

ITEM 10.E.

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 18, 2016

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on May 18, 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 7:21 p.m.

2. PLEDGE OF ALLEGIANCE:

Planning Commissioner, Kipp Landis 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; David Bobardt, Community Development Director; Jeremy Laurentowski, Parks and Recreation Director; Sean Corrigan, City Engineer/Public Works Department; Irmina Lumbad, Deputy Finance Director; Joseph Fiss, Economic Development and Planning Manager; Shaun Kroes, Program Manager; Captain John Reilly, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Introduction of New City Employee, Jason La Riva, Landscape/Parks Maintenance Superintendent in the Parks, Recreation, and Community Services Department.

Mayor Parvin introduced new City employee, Jason La Riva, Landscape/Parks Maintenance Superintendent in the Parks, Recreation, and Community Services Department.

B. Recognition of Outgoing Teen Council Members.

Mayor Parvin and Recreation Coordinator, Alyssa Bohner presented Certificates of Recognition to the outgoing 2015/2016 Teen Council members Nada AbouHaiba, Gianna Brown, Heather Cooper, Rosella Cummings, Lois Halvorson, Jett Landis, Gavin Mazur, and Helena Ordin, Brigitte Pulimootil.

5. PUBLIC COMMENT:

Bruce Rokos, Chairman of the Board of the Moorpark Chamber of Commerce (Chamber), announced the volunteers who received Moorpark Community Award and received a plaque of recognition on May 17 at the Moorpark Country Club. He announced Tang Soo Do University as the Shop Moorpark Business for the month of April and Wingspan Cyclery as the Shop Moorpark Business for the month of May. Mr. Rokos reminded everyone to shop in Moorpark and to visit the Chamber's facebook page at shopmoorpark.org.

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

CONSENSUS: It was the unanimous consensus of the Council to pull Item 10.A. from the Consent Calendar for individual consideration upon the request of staff and Councilmember Millhouse.

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

Councilmember Millhouse reported on May 5, 2016, he and Councilmember Pollock attended the Southern California Association of Governments (SCAG) General Assembly. He stated SCAG is the largest metropolitan planning organization in the country, which sets the regional strategy and transportation plan for the six counties in our area making it possible to receive federal funding for projects. Councilmember Millhouse stated he has been representing the Ventura County on SCAG board for the past eleven years.

Councilmember Mikos reported she attended the Moorpark Chamber of Commerce Community Awards luncheon which was very inspiring with all the wonderful people who perform great works for Moorpark.

Councilmember Van Dam congratulated all those involved in the completion of the railroad track crossing project at Moorpark Avenue near High Street.

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Councilmember Van Dam announced on May 14 he had attended the Jazz Festival at Moorpark Presbyterian Church where Moorpark middle schools, the high school, and the college participated in the performance.

Councilmember Van Dam announced he attended a Boy Scout meeting on May 16 where 15 scouts were working on their next badge.

Councilmember Van Dam announced Moorpark Kiwanis Club helped support the food drive where they took in almost 6 tons of food for the Food Pantry.

Councilmember Van Dam announced Memorial Day will be celebrated at 10:00 a.m. on May 30th at the Veteran's Memorial site on the corner of Spring Road and Flynn Avenue sponsored by Kiwanis, the America Legion and the Boy Scouts.

Councilmember Mikos announced at 8:00 a.m. on May 30th at the triangle Veteran's Memorial site on the corner of Moorpark Avenue and Los Angeles Avenue there will be the changing of the colors.

Councilmember Millhouse congratulated those who live and work in Moorpark citing a recent publication of "Southern California" which listed Moorpark as third out of twelve best cities in southern California to raise a family where there are accessible housing prices, quality schools, job opportunities, safety and a true sense of community.

Mayor Parvin announced the City's Community Yard Sale will be Saturday, May 21st in Lot B at Arroyo Vista Community Park from 8:00 a.m. – 11:00 a.m.

Mayor Parvin announced the Moorpark Relay for Life benefiting the American Cancer Society will take place on May 21st - 22nd at Arroyo Vista Community Park.

Mayor Parvin announced the Summer Newsletter and Recreation Guide and now available. Camp Moorpark and Adventure Camp Moorpark are open for registration with convenient hours and affordable fees.

Mayor Parvin announced Free Fitness Night is at Tierra Rejada Park on May 19 starting at 6:00 p.m. There will be more fitness classes this summer including Outdoor Fit Body Boot Camp, the MELT Method, and Hike & Yoga.

Mayor Parvin announced the City Council is recruiting for two vacancies on the Library Board for a three-year term. Moorpark residents, who are library enthusiasts, should visit the City's website at moorparkca.gov for more information and to complete an application.

Mayor Parvin announced on May 27th the Moorpark Rotary Club will celebrate its 60th anniversary with a celebration at Tierra Rejada Ranch with a live band and dancing with all proceeds benefiting local charities.

Mayor Parvin reported she had the opportunity to speak with the Leadership Team at Moorpark College on May 9th.

Mayor Parvin complimented the Chamber of Commerce on their May 17 Community Awards Event and stated all attendees make the community great.

8. PUBLIC HEARINGS:

- A. Consider Final Review of the Assessment Engineer's Report for the Landscaping and Lighting Maintenance Assessment Districts and Resolution Confirming the Levy Amounts and Ordering the Continuation of Assessment for Fiscal Year 2016/2017. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2016-3501. ROLL CALL VOTE REQUIRED

Ms. Lumbad gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Councilmember Millhouse encouraged residents with questions to call the Council as this is a complicated process with most property tax going to the County of Ventura and the Fire Protection District and the portion that does come to fund the Ventura County Sheriff's Department for services to Moorpark. In response to Councilmember Millhouse, Mr. Kueny explained the assessment process and how the City developed the assessments as new communities were added.

Mayor Parvin closed the public hearing.

Councilmember Mikos explained the Engineer's Report for this item and Item 8.B. and how the oldest districts in the City were established with a fixed assessment which cannot be changed without a vote of the residents.

MOTION: Councilmember Pollock moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2016-3501, confirming the levy amounts and ordering the continuation of Assessment for Fiscal Year 2016/2017 for the Landscaping and Lighting Maintenance Assessment Districts. The motion carried by unanimous roll call vote.

- B. Consider Final Review of the Assessment Engineer's Report for the Parks and Recreation Maintenance and Improvement Assessment District and Resolution Confirming the Levy Amount and Ordering the Continuation of Assessment for Fiscal Year 2016/2017. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2016-3502. ROLL CALL VOTE REQUIRED

Ms. Lumbad gave the staff report.

Mayor Parvin opened the public hearing.

There were no speakers.

Mayor Parvin closed the public hearing.

MOTION: Mayor Parvin moved and Councilmember Millhouse seconded a motion to adopt Resolution No. 2016-3502 confirming the Levy amount and ordering the continuation of Assessment for Fiscal Year 2016/2017 for the Parks and Recreation Maintenance and Improvement Assessment District. The motion carried by unanimous roll call vote.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Resolution Approving the Ventura County Transportation Measure Investment/Expenditure Plan and Determination of Exemption from the California Environmental Quality Act; and Authorize the City Clerk to Transmit the Adopted Resolution to the Ventura County Transportation Commission, Acting as the Ventura County Local Transportation Authority. Staff Recommendation: 1) Adopt Resolution No. 2016-3503; and 2) Authorize the City Clerk to transmit the Resolution to the Ventura County Local Transportation Authority.

Mr. Corrigan gave the staff report and introduced Darren Kettle, Executive Director at Ventura County Transportation Commission, as available for questions.

In response to Councilmember Pollock, Mr. Kettle and Councilmember Millhouse who serves as the Chair of Ventura County Transportation Commission (VCTC) gave an explanation on the need to consider a transportation tax measure for Ventura County as it is the largest county in the state without one, which prohibits participation in Federal matching funds.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to adopt Resolution No. 2016-3503 approving the Ventura County Transportation Measure Investment/Expenditure Plan and Determination

of Exemption from the California Environmental Quality Act and authorized the City Clerk to transmit the adopted resolution to the Ventura County Transportation Commission, acting as the Ventura County Local Transportation Authority. The motion carried by unanimous voice vote.

- B. Consider Appointments to Fill Vacancies on the Area Agency on Aging Advisory Council. Staff Recommendation: Appoint two (2) representatives to serve on the Area Agency on Aging Advisory Council for a two-year term ending June 30, 2018.

In response to Mayor Parvin's solicitation of nominees, the Council did not have a preference.

There were no speakers.

MOTION: Mayor Parvin nominated and Councilmember Millhouse seconded the nomination of Sandra Fide to serve on the Area Agency on Aging Advisory Council for two-year term ending June 30, 2018. The motion carried by unanimous voice vote.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Vicki Tripoli to serve on the Area Agency on Aging Advisory Council for two-year term ending June 30, 2018. The motion carried by unanimous voice vote.

- C. Consider: 1) Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on an Updated Development Agreement for the Pacific Communities Project, Vesting Tentative Tract Map No. 5882, a Proposed Development of 283 Homes on Approximately 39 Acres on the South Side of Los Angeles Avenue West of Leta Yancy Road; 2) Selection of a Council Ad-Hoc Committee to Negotiate an Updated Development Agreement for the Pacific Communities Project; and 3) Waiver of the General Plan Amendment Pre-Screening Process for this Project for the Purpose of Providing Affordable Housing. Staff Recommendation: 1) Adopt Resolution No. 2016-3504; 2) Select two Councilmembers for an ad hoc committee to negotiate an updated development agreement for this project; and 3) Waive the General Plan Amendment Pre-Screening Process for this project for the purpose of providing affordable housing.

Mr. Bobardt gave the staff report and corrected stamped page 149 of the agenda report to remove the reference to AB Properties in the resolution and change it to Pacific Communities.

Nelson Chung, Pacific Communities, 1000 Dove Street, Newport Beach, California, described the project and its long history.

MOTION: Mayor Parvin moved and Councilmember Millhouse seconded a motion to: 1) Adopt Resolution No. 2016-3504, as amended for stamped page 149 of the agenda report and directing the Planning Commission to study, hold a public hearing, and provide a recommendation on an updated Development Agreement for the Pacific Communities Project, Vesting Tentative Tract Map No. 5882, a proposed development of 283 homes on approximately 39 acres on the south side of Los Angeles Avenue west of Leta Yancy Road; 2) Appoint Mayor Parvin and Councilmember Millhouse to serve on and the Pacific Communities Project Development Agreement Ad Hoc committee to negotiate an updated development agreement for this project; and 3) Waive the General Plan Amendment Pre-Screening Process for this project for the purpose of providing affordable housing. The motion carried by unanimous voice vote.

D. 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]). 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.

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 8:29 p.m.

AT THIS POINT in the meeting, Councilmember Van Dam stated he would recuse himself from the vote on Item 9.A. to avoid any perception of conflict, as his spouse is a member of the Moorpark Unified School District. He left the dais at 8:30 p.m.

MOTION: Councilmember Millhouse moved and Councilmember Mikos seconded the motion to: 1) Reconsideration Item 9.A. (Consider Proposal for Construction of a Joint Use Swimming Pool Facility with Moorpark Unified School District [MUSD]) from the April 20, 2016, regular City Council meeting and 2) Reconsider the vote of April 20, 2016 for Item 9.A. The motion carried by voice vote 4-0, Councilmember Pollock absent.

There were no speakers.

MOTION: Councilmember Millhouse and Councilmember Mikos moved to approve the conceptual proposal for construction of a joint use swimming pool

facility with MUSD and to have the Ad Hoc Committee and staff return to Council with a proposed Specifications and Cooperative Agreement. The motion carried by voice vote, 3-0, Councilmembers Pollock and Van Dam absent.

- E. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2015/2016 and Fiscal Year 2016/2017. Staff Recommendation: Receive and file report.

Mr. Kueny gave the staff report and explained that those items listed on Attachment A will be completed this year and those listed on Attachment B will have significant progress with completion over multiple years.

There were no speakers.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to receive and file the report. The motion carried by unanimous voice vote.

- F. Consider Proposed Operating and Capital Improvement Budget for the Fiscal Year 2016/2017. Staff Recommendation: Receive the budget and set a workshop at 6:00 p.m. on Wednesday, May 25, 2016.

Mr. Kueny provided the Council with a Supplemental agenda report and stated the budget binders had already been delivered to Council.

There were no speakers.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to receive the budget and set a workshop for 6:00 p.m. on Wednesday, May 25, 2016. The motion carried by unanimous voice vote.

10. CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)

MOTION: Councilmember Pollock moved and Councilmember Millhouse seconded a motion to approve the Consent Calendar with the exception of Item 10.A, which was pulled for individual consideration. The motion carried by unanimous roll call vote.

- B. Consider Amendment No. 14 to Agreement with David S. Hopkins (Pacific Sweep) for Street Sweeping Services. Staff Recommendation: Authorize the City Manager to sign Amendment No. 14 extending the Agreement until December 31, 2016, subject to final language approval by the City Manager.

- C. Consider Amendment to Cooperative Agreement with the Ventura County Transportation Commission for Administration of Funds from the Proposition 1B Public Transportation Modernization, Improvement and

Service Enhancement Account. Staff Recommendation: Authorize the Mayor to sign the Amendment to the Cooperative Agreement, subject to final language approval by the City Manager.

- D. Consider Resolution Updating the City's Permit Application Review and Processing Fees and Deposits to Include Fee Waiver for Business Registration and Home Occupation Permits Issued to Persons Under the Age of 18 and with an Annual Gross Income of Less Than Ten Thousand Dollars, and Rescinding Resolution No. 2015-3436, and Finding This Action Exempt from the California Environmental Quality Act. Staff Recommendation: Adopt Resolution No. 2016-3505, rescinding Resolution No. 2015-3436. ROLL CALL VOTE REQUIRED
- E. Consider: 1) Amendment to Professional Services Agreement with Sohagi Law Group Authorizing Additional Services Regarding the County of Ventura's Approval of Wayne J Sand and Gravel Mine Expansion; and 2) Resolution Amending the Fiscal Year 2015-2016 Budget by Appropriating \$100,000.00 from the General Fund (1000) for Additional Services by the Sohagi Law Group Related to the Wayne J Sand and Gravel Mine Expansion Project. Staff Recommendation: 1) Authorize the City Manager to execute an amendment to the professional services agreement with the Sohagi Law Group for an increase of \$100,000 to the previous not-to-exceed cost of \$84,000 for a new total not-to-exceed cost of \$184,000 without prior City Council authorization, subject to final language approval of the City Manager and City Attorney; and 2) Adopt Resolution No. 2016-3506. ROLL CALL VOTE REQUIRED
- F. Consider Resolution Amending the Fiscal Year 2015/16 Budget to Fund the Purchase of New Computers for the Active Adult Center Computer Lab. Staff Recommendation: Adopt Resolution No. 2016-3507, amending the 2015/16 Fiscal Year Budget to include \$1,500 donation to the General Fund (1000); and an appropriation of \$4,000 from the General Fund (1000) and from the Equipment Replacement Fund (4003), for the purchase of the new computers. ROLL CALL VOTE

The following items were pulled for individual consideration.

- A. Consider Warrant Register for Fiscal Year 2015/16 – May 18, 2016. Staff Recommendation: Approve the warrant register.

Mr. Kueny stated that an incorrect description for Check No. 200232 of HOA Dues Reimbursement when it should read Cell Phone Reimbursement. The Finance Department provided a handout showing the journal entries to correct this error.

MOTION: Mayor Parvin moved and Councilmember Millhouse seconded a motion to approve the warrant register, as amended. The motion carried by unanimous voice vote

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, one case under Item 12.B, Item 12.C. and 12.D. 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: Mayor Parvin moved and Councilmember Mikos seconded a motion to adjourn to closed session for discussion of one case under Item 12.A, one case under Item 12.B, Item 12.C. and 12.D. on the agenda. The motion carried by unanimous voice vote. The time was 8:41 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)
- 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)

- D. 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

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; David Bobardt, Community Development Director; and Jessica Sandifer, Program Manager.

The Council reconvened into open session at 9:28 p.m. Mr. Kueny stated one case under Item 12.A, one case under Item 12.B, Item 12.C. and 12.D. were discussed and there was no action to report.

13. ADJOURNMENT:

Mayor Parvin adjourned the meeting at 9:28 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk