*

**DATE:** May 17, 2016 (CC Meeting of 5/1816)

**SUBJECT:** Reconsideration of City Council Action on Agenda Item 9.A. from the April 20, 2016, Regular Meeting (Consider Proposal for Construction of a Joint Use Swimming Pool Facility with Moorpark Unified School District [MUSD])

**BACKGROUND**

Councilmember Van Dam has requested an agenda item to allow the City Council to reconsider their prior vote for Agenda Item 9.A. from the April 20, 2016, regular meeting. The Council's action on April 20 for Item 9.A. was to consider the proposal for construction of a joint use swimming pool facility with MUSD. The proposal was approved by a vote of 4-0, with Councilmember Pollock absent as he recused himself due to his potential business relationship with MUSD. Councilmember Van Dam has indicated he too would now like to recuse himself from the vote to avoid any perception of a conflict of interest due to his spouse's position on the Moorpark Unified School District Board.

**DISCUSSION**

The City Council's Rules of Procedure (Resolution No. 2012-3148) includes the following language pertaining to reconsideration of a vote:

**"7.12 Motion for Reconsideration:**

Any Councilmember who voted with the majority may move a reconsideration of any vote at the same meeting or request an agenda item on the next regular meeting or request a special meeting called to be held prior to the next regular meeting to consider reconsideration of any vote. The agenda item shall appear on Presentation/Action/Discussion as a two-part item:

Consider Reconsideration of \_\_\_\_\_.

Reconsideration of vote on \_\_\_\_\_.

After a motion for reconsideration has once been acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent of the Council.”

As the May 4, 2016, regular meeting was cancelled, the regular meeting of May 18, 2016, is the first opportunity to schedule this reconsideration.

If a motion for reconsideration is made then the suggested wording of the motions for reconsideration are as follows:

FIRST MOTION: Consider reconsideration of Item 9.A. from the April 20, 2016, regular City Council meeting.

If an affirmative majority is obtained on this first motion than a subsequent motion is needed.

SECOND MOTION: Consider reconsideration of the vote on April 20, 2016, for Item 9.A.

If affirmative majority votes are obtained on the above two motions, then the Council may take a subsequent action as deemed appropriate in regard to Item 9.A.

### **STAFF RECOMMENDATION**

- 1) Consider reconsideration of Item 9.A. from the April 20, 2016, regular City Council meeting;
- 2) Consider reconsideration of the vote on April 20, 2016, for Item 9.A.; and
- 3) The City Council Pool Ad Hoc Committee (Mayor Parvin and Councilmember Millhouse) and City staff recommend approval of the conceptual proposal for construction of a Joint Use Swimming Pool Facility with MUSD as outlined in the agenda report from April 20, 2016, and to have the Ad Hoc Committee and city staff return to Council with a proposed Specifications and Cooperative Agreement.