



Resolution No. 2005-2382  
Ordinance No. 319

**CITY COUNCIL  
REGULAR MEETING AGENDA  
WEDNESDAY, SEPTEMBER 21, 2005  
7:00 P.M.**

Moorpark Community Center

799 Moorpark Avenue

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **PLEDGE OF ALLEGIANCE:**

(Will be led by a member of the Moorpark Active Adult Center Advisory Committee following the Opening Ceremony for Senior Games.)

4. **PROCLAMATIONS AND COMMENDATIONS:**

- A. Opening Ceremony for Senior Games.
- B. Certificate of Recognition for Country Days Logo Contest Winner Ashley Gass.
- C. Proclamation for Child Development Resources of Ventura County.
- D. City Manager's Monthly Report.

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Any member of the public may address the Council during the Public Comments portion of the Agenda, unless it is a Public Hearing or a Presentation/Action/Discussion item. Speakers who wish to address the Council concerning a Public Hearing or Presentations/Action/Discussion item must do so during the Public Hearing or Presentations/Action/Discussion portion of the Agenda for that item. Speaker cards must be received by the City Clerk for Public Comment prior to the beginning of the Public Comments portion of the meeting and for Presentation/Action/Discussion items prior to the beginning of the first item of the Presentation/Action/Discussion portion of the Agenda. Speaker Cards for a Public Hearing must be received prior to the beginning of the Public Hearing. A limitation of three minutes shall be imposed upon each Public Comment and Presentation/Action/Discussion item speaker. A limitation of three to five minutes shall be imposed upon each Public Hearing item speaker. Written Statement Cards may be submitted in lieu of speaking orally for open Public Hearings and Presentation/Action/Discussion items. Copies of each item of business on the agenda are on file in the office of the City Clerk and are available for public review. Any questions concerning any agenda item may be directed to the City Clerk at 517-6223.

5. PUBLIC COMMENT:

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

*(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)*

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

8. PUBLIC HEARINGS:

- A. Consider General Plan Amendment No. 2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02 for 1,650 Housing Units on 3,586.3 Acres Located Generally North of Moorpark College and State Route 118 on Land Immediately Outside City of Moorpark Municipal Boundaries, Applicant: North Park Village, LP. **(continued from September 7, 2005, with public hearing closed)** Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_ (in Agenda Item 9.A.) placing an Ordinance on the ballot that includes General Plan Amendment No. 2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02 with Development Agreement No. 2005-01 for consideration by Moorpark voters. **(Staff: David Bobardt)**
- B. Consider Proposed Development Agreement Between North Park Village Limited Partnership and City of Moorpark Pertaining to General Plan Amendment No. 2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02. **(continued from September 7, 2005, with public hearing closed)** Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_ (in Agenda Item 9.A.) placing an Ordinance on the ballot that includes Development Agreement No. 2005-01 with General Plan Amendment No. 2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02 for consideration by Moorpark voters. **(Staff: Steven Kueny)**

**8. PUBLIC HEARINGS: (continued)**

- C. Consider Formation of City of Moorpark Community Facilities District No. 2004-1 (Moorpark Highlands). **(continued from September 7, 2005, with public hearing open)** Staff Recommendation: 1) Open the continued public hearing, accept testimony, and close the public hearing; 2) Adopt Resolution No. 2005-\_\_\_\_, (Approving a Funding, Construction, and Acquisition Agreement; 3) Adopt Resolution No. 2005-\_\_\_\_ (Formation of Community Facilities District and Levy of Special Tax); 4) Adopt Resolution No. 2005-\_\_\_\_, (Determining Necessity to Incur Bonded Indebtedness); 5) Adopt Resolution No. 2005-\_\_\_\_, (Calling for a Special Election); 6) Adopt Resolution No. 2005-\_\_\_\_, (Declaring Election Results) and 7) Introduce Ordinance No. \_\_\_\_ for first reading and schedule second reading and adoption for October 19, 2005. **ROLL CALL VOTE REQUIRED (Staff: Hugh Riley)**
- D. Consider Formation of City of Moorpark Community Facilities District No. 2004-2 (Vistas at Moorpark). **(continued from September 7, 2005, with public hearing open)** Staff Recommendation: 1) Open the continued public hearing, accept testimony, and close the public hearing; 2) Adopt Resolution No. 2005-\_\_\_\_, (Approving a Funding, Construction, and Acquisition Agreement; 3) Adopt Resolution No. 2005-\_\_\_\_, (Formation of Community Facilities District and Levy of Special Tax); 4) Adopt Resolution No. 2005-\_\_\_\_, (Determining Necessity to Incur Bonded Indebtedness); 5) Adopt Resolution No. 2005-\_\_\_\_, (Calling for a Special Election); 6) Adopt Resolution No. 2005-\_\_\_\_, (Declaring Election Results); and 7) Introduce Ordinance No. \_\_\_\_ for first reading and schedule second reading and adoption for October 19, 2005. **ROLL CALL VOTE REQUIRED (Staff: Hugh Riley)**

**8. PUBLIC HEARINGS: (continued)**

- E. Consider General Plan Amendment Pre-Screening Application No. 2004-04 to Convert 6.8 Acres from a General Commercial (C-2) Designation to Very High Density Residential (VH) and Floodway (FLDWY) Designations on the West Side of Spring Road, South of Los Angeles Avenue on the Application of Centex Homes. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Direct staff to accept a General Plan Amendment application, provided all other necessary entitlement applications are filed concurrently; and 3) Appoint an Ad Hoc Committee for negotiation of the development agreement. **(Staff: Barry Hogan)**

**9. PRESENTATION/ACTION/DISCUSSION:**

- A. Consider Special Election Resolutions for the North Park Village and Nature Preserve Project Calling a Special Election for February 7, 2006; Setting Priorities for Filing Written Arguments and Directing the City Attorney to Prepare the Impartial Analysis; and Providing for the Filing of Rebuttal Arguments. **(continued from July 6, 2005)** Staff Recommendation: 1) Direct staff as deemed appropriate on any City Council priorities to be included in the resolution setting priorities for filing written arguments; and 2) Adopt the three election Resolutions Nos. 2005-\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. **(Staff: Deborah Traffenstedt)**
- B. Consider an Ordinance of the City of Moorpark, Amending Title 6, Animal Regulations, to Reflect Current Conditions and Services and Make Technical Changes for Clarity of Language and Purpose. **(continued from September 7, 2005)** Staff Recommendation: Introduce Ordinance No. \_\_\_\_ for first reading, waive full reading, and declare the ordinance introduced for first reading. **(Staff: John Brand)**
- C. Consider Consultant for Library Study. Staff Recommendation: Direct staff as deemed appropriate. **(Staff: Mary Lindley)**

**9. PRESENTATION/ACTION/DISCUSSION: (continued)**

- D. Consider Hurricane Katrina Relief Program and Related Actions, and Resolution Amending 2005/06 Operating Budget for Program Expenditures. Staff Recommendation: Approve Emergency Hurricane Katrina Relief Program and adopt Resolution No. 2005-\_\_\_\_, amending the 2005/06 Operating Budget. **ROLL CALL VOTE REQUIRED (Staff: Hugh Riley)**
- E. Consider Amending the Zoning Code (Title 17) by Adding a Public Art Requirement. Staff Recommendation: Introduce Ordinance No. \_\_\_\_, for first reading, waive full reading, and schedule second reading and adoption for October 5, 2005. **(Staff: Mary Lindley)**

**10. CONSENT CALENDAR:**

- A. Consider Approval of Special Meeting Minutes of August 31, 2005.  
Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - September 21, 2005.  
Staff Recommendation: Approve the warrant register.
- C. Consider Approval of Warrant Register for Fiscal Year 2005-2006 - September 21, 2005.  
Staff Recommendation: Approve the warrant register.
- D. Consider Resolution Adopting the Annual Investment Policy for Fiscal Year 2005/06 for the City of Moorpark. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_, establishing the City of Moorpark's Investment Policy for Fiscal Year 2005/06. **(Staff: Johnny Ea)**
- E. Consider Resolution Establishing Parking Restrictions on Third Street. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_. **(Staff: Kenneth Gilbert)**

**10. CONSENT CALENDAR: (continued)**

- F. Consider Rescinding Decision to Approve Professional Services with General Government Management Services as Special Tax Consultant Relating to the Formation, Financing and Annual Administration of Moorpark Highlands and Moorpark Vista Community Facilities Assessment Districts. Staff Recommendation: Rescind September 15, 2005, action to approve agreement for professional services with General Government Management Services. **(Staff: Hugh Riley)**
- G. Consider the City of Moorpark General Plan Annual Report Including the Housing Element Progress Report - September 2004-August 2005. Staff Recommendation: 1) Receive and file the report; and 2) Direct staff to forward a copy of this report to the Governor's Office of Planning and Research State Department of Housing and Community Development County of Ventura - Planning Division. **(Staff: Barry Hogan)**
- H. Consider Extension of Street Sweeping Contract. Staff Recommendation: Authorize the City Manager to execute a contract amendment extending the term of the Agreement for street sweeping services to December 31, 2010. **(Staff: Kenneth Gilbert)**
- I. Consider Report of Annual Development Agreement Review, Established in Connection with Industrial Planned Development No. 1995-02 and Tract No. 5004 (Special Devices, Incorporated (SDI), Warehouse Discount Centers, and Moorpark Hospitality, Inc.) Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation, and find, on the basis of substantial evidence, that SDI, Warehouse Discount Center, and Moorpark Hospitality, Inc. have complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete. **(Staff: Barry Hogan)**
- J. Consider Approval of Street Names for Moorpark Highlands (Pardee) Tract 5045 also known as Specific Plan 2, Located East of Walnut Canyon Road and South of the City Limits. Staff Recommendation: Approve the street names as proposed. **(Staff: Barry Hogan)**

**10. CONSENT CALENDAR: (continued)**

- K. Consider Resolution Authorizing CalHome Application for Housing Rehabilitation Funds and Authorizing City Manager to Execute All Documents Required to Participate in Program. Adopt Resolution No. 2005-\_\_\_\_, authorizing an application for CalHome funds and modify for housing rehabilitation loans as provided in the agenda report. **(Staff: Nancy Burns)**
- L. Consider Annual Review of Development Agreement Established in Connection with Residential Planned Development Permit No. 2001-02, a 190-unit Senior Apartment Project Located at the Terminus of Park Lane, South of Park Crest Lane and North of the Arroyo Simi (Vintage Crest Senior Apartments, L.P./USA Properties). Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation that, on the basis of substantial evidence, Vintage Crest Senior Apartments, L.P./USA Properties has complied in good faith with the terms and conditions of the Agreement; and 2) Deem the annual review process complete. **(Staff: Barry Hogan)**
- M. Consider Acceptance of Quit Claim Deed from the Area Housing Authority for Partial Street Right-of-Way in Connection with Proposed Vacation of Magnolia Street between High Street and Charles Street. Staff Recommendation: Direct the City Clerk to accept an interest in real property as described in the agenda report. **(Staff: Hugh Riley)**

**11. ORDINANCES:**

None.

**12. CLOSED SESSION:**

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)

**12. CLOSED SESSION: (continued)**

- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Pursuant to Subdivision (b) of Section 54957 of the Government Code)  
Title: Administrative Services Director/City Clerk;  
Assistant City Manager; City Manager; City Attorney;  
City Engineer; Chief of Police; Community Development  
Director; Finance Director; Parks, Recreation and  
Community Services Director; and Public Works Director

**13. ADJOURNMENT:**

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In compliance with the Americans with Disabilities Act, if you need special assistance to review an agenda or participate in this meeting, including auxiliary aids or services, please contact the City Clerk's Department at (805) 517-6223. Upon request, the agenda can be made available in appropriate alternative formats to persons with a disability. Any request for disability-related modification or accommodation should be made at least 48 hours prior to the scheduled meeting to assist the City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104; ADA Title II).

STATE OF CALIFORNIA )  
COUNTY OF VENTURA )       ss  
CITY OF MOORPARK     )

AFFIDAVIT OF POSTING

I, Blanca Garza, declare as follows:

That I am the Deputy City Clerk of the City of Moorpark and that an agenda of the Regular Meeting of the Moorpark City Council to be held on September 21, 2005, at 7:00 p.m. in the Council Chambers of the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California, was posted on September 16, 2005, at a conspicuous place at the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2005.

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Blanca Garza, Deputy City Clerk