

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

September 7, 2016

A Regular Meeting of the City Council of the City of Moorpark and the Successor Agency was held on September 7, 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 6:53 p.m.

2. PLEDGE OF ALLEGIANCE:

Hugh Riley, former Assistant City Manager, 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; David Bobardt, Community Development Director; Jeremy Laurentowski, Parks and Recreation Director; Sean Corrigan, City Engineer/Public Works Department; Joseph Fiss, Economic Development and Planning Manager; Jessica Sandifer, Program Manager; Captain John Reilly, Sheriff's Department; and Maureen Benson, City Clerk.

4. PROCLAMATIONS AND COMMENDATIONS:

A. Proclamation Declaring the Month of September as Ovarian Cancer Awareness Month.

Mayor Parvin presented Kerie Berkowitz of the Ovarian Cancer National Alliance with a proclamation declaring the month of September as Ovarian Cancer Awareness Month.

B. Recognition of Mary Schwabauer for Her Many Years of Service to the Moorpark Community.

Mayor Parvin presented Mary Schwabauer with a certificate of recognition for her many years of service to the Moorpark community.

5. PUBLIC COMMENT:

Hugh Riley, Executive Director of the Moorpark Foundation for the Arts, spoke in honor of Mary Schwabauer's generosity towards the High Street Arts Center and the many other contributions she has made in Moorpark.

Victor Kamhi, retired Bus Transit Director, from the Ventura County Transportation Commission spoke in regard to having worked with Councilmember Millhouse's for many years at VCTC and wished him well in his future plans after his pending retirement from serving as a Moorpark Councilmember at the end of the year. He stated Councilmember Millhouse's leaving will be a great loss to the City and County.

Mayor Parvin announced the meeting would be adjourned in memory of Laura Ritchie-Rojas, former Senior Account Technician with the City, who recently passed away after losing a courageous battle with cancer.

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

CONSENSUS: It was the unanimous consensus of the Council to pull Items 10.H, 10.L, 10.O, 10.P, and 10.Q. from the Consent Calendar for individual consideration.

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

Councilmember Pollock complimented Mary Schwabauer on her many contributions to Moorpark and related a story of having been vetted by her and her husband when he had first contemplated running for the Moorpark Unified School District School Board.

Councilmember Pollock reported on the following summer activities while the Council was on vacation:

- Visited McGregor's Craft Beer and Wine in the Tuscany Square Center
- Attended the grand opening of the new Tractor Supply Company
- Patronized the Rock 'n Roll Pizza under new ownership
- Visited Wingspan Cyclery in Tuscany Square Center
- Patronized Jimmy John's Subs in the Target Center

Councilmember Pollock commended the Moorpark Police Department/Ventura County Sheriff's Department for their professionalism in handling a "suicide by cop" incident north of Moorpark earlier in the day during which the suspect was subdued and taken into custody using their canine component.

Councilmember Pollock congratulated staff on achieving the "Gold Award" from Institute for Local Government for best practices in sustainability, which will be awarded to the City at the League of California Cities Annual Conference in October.

Councilmember Pollock stated the City was enrolled in the HERO (Home Energy Renovation Opportunity) program which allows residents to finance solar panels or water saving projects using property tax bill to pay it back.

Councilmember Mikos thanked Mary Schwabauer for her hard work and many contributions to Moorpark.

Councilmember Mikos congratulated local business, Enegren Brewery, on their 5th anniversary and stated the business is doing well.

Councilmember Mikos reported on having attended the opening of "Footloose" at the High Street Arts Center and recommended it as a wonderful event showcasing many Moorpark youth in the cast.

Councilmember Mikos reported there are additional sustainable programs besides the HERO program available to assist local residents and to contact staff for more information.

Councilmember Van Dam announced that Enegren Beer is so popular that the local Costco is carrying two of their beers.

Councilmember Van Dam announced the Moorpark Education Foundation's "Food Truck Meet Up" was a huge success in raising funds for the local schools and students.

Councilmember Van Dam reported on the success of the grand reopening of the Grinder's Sports Bar and Grill. He stated he is looking forward to dining there and watching football in the newly remodeled restaurant.

Councilmember Van Dam announced the success of a recent Chamber of Commerce mixer hosted by Dale and Terri Doria of PuroClean Disaster Recovery Services, Lynda Rummelhoff of State Farm Insurance and Mark and Kam Holland of Pacific Coast Auto Body.

Mayor Parvin announced September is National Preparedness Month and is a reminder to all of us to take action and prepare now and throughout the year for the types of emergencies that can affect our lives. She recommended visiting the City's website to learn how to be better prepared.

Mayor Parvin announced Coastal Cleanup Day is this month at the Arroyo cleanup on Saturday, September 17 at Villa Campesina Park.

Mayor Parvin announced the City will host its final Free Paper Shredding and Electronic Waste Collection Event on Saturday, September 17 at the City's Public Services Facility.

Mayor Parvin announced Free Landfill Day at the Simi Valley Landfill and Recycling Center in Simi Valley is on Sunday, September 18.

Mayor Parvin announced the Moorpark Boys and Girls Club 2016 Golf Classic will be held at the Moorpark Country Club and Golf Course on September 19.

Mayor Parvin announced the Annual High Street Arts Center's Gala Benefit/Dinner/Auction/Concert will be held on September 24, 2016.

Mayor Parvin announced Country Days will be celebrated this year on October 8 and the Moorpark Mammoth Walk 5K-10K Family Walk will take place on October 9.

Mayor Parvin reported on the following summer activities while the Council was on vacation:

- Harley Davidson Veterans' event carrying the flag across America, which came through Moorpark where she got to ride on special motorcycles.
- Helped organize the "Blue for You" event in Moorpark to honor local law enforcement.
- Participated in a ribbon cutting ceremony for the Grinder's new Sports Bar and Grill.
- Attended the Food Truck Meet Up.
- Participated two Eagle Scout ceremonies over the summer break.
- Participated in a Faceoff with Cancer fundraiser sponsored by Moorpark Hockey enthusiasts to benefit those impacted by the disease
- Attended Ventura County's Career Education Center ribbon cutting ceremony
- Attended the opening of the Tractor Supply Store.

8. PUBLIC HEARINGS:

- A. Consider Resolution Approving Conditional Use Permit No. 2016-02 and Administrative Permit No. 2016-04 to Allow the Remodel and Conversion of a Former Single Family Home into a Residential Care Facility at 100 Leta Yancy Road, and Making a Determination of Exemption Under CEQA in Connection Therewith, on the Application of Emiliano Galicia. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2016-____,

approving Conditional Use Permit No. 2016-02 and Administrative Permit No. 2016-04, subject to Conditions of Approval.

Mr. Bobardt gave the staff report.

Mayor Parvin opened the public hearing.

Emiliano Galicia, applicant, spoke about his concerns regarding Condition No. 12 on stamped page 71 of the agenda report requiring street improvements to Unidos Avenue, which would make the project too expensive to complete. He requested the Council consider the determination made in 2006 for a prior proposal that Unidos Avenue be brought to the standards of a service alley.

Bob Gehricke, architect for the project, Gehricke & Mason Architects, 483 East High Street, Moorpark, CA, stated he concurred with the proposal to improve Unidos Avenue to a service alley and stated using a more improved Unidos as a parallel alternative to State Route 118 would not be advisable.

Pamela Castro, a Moorpark resident, stated an assisted living facility is needed in Moorpark and if the street improvements to Unidos Avenue are required the project will not be completed. She stated it did not make sense to widen the street as it dead ends into Park Lane where Faith Lutheran Church is located.

Alejandro Castro, a Moorpark resident, requested the Council work with Mr. Galicia regarding the alley versus improved street, as an assisted living facility is greatly needed in the community.

Mayor Parvin closed the public hearing.

A discussion followed among the Councilmembers and staff regarding the history of projects proposed and approved for this site which did not reach completion; the expiration date for this current project being September 10; and the possible waiver by the applicant of the 90-day Permit Streamlining requirement to allow staff more time to work on this issue and possibly find middle ground.

Mayor Parvin re-opened the public hearing.

Mr. Galicia stated he was willing to waive the 90-day Permit Streamlining requirement to allow time to meet with staff. A discussion followed on what date to bring this item back to Council.

CONSENSUS: It was the unanimous consensus of the Council to continue this item with the public hearing open to the regular meeting of October 19, 2016, to allow staff time to meet with the applicant in regard to the requirements for Unidos Avenue.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider the Establishment of an Ad-Hoc Committee to Develop a Draft Development Agreement between Spring Road LLC and the City of Moorpark for Residential Planned Development No. 2015-02, General Plan Amendment No. 2015-02, Zone Change No. 2015-03, and Vesting Tentative Tract Map No. 5972. Staff Recommendation: Appoint two (2) Councilmembers to an Ad-Hoc Committee to develop a draft Development Agreement for this project.

Mr. Fiss gave the staff report.

Don Duncan, representing Spring Road, LLC, stated he was available for questions.

Councilmember Van Dam and Mayor Parvin volunteered to serve on the Spring Road, LLC Ad Hoc Committee.

CONSENSUS: It was the unanimous consensus of the Council to appoint Councilmember Van Dam and Mayor Parvin to serve on the Spring Road, LLC Ad Hoc Committee.

- B. Consider Moorpark Commercial Market Overview. Staff Recommendation: Receive and file report.

Mr. Bobardt gave the staff report.

Ken Simons, a Moorpark resident and commercial real estate agent stated the report was very good. He identified lack of low cost high speed internet as a deficiency to businesses locating to Moorpark.

Councilmember Mikos stated the Economic Development Collaborative of Ventura County is preparing a Broad Band study for future publication.

CONSENSUS: It was the unanimous consensus of the Council to receive and file the report.

- C. Consider Report on Economic Development Activities. Staff Recommendation: 1) Authorize staff to place two (2) full-page ads in the Moorpark Acorn this fiscal year to promote local businesses; and 2) Receive and file report.

Mr. Fiss gave the staff report.

There were no speakers.

MOTION: Councilmember Van Dam moved and Councilmember Mikos seconded a motion to: 1) Authorize staff to place two (2) full-page ads in the Moorpark Acorn this fiscal year to promote local businesses; and 2) Receive and file report. The motion carried by unanimous voice vote.

- D. Consider Proposed Los Angeles Avenue Traffic Study Request for Proposals. Staff Recommendation: Approve the Request for Proposals, subject to final language approval of the City Manager, and authorize staff to proceed with obtaining proposals.

Mr. Kueny gave the staff report.

There were no speakers.

MOTION: Councilmember Pollock moved and Councilmember Mikos seconded a motion to approve the Request for Proposals, subject to final language approval of the City Manager, and authorize staff to proceed with obtaining proposals. 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 Items 10.H, 10.L, 10.O, 10.P, and 10.Q, which were pulled for individual consideration. The motion carried by unanimous roll call vote.

- A. Consider Minutes of Special Joint City Council/Library Board Meeting of April 27, 2016. Staff Recommendation: Approve the minutes.
- B. Consider Minutes of Special Joint City Council/Planning Commission Meeting of April 27, 2016. Staff Recommendation: Approve the minutes.
- C. Consider Minutes of Special City Council Meeting of July 20, 2016. Staff Recommendation: Approve the minutes.
- D. Consider Minutes of Regular City Council/Successor Agency Meeting of July 20, 2016 Staff Recommendation: Approve the minutes.
- E. Consider Warrant Register for Fiscal Year 2015/16 – September 7, 2016. Staff Recommendation: Approve the warrant register.

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- F. Consider Warrant Register for Fiscal Year 2016/17 – September 7, 2016. Staff Recommendation: Approve the warrant register.
- G. Consider Cancellation of January 4, 2017, Regular Meeting. Staff Recommendation: Direct staff to post a notice of meeting cancellation for January 4, 2017.
- I. Consider Resolution Amending Fiscal Year 2016/17 Budget to Increase Appropriations for Fiscal Year 2015/16 Purchase Order Carry Over. Staff Recommendation: Adopt Resolution No. 2016-3538. ROLL CALL VOTE REQUIRED
- J. Consider Agreement with Liebert Cassidy Whitmore to Review and Revise the City's Personnel Rules for Competitive Service Employees. Staff Recommendation: Approve the Agreement and authorize the City Manager to execute the Agreement in an amount not to exceed \$13,000, subject to final language approval by the City Manager.
- K. Consider Request from California Department of Rehabilitation (DOR) to Co-sponsor a Job Fair at Arroyo Vista Recreation Center and Waive the City's Facility Rental Fee. Staff Recommendation: Approve the co-sponsorship of the DOR's Job Fair on October 20, 2016, waive the facility rental fees, and require that the DOR pay City's direct staff costs for the job fair.
- M. Consider Request from Relay for Life to Co-sponsor the 2017 Relay for Life Event. Staff Recommendation: 1) Approve the request from Relay for Life to co-sponsor the event as described in the agenda report, and waive associated park rental fees, subject to reimbursement of City's direct costs; 2) Authorize the City Manager to approve modified hours of operation for Arroyo Vista Community Park from 10:00 p.m. on 5/6/17 to 6:00 a.m. on 5/7/17, as a condition of the rental permit; 3) Authorize Relay for Life to post private security at the event site within Arroyo Vista Community Park from 10:00 p.m. to 6:00 a.m. on 5/5/17 through 5/7/17; and Authorize the City Manager or City Manager's designee to set other conditions or requirements as may be determined necessary.
- N. Consider Request from the County of Ventura to Co-sponsor Poll Worker Training at Arroyo Vista Recreation Center and Waive the City's Facility Rental Fee. Staff Recommendation: Approve the co-sponsorship of the County of Ventura Poll Worker Training on October 13, 2016, waive the facility rental fees, and require that the County pay City's direct staff costs for the training.
- R. Consider Resolution Authorizing the Acceptance of Properties from the Successor Agency; and Resolution Amending the Fiscal Year 2016/17

Budget to Fund the Purchase of the Properties. Staff Recommendation: 1) Adopt Resolution No. 2016-3539 approving the purchase of and authorizing the acceptance of Property 1 – 500 Los Angeles Avenue (APN 506-0-050-080), Property No. 2 – 347 Moorpark Avenue (APN 511-0-101-350) and Property No. 3 – 467 High Street (APN 512-0-081-110 from the Successor Agency; and 2) Adopt Resolution No. 2016-3540 amending the FY 2016/17 Budget to fund the purchase of the Properties. ROLL CALL VOTE REQUIRED

The following items were pulled for individual consideration.

- H. 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. (continued from July 20 2016). Staff Recommendation: Continue item to the September 21, 2016, City Council meeting.

Councilmember Pollock stated he asked for this item to be pulled so he could abstain from voting as he resides in Meridian Hills.

MOTION: Councilmember Millhouse moved and Mayor Parvin seconded a motion to continue this item to the September 21, City Council meeting. The motion carried by voice vote 4:0, Councilmember Pollock abstaining.

- L. Consider City Co-sponsorship of the Rotary Club of Moorpark Noontime 2016 Moorpark Mammoth Run Event. Staff Recommendation: Approve City co-sponsorship as outlined in the agenda report, subject to final language approval of the Letter of Agreement, Indemnification, and Hold Harmless by the City Manager.

Mayor Parvin stated she asked for this item to be pulled so she could abstain as she is a member of the Rotary Club.

MOTION: Mayor Protem Pollock moved and Councilmember Mikos seconded a motion to approve City co-sponsorship as outlined in the agenda report, subject to final language approval of the Letter of Agreement, Indemnification, and Hold Harmless by the City Manager. The motion carried by voice vote 4-0, Mayor Parvin abstaining.

- O. Consider Addendum to Final Settlement and Release Agreement by and Between Moorpark Unified School District, on the One Hand, and the City of Moorpark and the Successor Agency to the Redevelopment Agency of the City of Moorpark, on the Other Hand, in Resolution of Disputes Concerning Payments and Credits Under a 1993 Pass Through

Agreement. Staff Recommendation: Authorize the Mayor to execute the Addendum, subject to final language approval by the City Manager and City Attorney.

Councilmember Pollock stated he asked for this item to be pulled so he could abstain from voting as he has a pending business transaction with the Moorpark Unified School District.

MOTION: Councilmember Millhouse moved and Councilmember Van Dam seconded a motion to authorize the Mayor to execute the Addendum, subject to final language approval by the City Manager and City Attorney. The motion carried by voice vote 4-0, Councilmember Pollock abstaining.

P. (SUCCESSOR AGENCY) Consider Addendum to Final Settlement and Release Agreement by and Between Moorpark Unified School District, on the One Hand, and the City of Moorpark and the Successor Agency to the Redevelopment Agency of the City of Moorpark, on the Other Hand, in Resolution of Disputes Concerning Payments and Credits Under a 1993 Pass Through Agreement. Staff Recommendation: Authorize the Chairperson to execute the Addendum, subject to final language approval by the Executive Director and General Counsel.

Agency Member Pollock stated he asked for this item to be pulled so he could abstain from voting as he has a pending business transaction with the Moorpark Unified School District.

MOTION: Agency Member Millhouse moved and Agency Member Van Dam seconded a motion to authorize the Chairperson to execute the Addendum, subject to final language approval by the Executive Director and General Counsel. The motion carried by voice vote 4-0, Agency Member Pollock abstaining.

Q. (SUCCESSOR AGENCY) Consider Resolutions Approving the Successor Agency's Transfer of Property No. 1 (500 Los Angeles Avenue – APN 506-0-050-080), Property No. 2 (347 Moorpark Avenue – APN 511-0-101-350), and Property No. 3 (467 High Street – APN 512-0-081-110) to the City of Moorpark Pursuant to the Long Range Property Management Plan. Staff Recommendation: 1) Adopt Resolution No. SA-2016-18 approving the sale of Property No. 1 to the City of Moorpark; and 2) Adopt Resolution No. SA-2016-19 approving the sale of Property No. 2 and Property No. 3 to the City of Moorpark.

Executive Director Kueny stated staff asked that this item be pulled to amend language in the resolution for Property No. 1 and for Attachment B on stamped page 487.

Ms. Sandifer provided a handout of these two pages showing in legislative format the language recommended by Bond Counsel for the resolution for Property No. 1 and a new Attachment B for the resolution for Properties No. 2 and No. 3 to correct the property description.

MOTION: Agency Member Mikos moved and Agency Member Pollock seconded a motion to: 1) Adopt Resolution No. SA-2016-18, as amended, approving the sale of Property No. 1 to the City of Moorpark; and 2) Adopt Resolution No. SA-2016-19, as amended, approving the sale of Property No. 2 and Property No. 3 to the City of Moorpark. The motion carried by unanimous voice vote.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

None.

12. CLOSED SESSION:

None was held.

Mr. Kueny announced the City Council after adjourning this meeting would go back into closed session under the Special City Council meeting for continued discussion of one case under Item 5.A, three cases under Item 5.B, and Items 5.E. and 5.F. on that the agenda.

13. ADJOURNMENT:

MOTION: Councilmember Mikos moved and Mayor Parvin seconded a motion to adjourn the meeting in memory of Laura Ritchie-Rojas. The motion carried by unanimous voice vote. The time was 9:47 p.m.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk