

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

July 20, 2016

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on July 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 6:38 p.m.

2. PLEDGE OF ALLEGIANCE:

Administrative Services Manager, Brian Chong 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; 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; Brian Chong, Administrative Services Manager; Shaun Kroes, Program Manager; Jessica Sandifer, Program Manager; Captain John Reilly, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Presentation of Ventura County Fair Poster for 2016.

Junior Fair Board representatives Chole Richardson, Laura Fernandez, Jacob Harms, Zachery Lowe, and Hannah Wishart-Saviers presented the City with the 2016 Ventura County Fair Poster.

5. PUBLIC COMMENT:

Mark Rosen, representing K. Hovnanian Homes, requested Consent Calendar Item 10.Q. be pulled for individual consideration and Item 10.R. be pulled to be continued to the September 7, 2016 meeting. Councilmember Pollock concurred

with pulling Item 10. Q. as a resident of Meridian Hills, he would need to abstain from the vote.

Denise Jones, a Moorpark resident on Maureen Lane, requested information concerning construction of a sound wall to counteract the noise created by the widening of Los Angeles Avenue and spoke in regard to the widening's impacts on nearby residents, especially noise and vibration. The Council advised Ms. Jones to meet with Sean Corrigan, City Engineer/Public Works Director to discuss this matter.

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

CONSENSUS: It was the unanimous consensus of the Council to pull Items 10.Q. and 10.R. from the Consent Calendar for individual consider upon the request of Councilmember Pollock.

CONSENSUS: It was the unanimous consensus of the Council to pull Item 10.N. upon the request of Councilmember Mikos.

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

Councilmember Pollock reported on having attended a Ventura Council of Governments meeting, which Mayor Parvin chaired. He stated there was a comprehensive report on power plants relocating to residential areas; and Rudy Gonzales, representing Southern California Edison, presented additional information.

Councilmember Pollock reported on having attended Melody Johnston's employee retirement party at Enegren's Brewery in Moorpark..

Councilmember Pollock reported on a meeting in Moorpark with Lou La Monte, Mayor of Malibu who is also the President of California Contract Cities Association (CCCA) where a discussion on Council's concerns regarding sales tax distribution and the CCCA's involvement with that issue took place. He stated Moorpark may want to consider becoming a member of this organization at a later time.

Councilmember Millhouse announced he will not be seeking re-election to the Council after 16-years of serving the City on the Council, Ventura County Transportation Commission, Southern California Association of Governments, and Metrolink Board. He outlined many of the accomplishments in the City during his tenure.

Mayor Parvin announced the movie "Star Wars - The Force Awakens" will be shown at dusk on Friday, July 22nd at Peach Hill Park.

Mayor Parvin announced the bus to Zuma Beach runs Tuesdays through Thursdays.

Mayor Parvin announced extended transit service hours will end after July 31st. Effective August 1st, the Moorpark City Transit bus and Dial-A-Ride services will return to their 6:00 a.m. to 6:00 p.m. Monday through Friday service hours. Saturday bus service and weekend Dial-A-Ride services will end.

Mayor Parvin announced "Coastal Cleanup Day" will be on September 17th at Villa Campesina Park from 9:00 a.m. to 12:00 noon.

Mayor Parvin reported on her attendance at the Ventura Council of Government's meeting where she discussed the effects on communities when power plants move into their neighborhoods.

Mayor Parvin reported on having attended a recognition of Bernard Luskin, Chancellor of the Ventura County Community College District for all of his efforts in making the Eden Zoo successful.

Mayor Parvin reported on having attended a fundraiser on July 17th at the Ruben Castro Human Services Center.

8. PUBLIC HEARINGS:

None.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Award of Bids for the Recreational Trail Project at Arroyo Vista Community Park (AVCP) (CIP 7852); and Resolution Amending the Fiscal Year 2016/17 Budget for the Project. Staff Recommendation: 1) Authorize award of Agreement for Recreational Trail Project at Arroyo Vista Community Park (CIP 7852) to The Adjul Corporation dba Lee Construction Company for the contract amount of \$3,673,581.00, plus a 10% project contingency of \$367,358.00 for a total construction cost of \$4,040,939.00; and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager; and 2) Adopt Resolution No. 2016-3533, amending the FY 2016-17 Budget to fully fund the project as described in the agenda report. ROLL CALL VOTE REQUIRED

Mr. Laurentowski gave the staff report.

There were no speakers.

**MOTION:** Mayor Parvin moved and Councilmember Mikos seconded a motion to: 1) Authorize award of Agreement for Recreational Trail Project at Arroyo Vista Community Park (CIP 7852) to The Adjul Corporation dba Lee Construction Company for the contract amount of \$3,673,581.00, plus a 10% project contingency of \$367,358.00 for a total construction cost of \$4,040,939.00; and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager; and 2) Adopt Resolution No. 2016-3533, amending the FY 2016-17 Budget to fully fund the project as described in the agenda report. The motion carried by unanimous roll call vote.

- B. Consider Conceptual Design of the Metrolink North Parking Lot Expansion; and Consider Amendment No. 2 to Agreement with Phoenix Civil Engineering, Inc. for Metrolink Station North Parking Lot Expansion Design. Staff Recommendation: 1) Approve conceptual design of the Metrolink North Parking Lot Expansion (CIP 8063); and 2) Authorize the City Manager to sign Amendment No. 2 to the Agreement with Phoenix Civil Engineering, Inc. for lighting design and electrical engineering services, as well as landscape architectural services, in an amount not to exceed \$29,736.00, for a total Agreement amount not to exceed \$95,628.00, subject to final language approval of the City Manager.

Mr. Kroes gave the staff report and corrected the spelling of the first word on stamped page 203 of the agenda report to be "compliant" not "complaint".

There were no speakers.

**MOTION:** Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to: 1) Approve conceptual design of the Metrolink North Parking Lot Expansion (CIP 8063); and 2) Authorize the City Manager to sign Amendment No. 2 to the Agreement with Phoenix Civil Engineering, Inc. for lighting design and electrical engineering services, as well as landscape architectural services, in an amount not to exceed \$29,736.00, for a total Agreement amount not to exceed \$95,628.00, subject to final language approval of the City Manager. 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 with the exception of Items 10.N, 10.Q. and 10.R, which were pulled for individual consideration. The motion carried by unanimous roll call vote.

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- A. Consider Minutes of Special City Council Meeting of July 6, 2016. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Regular City Council/Successor Agency Meeting of July 6, 2016. Staff Recommendation: Approve the minutes.
- C. Consider Warrant Register for Fiscal Year 2015/16 – July 20, 2016. Staff Recommendation: Approve the warrant register.
- D. Consider Warrant Register for Fiscal Year 2016/17 – July 20, 2016. Staff Recommendation: Approve the warrant register.
- E. Consider Resolution Adopting Hours of Operation for Lighted Park Facilities. Staff Recommendation: Adopt Resolution No. 2016-3534.
- F. Consider Response to the Ventura County Grand Jury 2015-2016 Final Report – Public Access to Conflict of Interest Codes. Staff Recommendation: Approve the draft response to the Grand Jury report findings and recommendations and authorize the Mayor to sign and submit the response to the Presiding Judge of the Superior Court.
- G. Consider Voting Delegate and Alternates for League of California Cities Annual Conference – October 5-7 in Long Beach. Staff Recommendation: 1) Designate Councilmember Pollock as the voting delegate and other attending Councilmember, the City Manager, or Assistant City Manager as voting delegate alternates; and 2) Direct the City Clerk to notify the League of California Cities of the designated voting delegate and alternates.
- H. Consider Revisions and Title Change to the Recreation Programs and Services Cost Recovery Policy in Order to Incorporate Active Adult Center Programs. Staff Recommendation: Approve the revisions and title change to the Recreation Programs and Services Cost Recovery Policy to include Active Adult Center programs, and direct that the Policy be incorporated into the City Council Polices Resolution on the next amendment.
- I. Consider Agreement with Landscape Structures for Fitness Equipment for Arroyo Vista Recreational Trail Project. Staff Recommendation: Approve Agreement with Rec West/Landscape Structures Health Beat Fitness Equipment in the amount of \$98,895.75 for the Arroyo Vista Recreational Trail Project; and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager

- J. Consider Resolution Approving Participation in the Institute for Local Government's Beacon Program. Staff Recommendation: Adopt Resolution No. 2016-3535 approving participation in the Program.
- K. Consider Agreements with RFR Management, Inc. for Construction Management; Phoenix Civil Engineering, Inc. for Public Works Inspection and Administration; and Oakridge Geoscience, Inc. Special Inspections and Materials Testing for the Recreational Trail Project at Arroyo Vista Community Park (AVCP) (CIP 7852). Staff Recommendation: 1) Approve Agreement with RFR Management, Inc. and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager; 2) Approve Agreement with Phoenix Civil Engineering, Inc. and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager; and 3) Approve Agreement with Oakridge Geoscience, Inc. and authorize the City Manager to sign the Agreement, subject to final language approval of the City Manager.
- L. Consider Agreement with Away We Grow, LLC for Contract Instructor Run Preschool at the Arroyo Vista Recreation Center. Staff Recommendation: Approve the Agreement and authorize the City Manager to execute the Agreement, subject to final language approval of the City Manager.
- M. Consider Plans and Specifications and Authorization to Advertise for Bids for Asphalt Overlay of Sections of Spring Road, Princeton Avenue, Poindexter Avenue, and Gabbert Road (Project 8093). Staff Recommendation: Approve the plans and specification for the subject project and authorize staff to advertise for construction bids after receiving a Caltrans Encroachment permit.
- O. Consider Amendment No. 8 to Agreement for Traffic Engineering Services for Traffic Signal Operations with Hartzog & Crabill, Inc. Staff Recommendation: Authorize the City Manager to sign the Amendment, subject to final language approval by the City Manager.
- P. Consider Revisions to City Council Policy 3.5, First Time Home Buyer Program. Staff Recommendation: Approve revisions to City Council Policy 3.5 as contained in the agenda report and direct staff to incorporate these changes in the next update of the City Council Policies Resolution.

The following items were pulled for individual consideration.

- N. Consider Resolution Approving Seven Year Capital Improvement Program for the Department of Public Works for Fiscal Year 2015/16-FY 2021/22. Staff Recommendation: Adopt Resolution No. 2016-3536

Councilmember Mikos stated she pulled this item as this is an important report the public should be aware of. She outlined a variety of editorial corrections for staff to make to the program document.

**MOTION:** Councilmember Mikos moved and Councilmember Millhouse seconded a motion to adopt Resolution No. 2016-3536, as amended for final language approval by the City Manager and City Engineer/Public Works Director. The motion carried by unanimous voice vote.

Q. Consider Approval of Subdivision Improvement Agreement (SIA) for Tract 5187-1, Tract 5187-2, and Tract 5405, Meridian Hills Residential Development Project. Staff Recommendation: Approve a SIA for Tract 5187-1, Tract 5187-2, and Tract 5405 with the applicable party or parties referenced in the agenda report, subject to final language approval of the City Manager and City Attorney, and subject to the City Attorney determination on the number of SIA's required.

Mr. Pollock stated as a resident of Meridian Hills he would be abstaining from this item.

**MOTION:** Mayor Parvin moved and Councilmember Millhouse seconded a motion to approve Subdivision Improvement Agreement (SIA) for Tract 5187-1, Tract 5187-2, and Tract 5405 with the applicable party or parties referenced in the agenda report, subject to final language approval of the City Manager and City Attorney, and subject to the City Attorney determination on the number of SIA's required. The motion carried by voice vote 4-0, Councilmember Pollock abstaining.

R. Consider Approval of the Proposed Third Amendment to the Implementation Plan for Improvements Associated with Tract Nos. 5187-1&2 and 5405, the Meridian Hills Residential Development Project, on the Application of K. Hovnanian Companies of Southern California, Located on Meridian Hills Drive, West of Walnut Canyon Road. Staff Recommendation: Approve the draft Third Amendment to the Implementation Plan for improvements to Tract No. 5187-1&2 and 5405 subject to: 1) Review and approval of final language of this Third Amendment by the City Manager and City Attorney; 2) Completion of fully executed Subdivision Improvement Agreement(s) for Tract Nos. 5187-1&2 and 5405; 3) Determination of satisfactory financial capacity of the developers by the City Manager and City Attorney; and 4) Deposit of \$5,000.00 to fund City's review of the referenced actions.

Mr. Kueny stated staff does not object to K. Hovnanian's request to continue this item to September 7, 2016.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to continue this item to the regular meeting of September 7, 2016. The motion carried by voice vote 4-0, Councilmember Pollock abstaining.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 438, An Ordinance of the City of Moorpark, California, Approving Zone Change No. 2015-02 for a Change in Zoning from Rural Exclusive, 1 Acre Minimum Lot Size (RE-1AC) to Industrial Park (M-1) to Create Land Use Designation and Zoning Consistency for a Specific Parcel Located on 36-acre Site on the West Side of Princeton Avenue, South of State Highway 118, on the Application of Sunbelt Enterprises, LLC, and Making a Finding of Exemption for Environmental Review Under CEQA in Connection Therewith. Staff Recommendation: Waive full reading, declare Ordinance No. 438 read for the second time, and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Ennis read the title of Ordinance No. 438.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to waive full reading, declare Ordinance No. 438 read for the second time, and adopted as read. The motion carried by unanimous roll call vote.

- B. Consider Ordinance No. 439, An Ordinance of the City of Moorpark, California, Replacing in its Entirety Paragraph 4 of Subsection B of Section 5.08.020 (Exempt Organizations, Activities, and Persons) of Chapter 5.08 (Business Registration Permit) of Title 5 (Business Taxes, Licenses and Regulations), of the Moorpark Municipal Code and Replacing in its Entirety Chapter 12.16 (Parks and Open Space) of Title 12 (Streets, Sidewalks and Public Places) of the Moorpark Municipal Code, and Making a Determination Under CEQA. Staff Recommendation: Waive full reading, declare Ordinance No. 439 read for the second time, and adopted as read. ROLL CALL VOTE REQUIRED

Mr. Ennis read the title of Ordinance No. 439.

MOTION: Councilmember Millhouse moved and Councilmember Pollock seconded a motion to waive full reading, declare Ordinance No. 439 read for the second time, and adopted as read. The motion carried by unanimous roll call vote.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Councilmember Mikos moved and Councilmember Millhouse seconded a motion to adjourn. The motion carried by unanimous voice vote. The time was 7:35 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk