

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 20, 2016

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on April 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:

Bruce Rokos, Chairman of the Board of the Moorpark Chamber of Commerce, 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; Jeremy Laurentowski, Parks and Recreation Director; Sean Corrigan, City Engineer/Public Works Department; Joseph Fiss, Economic Development and Planning Manager; Captain John Reilly, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Introduction of Moorpark's New Police Chief, Captain John Reilly.

Mayor Parvin introduced Captain John Reilly, Moorpark's new Police Chief.

B. Introduction of New City Employee, Shannon Caligagan, Accountant I in the Finance Department.

Mayor Parvin introduced Shannon Caligagan, Accountant I in the Finance Department.

C. Presentation from Dr. Kelli Hays, District Superintendent for Moorpark Unified School District.

Dr. Kelli Hays, District Superintendent for Moorpark Unified School District gave a presentation on Moorpark schools.

D. Proclamation Declaring the Month of May as Military Appreciation Month.

Mayor Parvin presented representatives from American Legion Post 502 with a proclamation declaring the month of May as Military Appreciation Month.

E. Proclamation Declaring April 2016 as DMV/Donate Life California Month.

Mayor Parvin presented Ellen Garner with a proclamation declaring April 2016 as DMV/Donate Life California Month.

F. Proclamation Declaring April 29, 2016, as Arbor Day in Moorpark.

Mayor Parvin presented Allen Walter, Landscape and Parks Maintenance Superintendent, with a proclamation declaring April 29, 2016, as Arbor Day in Moorpark.

5. PUBLIC COMMENT:

Michael Nigh, Executive Director of the Area Housing Authority of the County of Ventura, provided information on availability of Section 8 Housing and provided an advertisement handout and discussed the benefits of the program.

Bruce Rokos, Chairman of the Board of the Moorpark Chamber of Commerce, announced the 1st anniversary of the Ventura County Credit Union in Moorpark will be celebrated on May 3 at Moorpark Plaza; Nomination forms for the Chamber's Community Awards are due by May 15; "Small Town, Big Heart" will be the theme for Moorpark Country Days this year with the parade to take place on October 8; and the "Shop Moorpark campaign has been redesigned to further support Moorpark businesses.

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

CONSENSUS: It was the unanimous consensus of the Council to hear Item 9.G. after Item 9.A. on the agenda.

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

Councilmember Pollock stated he represented the City and Council at the Channel Division meeting of the League of California Cities in Atascadero on April 15.

Councilmember Van Dam thanked Superintendent Hays for her informative presentation on Moorpark schools. He suggested making this information available on the City's website.

Councilmember Van Dam recommended the performance of "On Golden Pond" at the High Street Arts Center.

Councilmember Van Dam reported the remarkable performance at Moorpark High School of "Phantom of the Opera" was sold out.

Councilmember Van Dam reported he and several Councilmembers attended the Chamber Mixer held at the Moorpark Unified School District offices.

Councilmember Mikos concurred with Councilmember Van Dam's assessment of the excellent production of "On Golden Pond" at the High Street Arts Center with its fantastic hand-painted set and poignant performances.

Mayor Parvin stated the City is recruiting for the Area Agency on Aging Advisory Council, the Library Board, and for Teen Council and to visit the City's website for more information.

Mayor Parvin announced the County of Ventura is selling 50-gallon rain barrels at a discounted price and to visit their website at [rainbarrelprogram.org/VenturaCounty](http://rainbarrelprogram.org/VenturaCounty) for more information.

Mayor Parvin announced the Moorpark City Library proudly presents Dia de los Ninos, Dia de los Libros (Day of the Child, Day of the Book) celebration on Tuesday, April 26. This annual event will feature Native American Tribal Dance and & Culture presented by Ben Hale. In brilliant authentic regalia, Ben introduces a variety of dances and culture stories from different tribes across North America.

Mayor Parvin announced teen gamers with some healthy competitive spirit should head to the Library on Wednesday, April 20 at 4:00 p.m. for Wii U Wednesday. Race, dance or battle on the new Wii U. Free snacks are included. She stated a full calendar of library events is available at [moorparklibrary.org](http://moorparklibrary.org).

Mayor Parvin announced registration for Summer Camp Moorpark 2016 for youth ages 5 to 14 is available online at [moorparkca.gov/recreg](http://moorparkca.gov/recreg), by phone at 517-6305, or in person at Arroyo Vista Recreation Center, 4550 Tierra Rejada Road.

Mayor Parvin stated she had attended the Cupcake Challenge and it was fun.

Mayor Parvin reported she had attended the annual "Hats off to Women" held at Cal Lutheran University and sponsored by Simi Valley Hospital Foundation on April 15.

Mayor Parvin reported she had attended the 26th annual Dinner and Auction for the Moorpark Boys and Girls Club on April 16 held at Cal Lutheran University.

Mayor Parvin reported she had attended the Government Relations meeting at the Moorpark Chamber of Commerce on April 6.

8. PUBLIC HEARINGS:

- A. Consider a Resolution Approving Modification No. 6 to Development Plan (DP) Permit No. 290, to Allow the Development of New Parking Spaces and New Landscaping and Lighting at 6101 Condor Drive; Making a Determination of Exemption Under CEQA in Connection Therewith, on the Application of Dave Osborn for Calabasas BCD. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Adopt Resolution No. 2016-3493; and 3) Direct staff upon completion of the parking lot construction per this Modification No. 6 to Development Planned Permit No. 290 to eliminate the parking on Condor Drive.

Mr. Fiss gave the staff report.

Mayor Parvin opened the public hearing.

David Osborn, of JDO Associates, 5376 Sterling Center Drive, Westlake Village, California, stated the conditions for the project are acceptable and he was available for questions.

A discussion followed among the Councilmembers, Mr. Osborn, and staff regarding whether additional street parking will be needed even after the new spaces are added.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded a motion to: 1) Adopt Resolution No. 2016-3493, approving Modification No. 6 to Development Plan (DP) Permit No. 290, to allow the development of new parking spaces and new landscaping and lighting at 6101 Condor Drive; and making a Determination of Exemption Under CEQA in connection therewith; and 2) Direct staff upon completion of the parking lot construction per this Modification No. 6 to Development Planned Permit No. 290

to eliminate the parking on Condor Drive. The motion carried by unanimous voice vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Proposal for Construction of a Joint Use Swimming Pool Facility with Moorpark Unified School District (MUSD). Staff Recommendation: The City Council Pool Ad Hoc Committee 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 and to have the Ad Hoc Committee and City staff return to Council with a proposed Specifications and Cooperative Agreement

AT THIS POINT in the meeting, Councilmember Pollock recused himself as his company has some pending business with the Moorpark Unified School District. He left the dais at 8:21 p.m.

Mr. Kueny deferred the staff report to Ad Hoc Committee members Parvin and Millhouse, who reported on the productive meetings with MUSD and stated the Committee recommendation was to move forward with the staff recommendation.

There were no speakers.

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to approve the conceptual proposal for construction of a Joint Use Swimming Pool Facility with MUSD as outlined in the agenda report and to have the Ad Hoc Committee and City staff return to Council with a proposed Specifications and Cooperative Agreement. The motion carried by voice vote 4-0, Councilmember Pollock absent.

AT THIS POINT in the meeting, Councilmember Pollock returned to the dais. The time was 8:31 p.m.

AT THIS POINT in the meeting, Item 9.G. was heard.

9. G. Consider Options for Moorpark Save Open-space and Agricultural Resources – 2050 Initiative Ordinance Pursuant to Elections Code Section 9215. Staff Recommendation: Direct staff as deemed appropriate.

Ms. Benson gave the staff report.

In response to Mayor Parvin, Mr. Ennis stated the City does not have the ability to correct any clerical errors or make changes to Exhibits A and B of the initiative as presented. He said it would be better to deal with these clerical corrections if the ordinance is approved by the voters, as the

ordinance does allow for the City to reorder and reorganize at such time as it is placed in the General Plan.

Mr. Richard Francis, one of the leaders of the countywide SOAR – 2050 initiative effort stated the proponents' preference is to have the City Council submit the initiative ordinance to the voters at the November election, and that he concurred with staff for the corrections.

MOTION: Councilmember Mikos moved and Councilmember Pollock seconded a motion to direct staff to schedule a resolution for the June 15, 2016, regular meeting that will call and give notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2016, for the election of certain officers of the City as required by the provisions of the laws of the State of California relating to general law cities; and for submission to the voters of a ballot measure question for the Moorpark Save Open-space and Agricultural Resources – 2050 Initiative, and requesting the Board of Supervisors of the County of Ventura to consolidate said Municipal Election with the Presidential General Election. The motion carried by unanimous voice vote.

- B. Consider Adopting the City Event Vendor Policy. Staff Recommendation: Approve the City Event Vendor Policy to be incorporated as part of the next City Council Policies resolution update.

Mr. Laurentowski stated this item should be pulled and staff will return with a report for a future agenda.

CONSENSUS: It was the unanimous consensus of the Council to pull Item 9.B. from the agenda.

- C. Consider Policy Authorizing Authority to Establish Rules, Regulations, Policies, and Procedures for the Operation of City-sponsored Recreation Programs. Staff Recommendation: Approve the proposed Policy to be incorporated into the next City Council Policies resolution update.

Mr. Laurentowski gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Millhouse seconded a motion to approve the proposed policy Authorizing Authority to Establish Rules, Regulations, Policies, and Procedures for the operation of city-sponsored Recreation Programs to be incorporated into the next City Council Policies resolution update. The motion carried by unanimous voice vote.

- D. Consider Revised Rules of Procedure Resolution Changing the Start Time for Regular City Council Meetings and Rescinding Resolution No. 2012-

2148 and Consider Establishing New Meeting Time for the Finance, Administration, and Public Safety Committee (FAPS) and the Community and Economic Development Committee (CED). Staff Recommendation: 1) Adopt Resolution No. 2016-3494 changing the start time of regular meetings from 7:00 p.m. to 6:30 p.m. beginning with the regular meeting of June 1, 2016, and rescinding Resolution No. 2012-2148; and 2) Direct staff regarding any change in meeting time for the FAPS and CED committees.

Ms. Benson gave the staff report, including an amendment to the Resolution on stamped page 43 of the agenda report to change the start time for Closed Session to be at 6:00 p.m.

There were no speakers.

A discussion followed among the Councilmember and staff regarding an appropriate time for the Community Economic Development (CED) and Finance, Administration, and Public Safety (FAPS) standing committee meetings to be held and it was concluded to leave them the same at 6:00 p.m.

MOTION: Mayor Parvin moved and Councilmember Pollock seconded a motion to: 1) Adopt Resolution No. 2016-3494, changing the start time of regular City Council meetings from 7:00 p.m. to 6:30 p.m. beginning with the regular meeting of June 1, 2016, and as amended to change the start time for Closed Session from 6:30 p.m. to 6:00 p.m. and rescinding Resolution No. 2012-2148; and 2) Direct staff to leave the meeting times for the FAPS and CED committees to begin at 6:00 p.m. The motion carried by voice vote 4-1, Councilmember Mikos dissenting.

E. Consider Schedule for the Summer Meeting Recess. Staff Recommendation: Direct staff to post a notice of meeting cancellation for the selected summer recess dates.

Ms. Benson gave the staff report.

There were no speakers.

A discussion followed among the Councilmember regarding the best time for summer recess.

CONSENSUS: It was the unanimous consensus of the Council to direct staff to post a notice of meeting cancellation for the August 3 and August 17, 2016, regular meetings.

- F. Consider Cancellation of the May 4, 2016, Regular City Council Meeting. Staff Recommendation: Direct staff to post a notice of cancellation for the regular meeting of May 4, 2016.

Ms. Benson gave the staff report.

There were no speakers.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to direct staff to post a notice of meeting cancellation for the regular meeting of May 4, 2016. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Van Dam moved and Councilmember Millhouse 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 March 16, 2016. Staff Recommendation: Approve the minutes.
- B. Consider Warrant Register for Fiscal Year 2015/16 – April 20, 2016. Staff Recommendation: Approve the warrant register.
- C. Consider Resolution Authorizing Submittal of Applications for CalRecycle Payment Programs and Funding Request Submittal for Fiscal Year 2015/16 Beverage Container Recycling Grant. Staff Recommendation: Adopt Resolution No. 2016-3495 and authorize submittal of a funding request to CalRecycle.
- D. Consider Letter of Support for AB 2596 to Ban the Use of Various Anticoagulant Rodenticides in the State of California. Staff Recommendation: Direct that a letter of support for AB 2596 be signed by the Mayor and sent to Assemblymember Richard Bloom.
- E. Consider Amendment No. 3 to Agreement for Engineering Services with RJR Engineering Group. Staff Recommendation: Authorize the City Manager to sign Amendment No. 3 to the Agreement, subject to final language approval of the City Manager.
- F. Consider Award of Agreement for Consultant Services for Evaluation and Recommendations for Moorpark City Transit; and Authorize the City Manager to Approve Extra Services for Moorpark Fixed Route Operations Agreement. Staff Recommendation: 1) Award Agreement to Nelson\Nygaard Consulting Associates, Inc., and authorize the City Manager to execute the Agreement in the amount of \$47,837.00, subject to

- final language approval by the City Manager and City Attorney; and 2) Authorize the City Manager to approve Letter of Agreements with the City of Thousand Oaks for requested and authorized extra services in accordance with Moorpark Fixed Route Operations Agreement, Section 4, in an amount not to exceed \$60,000.00 for the remaining term of the Agreement.
- G. Consider Approval of Amendment to Implementation Agreement for the Ventura Countywide Stormwater Quality Management Program. Staff Recommendation: Authorize the Mayor to sign the Amendment, subject to final language approval by the City Manager.
- H. Consider Resolution Approving the Preliminary Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts for Fiscal Year 2016/17 and Providing Notice of Public Hearing on May 18, 2016. Staff Recommendation: 1) Set the public hearing date for May 18, 2016; and 2) Adopt Resolution No. 2016-3496.
- I. Consider Resolution Approving the Preliminary Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District for Fiscal Year 2016/17 and Providing Notice of Public Hearing on May 18, 2016. Staff Recommendation: 1) Set the public hearing date for May 18, 2016; and 2) Adopt Resolution No. 2016-3497.
- J. Consider Award of Contract for Temporary Staffing Services to Government Staffing Services, Inc. and Resolution Amending the Fiscal Year 2015-16 Budget to Provide Temporary Contract Staff. Staff Recommendation: 1) Authorize the City Manager to execute Amendment No. 2 to the Agreement in the amount of \$100,000, subject to final language approval by the City Manager; and 2) Adopt Resolution No. 2016-3498 to reallocate money for purchase of temporary staffing services. ROLL CALL VOTE REQUIRED
- K. Consider Resolution Adopting a Revised ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement and Rescinding Resolution No. 2016-3484. Staff Recommendation: Adopt Resolution No. 2016-3499 approving the revised Agreement and rescinding Resolution No. 2016-3484; and authorize the City Manager to sign the Agreement. ROLL CALL VOTE REQUIRED
- L. Consider the City of Moorpark 2015 General Plan Annual Report Including the Housing Element Progress Report. Staff Recommendation: 1) Receive and file the report; and 2) Direct staff to forward the 2015 Annual Element Progress Report - Housing Element Implementation to the Governor's Office of Planning and Research, the California Department of

Housing and Community Development, and the Ventura County Planning Division.

- M. Consider Approval to Modify the Hours of the Skate Park. Staff Recommendation: Approve the skate park to be open for extended hours until 10:00 p.m. on Saturday, June 11, 2016 and on Saturday, August 13, 2016.
- N. Consider Rejection of Bids for the Recreational Trail Project at Arroyo Vista Community Park (AVCP) (CIP Projects 7852). Staff Recommendation: Reject all bids and authorize staff to re-advertise for bids for the Recreational Trail Project at Arroyo Vista Recreation Center.
- O. Consider Purchase of 776 W. Los Angeles Avenue (APN 506-0-050-515) and Resolution Amending the Fiscal Year Budget to Fund the Transaction. Staff Recommendation: 1) Authorize purchase of the property and authorize the City Manager to approve and sign all documents relevant to the transaction and maintenance of the site, subject to final language approval by the City Manager and City Attorney; 2) Authorize the City Clerk to accept the Grant Deed for the property; and 3) Adopt Resolution No. 2016-3500, amending the FY 2015-16 Budget to purchase the property. ROLL CALL VOTE REQUIRED

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 Item 12.C. on the agenda.

Mr. Ennis announced pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9 that the facts and circumstances for the one case under Item 12.A. creating significant exposure to litigation need not be disclosed.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to adjourn to closed session for a discussion of one case under Item 12.A. and Item 12.C. on the agenda. The motion carried by unanimous voice vote. The time was 8:50 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)

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9)  
County of Ventura and City of Fillmore vs City of Moorpark and Broad Beach Geologic Hazard Abatement District (Case No. 56-2016-00479937-CU-WM-VTA)

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 Sean Corrigan City Engineer/Public Works Director (left at 9:31 p.m.).

The Council reconvened into open session at 9:42 p.m. Mr. Kueny stated one case under Item 12.A. and Item 12.C. 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