



## **ANNOTATED**

**CITY COUNCIL  
REGULAR MEETING AGENDA  
WEDNESDAY, NOVEMBER 2, 2005  
7:00 P.M.**

**Moorpark Community Center**

**799 Moorpark Avenue**

1. CALL TO ORDER:

**7:08 P.M.**

2. PLEDGE OF ALLEGIANCE:

**ANDREW CIBELLI, BRETT POZZA, BRIAN SCHWARTZ, TIMMY STUHR  
AND RYAN SWANSON OF CUB SCOUT PACK 3604, DEN NO. 9,  
PRESENTED COLORS AND LED THE PLEDGE OF ALLEGIANCE.**

3. ROLL CALL:

**PRESENT: COUNCILMEMBERS HARPER, MIKOS, MILLHOUSE, PARVIN,  
AND MAYOR HUNTER**

4. PROCLAMATIONS AND COMMENDATIONS:

- A. Proclamation Recognizing October 2005 as Breast Cancer Awareness and End Domestic Violence Month.

**MAYOR HUNTER PRESENTED A PROCLAMATION RECOGNIZING  
OCTOBER 2005 AND NOVEMBER 2005 AS BREAST CANCER  
AWARENESS AND END DOMESTIC VIOLENCE MONTHS TO  
ELIZABETH FAIR, PRESIDENT OF THE CONEJO SOROPTIMIST  
CLUB.**

- B. Presentation by Hurricane Katrina Relief Committee.

**MINDY YARAS, CHAIRPERSON FOR THE HURRICANE KATRINA  
RELIEF COMMITTEE, INTRODUCED FELLOW COMMITTEE MEMBERS  
AND EVACUEE FAMILY FROM NEW ORLEANS. MS. YARAS  
RECOGNIZED THE ORGANIZATIONS THAT HAVE CONTRIBUTED TO**

THE FAMILY AND DESCRIBED THE NUMEROUS DONATIONS FROM THE MOORPARK COMMUNITY.

5. PUBLIC COMMENT:

THREE SPEAKERS.

THE CITY COUNCIL MEETING WAS RECESSED AT 7:35 P.M. TO CONVENE THE REDEVELOPMENT AGENCY MEETING. THE COUNCIL MEETING RECONVENED AT 7:36 P.M.

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*(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)*

MR. KUENY REQUESTED ITEM 8.D. BE REMOVED FROM THE AGENDA CALENDAR AS THE CITY AND PROPERTY OWNER HAVE REACHED AN AGREEMENT.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

COUNCILMEMBER MIKOS ANNOUNCED A HIKE TO HAPPY CAMP CANYON REGIONAL PARK ON SUNDAY, NOVEMBER 6, 2005, FROM 9:15 A.M. TO 1:00 P.M.

COUNCILMEMBER PARVIN ANNOUNCED THE THEATER ON HIGH STREET IS SHOWING "THE BEST OF THE OJAI FILM FESTIVAL" FROM NOVEMBER 10th-13th. FOR MORE INFORMATION CALL 805-529-8700.

MAYOR HUNTER ANNOUNCED THE HOLIDAY TOY EXPRESS WILL BE IN MOORPARK SUNDAY, NOVEMBER 20TH FROM 7:45 P.M. TO 8:20 P.M. SANTA'S PERFORMANCES MAY BE VIEWED FROM THE SOUTH METROLINK PARKING LOT AT 7:45 P.M. AND AGAIN AT 8:05 P.M.

MAYOR HUNTER ANNOUNCED ON THIS SAME DATE, SOUTHERN CALIFORNIA FIREFIGHTER'S SPARK OF LOVE TOY DRIVE WILL BE TAKING PLACE IN THE SOUTH METROLINK PARKING LOT WHERE FIREFIGHTERS WILL BE COLLECTING UNWRAPPED TOYS FOR NEEDY CHILDREN. FOR MORE INFORMATION, CALL 805-517-6257.

MAYOR HUNTER ANNOUNCED FREE DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE INCLUDING PAINT, CLEANING CHEMICALS, GARDEN CHEMICALS, FLUORESCENT LIGHT TUBES, BATTERIES, MOTOR OIL AND OIL FILTERS IS AVAILABLE TO MOORPARK RESIDENTS ON THE SECOND FRIDAY AND SATURDAY OF THE MONTH, AND ON THE THIRD

**SATURDAY OF EACH MONTH. SPACE IS LIMITED SO ADVANCE APPOINTMENTS ARE NECESSARY. CALL THE COMMUNITY SERVICES INFORMATION LINE, 805-517-6315 FOR DETAILS OR, VISIT THE CITY'S WEB PAGE AT [www.ci.moorpark.ca.us](http://www.ci.moorpark.ca.us).**

8. PUBLIC HEARINGS:

- A. Consider Zoning Ordinance Amendment No. 2004-06: to Chapter 17.40 (Sign Requirements) to Address Banner/Special Event Signing, Open House, Garage Sale Signing, and to Reorganize the Sign Regulations for Greater Clarity and Ease of Use. (continued from October 5, 2005, with public hearing open) Staff Recommendation: 1) Continue to accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. \_\_\_\_, approving Zoning Ordinance Amendment No. 2004-06, for first reading and schedule second reading and adoption for November 16, 2005. (Staff: Barry Hogan)

**CONTINUED OPEN PUBLIC HEARING TO DECEMBER 7, 2005.**

- B. Consider an Ordinance Amending the City's Moorpark Library Facilities Fee. Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; and 2) Introduce Ordinance No. 325 for first reading, waive full reading, and schedule second reading for November 16, 2005. (Staff: Mary Lindley)

**INTRODUCED ORDINANCE NO. 325 AND SCHEDULED SECOND READING FOR NOVEMBER 16, 2005. (Voice Vote: Unanimous)**

- C. Consider Resolution for Commercial Planned Development (CPD) No. 2005-03 to Allow Construction of a 15,505 Square Foot Office Building on One-Acre at 145 Park Lane on the Application of Bob Gehricke. Staff Recommendation: 1) Open the public hearing, take public testimony and close the public hearing; and 2) Adopt Resolution No. 2005-2409 approving CPD No. 2005-03. (Staff: Barry Hogan)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2409, AS AMENDED FOR CONDITIONS OF APPROVAL. (Voice Vote: Unanimous)**

- D. Consider Resolution of Necessity for Acquisition of Certain Interests in Property Known as a Portion of Parcel 1, PM No. LDM 92-1 (APN 512-0-180-080), Located at the Northeast Corner of Spring Road and New Los Angeles Avenue, within the City of Moorpark (McDonald's). Staff Recommendation: Subsequent to acceptance of public comments and review of all relevant facts, adopt Resolution 2005-\_\_\_\_. ROLL CALL VOTE REQUIRED: 2/3rds affirmative vote (Staff: Kenneth Gilbert)

**CONSENSUS TO REMOVE FROM THE AGENDA CALENDAR AS THE CITY AND PROPERTY OWNER HAVE COME TO AN AGREEMENT.**

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Ordinance Replacing Title 6 of the Moorpark Municipal Code, Animals. (continued from October 5, 2005) Staff Recommendation: Introduce Ordinance No. \_\_\_\_ for first reading, waive full reading, and schedule second reading and adoption for November 16, 2005. (Staff: Mary Lindley)

**CONSENSUS TO REMOVE FROM THE AGENDA CALENDAR; DIRECTED STAFF TO ADD CLARIFICATION LANGUAGE CONCERNING ANIMAL NOISE AND ANIMAL NUISANCE; AND RESCHEDULE THE AGENDA ITEM.**

- B. Consider Interim Urgency Ordinance Making Findings and Establishing a Temporary Moratorium on Permitting New or Amended Uses for Adult Businesses, Body Piercing and/or Tattoo Establishments, Massage Establishments and Secondhand Dealer Establishments within the City. Staff Recommendation: 1) Adopt Interim Urgency Ordinance No. 326; 2) Instruct staff to analyze whether and/or how the City should proceed in its regulation of the Permitted Uses; and 3) Schedule and notice a public hearing for December 7, 2005, to extend the Interim Urgency Ordinance. ROLL CALL VOTE REQUIRED: 4/5th affirmative vote (Staff: Barry Hogan)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF INTERIM URGENCY ORDINANCE NO. 326 AND SCHEDULING EXTENSION OF INTERIM URGENCY ORDINANCE FOR DECEMBER 7, 2005. (Roll Call Vote: Unanimous)**

- C. Consider Options for Action to Address Vacancies on the Project Area Committee (PAC). Staff Recommendation: Direct staff as deemed appropriate. (Staff: David Moe)

**DIRECTED STAFF TO RETURN ON DECEMBER 7, 2005, WITH A RESOLUTION TO AMEND THE PROJECT AREA COMMITTEE PROCEDURES TO ALLOW THE PROCESS TO CONTINUE WITH THE VACANCIES.**

- D. Consider Resolution Approving Requests for the Transfer of Cable Television System Franchise Responsibilities to Time Warner and Approve Settlement and Release Agreement for Franchise Fees Due to the City. Staff Recommendation: 1) Adopt Resolution 2005-2410; 2) Authorize Mayor to sign Change of Ownership Consent Agreement, subject to final language approval by the City Manager and City Attorney; and 3) Authorize City Manager to sign Settlement and Release Agreement for Franchise Fees, subject to final language approval by the City Manager and City Attorney. (Staff: Hugh Riley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2410. (Voice Vote: Unanimous)**

- E. Consider Cancellation of January 4, 2006, Regular Meeting. Staff Recommendation: Direct staff to post a notice of cancellation for the January 4, 2006, meeting. (Staff: Deborah Traffenstedt)

**APPROVED STAFF RECOMMENDATION.**

10. CONSENT CALENDAR:

**APPROVED CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 10.A. SPECIAL MINUTES OF SEPTEMBER 21, 2005, WHICH WERE PULLED FOR INDIVIDUAL CONSIDERATION. (Roll Call Vote: Unanimous)**

- A. Consider Approval of Minutes of Special Meeting of September 21, 2005.

**APPROVED THE MINUTES OF SPECIAL MEETING OF SEPTEMBER 21, 2005. (Voice Vote: 4-0, Mayor Hunter abstaining)**

Consider Approval of Minutes of Special Meeting of October 5, 2005.

Staff Recommendation: Approve the minutes.

**APPROVED STAFF RECOMMENDATION.**

- B. Consider Approval of Warrant Register for Fiscal Year 2005-2006 - November 2, 2005.

Staff Recommendation: Approve the warrant register.

**APPROVED STAFF RECOMMENDATION.**

- C. Consider Contract for Water Fountain Maintenance.  
Staff Recommendation: Authorize the City Manager to execute a contract with All Pro Pool & Spa for water fountain maintenance and repair. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION.**

- D. Consider Resolution Authorizing Submittal of a Fiscal Year 2005/06 Tire-Derived Product (TDP) Grant Application to the California Integrated Waste Management Board. Staff Recommendation: Adopt Resolution No. 2005-2411. (Staff: Mary Lindley)

**ADOPTED RESOLUTION NO. 2005-2411. (Roll Call Vote: Unanimous).**

- E. Consider Notice of Completion and Resolution Amending the Fiscal Year 2005/06 Budget for the Construction of a Sub-Drain on Little Hollow Place. Staff Recommendation: 1) Accept the work as complete; and 2) Adopt Resolution 2005-2412. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF  
RESOLUTION NO. 2005-2412. (Roll Call Vote:  
Unanimous)**

11. ORDINANCES:

- A. Consider Ordinance No. 323 Amending Section 10.04.180 of Title 10, Vehicles and Traffic, of the Moorpark Municipal Code Pertaining to Parking in Spaces for the Disabled. Staff Recommendation: Waive full reading and declare Ordinance No. 323 read for the second time and adopted as read.

**ADOPTED ORDINANCE NO. 323. (Voice Vote: Unanimous)**

12. CLOSED SESSION:

**NONE WAS HELD.**

13. ADJOURNMENT:

**9:30 P.M.**