



ANNOTATED

**CITY COUNCIL
REGULAR MEETING AGENDA
WEDNESDAY, JULY 20, 2005
7:00 P.M.**

Moorpark Community Center

799 Moorpark Avenue

1. CALL TO ORDER:

7:10 P.M.

2. PLEDGE OF ALLEGIANCE:

KENNETH GILBERT, PUBLIC WORKS DIRECTOR, LED THE PLEDGE OF ALLEGIANCE.

3. ROLL CALL:

PRESENT: COUNCILMEMBERS, MIKOS, MILLHOUSE, PARVIN, AND MAYOR PRO TEMPORE HARPER.

ABSENT: MAYOR HUNTER.

4. PROCLAMATIONS AND COMMENDATIONS:

- A. Recognition of Ezequiel Aguilar, Ryan Nicole Bartlett, Rigoberto Jaime, Michael Lillis, and Travis White for the Heroic Rescue of Ashley Smith.

MAYOR PRO TEMPORE HARPER PRESENTED EZEQUIEL AQUILAR, RYAN NICOLE BARTLETT, RIGOBERTO JAIME, MICHAEL LILLIS, AND TRAVIS WHITE WITH CERTIFICATES OF RECOGNITION FOR THEIR HEROIC RESCUE OF ASHLEY SMITH.

- B. Ventura County Fair Poster Presentation.

CRAIG UNDERWOOD, VICE PRESIDENT OF THE BOARD OF DIRECTORS FOR THE VENTURA COUNTY FAIR PRESENTED THE

2005 VENTURA COUNTY FAIR POSTER TO COUNCIL AND THE CITY.

- C. Introduction of New City Employee, Edward Courton, Associate Planner.

MAYOR PRO TEMPORE HARPER INTRODUCED NEW CITY EMPLOYEE, EDWARD COURTON, ASSOCIATE PLANNER.

- D. Introduction of New City Employee, Deanna Farnell, Finance/Accounting Manager.

MAYOR PRO TEMPORE HARPER INTRODUCED NEW CITY EMPLOYEE, DEANNA FARNELL, FINANCE/ACCOUNTING MANAGER.

- E. Recognition of Kenneth Gilbert, Public Works Director, Upon the Occasion of His Retirement and for 15 Years of Service to the City of Moorpark.

MAYOR PRO TEMPORE HARPER PRESENTED KENNETH GILBERT, PUBLIC WORKS DIRECTOR, WITH A CERTIFICATE OF RECOGNITION UPON THE OCCASION OF HIS RETIREMENT AND FOR 15 YEARS OF SERVICE TO THE CITY OF MOORPARK.

- F. City Manager's Monthly Report.

DEFERRED DUE TO THE LENGTH OF THE AGENDA.

5. PUBLIC COMMENT:

NINE SPEAKERS.

THE CITY COUNCIL MEETING WAS RECESSED AT 8:12 P.M. TO CONVENE THE REDEVELOPMENT AGENCY MEETING. THE COUNCIL MEETING RECONVENED AT 8:31 P.M.

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

NONE.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

COUNCILMEMBER MILLHOUSE THANKED DOUGLAS FAILING OF CALTRANS DISTRICT 7 FOR THE REPAVING OF THE ON/OFF RAMPS FROM STATE ROUTE 23 AT TIERRA REJADA ROAD AND AREAS ALONG LOS ANGELES AVENUE CITING THEM AS EXAMPLES OF STATE FUNDS BEING RETURNED FOR LOCAL USE. COUNCILMEMBER MILLHOUSE STATED THE

WIDENING OF STATE ROUTE 23 IS THE TOP PRIORITY ON THE VENTURA COUNTY TRANSPORTATION COMMISSION'S LIST..

COUNCILMEMBER MILLHOUSE ANNOUNCED THE METROLINK WILL BE RUNNING TRAINS TO THE VENTURA COUNTY FAIR ON AUGUST 6TH AND 7TH AND ADDITIONAL INFORMATION MAY BE OBTAINED AT GOVENTURA.ORG OR BY CALLING VCTC AT 805-642-1591.

COUNCILMEMBER MIKOS CONGRATULATED MOORPARK LITTLE LEAGUE ALLSTAR BASEBALL TEAMS.

COUNCILMEMBER PARVIN CONGRATULATED COUNCILMEMBER MILLHOUSE FOR HIS APPOINTMENT BY THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) TO THE GOODS MOVEMENT TASK FORCE, WHICH DEALS WITH THE MOVEMENT OF FREIGHT IN SOUTHERN CALIFORNIA IN AN ATTEMPT TO PROMOTE RAIL TRANSPORT RATHER THAN TRUCK TRANSPORT.

8. PUBLIC HEARINGS:

- A. Consider Resolutions Continuing Public Hearings Concerning the Formation of Community Facilities District No. 2004-1 (Moorpark Highlands) and Community Facilities District No. 2004-2 (Moorpark Vistas) to September 7, 2005. (continued from June 15, 2005, with public hearing open) Staff Recommendation: 1) Continue open public hearings; and 2) Adopt Resolutions Nos. 2005-2357 and 2005-2358 continuing the open public hearings to September 7, 2005. (Staff: Hugh Riley)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTIONS NOS. 2005-2357 AND 2005-2358, CONTINUING THE OPEN PUBLIC HEARINGS TO SEPTEMBER 7, 2005. (Voice Vote: 4-0, Mayor Hunter absent)

- B. Consider Resolution Adopting Procedures for the Formation, Election, and Operation of a Project Area Committee (PAC) for Proposed Amendment No. 2 to the Redevelopment Plan for the Moorpark Redevelopment Project. (continued from July 6, 2005, with public hearing open) Staff Recommendation: 1) Continue to take public testimony and close the public hearing; and 2) Adopt Resolution No. 2005-2359. (Staff: Hugh Riley)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2359, AS AMENDED TO INDICATE A NINE (9) MEMBER PAC; AND BILINGUAL SPANISH/ENGLISH PUBLICATIONS, POSTINGS AND WEBSITE NOTICE, AND TRANSLATION SERVICES. (Voice Vote: 4-0, Mayor Hunter absent)

- C. Consider an Interim Urgency Ordinance Extending a Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries. Staff Recommendation: 1) Open the public hearing, take public testimony, and close the public hearing; and 2) Adopt Ordinance No. 318. (ROLL CALL VOTE REQUIRED: 4/5ths affirmative vote) (Staff: Barry Hogan)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF INTERIM URGENCY ORDINANCE NO. 318. (Roll Call Vote: 4-0, Mayor Hunter absent)

- D. Consider Resolution Approving an Increase to the Los Angeles Avenue Area of Contribution (L A Ave. AOC) Fee. Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; and 2) Adopt Resolution 2005-2360 increasing the fees for the L A Ave. AOC. (ROLL CALL VOTE REQUIRED) (Staff: Kenneth Gilbert)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2360. (Roll Call Vote: 4-0, Mayor Hunter absent)

- E. Consider Resolution Rescinding Resolution No. 2001-1848, Pertaining to the Spring Road/Tierra Rejada Road Area of Contribution (SP/TR AOC) and the Gabbert Road/Casey Road Area of Contribution (GB/CSY AOC), and Approving an Increase to the SP/TR AOC fees; and a Second Resolution Re-Adopting the Gabbert Road/Casey Road AOC Fees Unchanged. Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; 2) Adopt Resolution No. 2005-2361 increasing the fees for the Spring Road/Tierra Rejada Road AOC; and 3) Adopt Resolution No. 2005-2362 reenacting the Gabbert Road/Casey Road AOC Fees unchanged. (ROLL CALL VOTE REQUIRED) (Staff: Kenneth Gilbert)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTIONS NOS. 2005-2361 AND 2005-2362. (Roll Call Vote: 4-0, Mayor Hunter absent)

- F. Consider Resolution for Commercial Planned Development Permit No. 2004-02 to Allow Construction of an 18,353 Square Foot Retail Commercial Shopping Center on Approximately 1.62 Acres on the Southeast Corner of Los Angeles Avenue and Park Lane and the Northeast Corner of Park Lane on the Application of Kylexa Enterprises, LLC. Staff Recommendation: 1) Open the public hearing, receive public testimony, and close the public hearing; and 2) Adopt Resolution No. 2005-2363 approving Commercial Planned Development Permit No. 2004-02. (Staff: Barry Hogan)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2363, AS AMENDED FOR CONDITIONS OF APPROVAL. (Voice Vote: 4-0, Mayor Hunter absent)

THE CITY COUNCIL MEETING WAS RECESSED AT 10:25 P.M. AND RECONVENED AT 10:42 P.M.

- G. Consider Commercial Planned Development Permit No. 2005-02 to Allow Construction of an Approximately 74,402 Square Foot Retail Commercial Shopping Center on 6.96 Acres on the Southwest Corner of Los Angeles Avenue and Moorpark Avenue on the Application of Tuscany Partners, Inc. Staff Recommendation: Staff Recommendation: Open the public hearing, receive public testimony, and continue the public hearing open to a specified date. (Staff: Barry Hogan)

RE-CALENDARER FOR SPECIAL MEETING IN AUGUST, SUBJECT TO CONCURRENCE OF FOUR COUNCILMEMBERS ATTENDING OR RE-CALENDARER FOR REGULAR MEETING OF SEPTEMBER 7, 2005.

- H. Consider Modification No. 4 to Commercial Planned Development Permit No. 1990-02, for the Build-Out of Three (3) Existing Pad Areas, with 17,324 Square Feet of Commercial/Retail Space and Conditional Use Permit No. 2005-01 to Allow a 7,724 Square Foot Fitness Center Within 100 Feet of Residentially-zoned Property on an 11.79-Acre Site at 4279 Tierra Rejada Road on the Application of Constantino Noval. Staff Recommendation: Open the public hearing, receive

public testimony, and continue the public hearing open to a specified date. (Staff: Barry Hogan)

RE-CALENDARER FOR SPECIAL MEETING IN AUGUST, SUBJECT TO CONCURRENCE OF FOUR COUNCILMEMBERS ATTENDING OR RE-CALENDARER FOR REGULAR MEETING OF SEPTEMBER 7, 2005.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Approval of a Promotion Project for the Moorpark Mammoth Discovery and Resolution Amending the Fiscal Year 2005/06 Budget to Fund the Project. Staff Recommendation: 1) Approve Promotion Project for the Moorpark Mammoth Discovery; and 2) Adopt Resolution No. 2005-2364, amending the Fiscal Year 2005/06 Budget. ROLL CALL VOTE REQUIRED (Staff: Hugh Riley)

APPROVED STAFF RECOMMENDATION WITH DIRECTION TO EXPAND PARAMETERS IF SECOND MAMMOTH DISCOVERY IS AUTHENTICATED, AND ADOPTED RESOLUTION NO. 2005-2364. (Roll Call Vote: 4-0, Mayor Hunter absent)

10. CONSENT CALENDAR:

APPROVED CONSENT CALENDAR. (Roll Call Vote: 4-0, Mayor Hunter absent)

- A. Consider Approval of Minutes of Special Joint City Council/Parks and Recreation Commission Meeting of April 27, 2005.

Consider Approval of Minutes of Regular Meeting of June 1, 2005.

Consider Approval of Minutes of Regular Meeting of June 15, 2005.

Consider Approval of Minutes of Regular Meeting of July 6, 2005.

Staff Recommendation: Approve the minutes.

APPROVED STAFF RECOMMENDATION.

- B. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - July 20, 2005.

Manual Warrants	119743	\$ 24,222.48
Regular Warrants	119752 - 119833 & 119834 - 119846	\$ 43,159.63 \$1,658,996.19

Staff Recommendation: Approve the warrant register.

APPROVED STAFF RECOMMENDATION.

- C. Consider Approval of Warrant Register for Fiscal Year 2005-2006 - July 20, 2005.

Manual Warrants	119742 & 119744 - 119751	\$ 283,298.64
Voided Warrant	119746	\$ (0.00)
Payroll Liability Warrants	119847 - 119851	\$ 1,785.53
Regular Warrants	119852 - 119876	\$ 50,443.49

Staff Recommendation: Approve the warrant register.

APPROVED STAFF RECOMMENDATION.

- D. Consider Resolution Determining and Levying the Special Assessment for Assessment District (CFD) No. 92-1 (Mission Bell Plaza) for Fiscal Year 2005/06. Staff Recommendation: Adopt Resolution No. 2005-2365. ROLL CALL VOTE REQUIRED (Staff: Johnny Ea)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2365. (Roll Call Vote: 4-0, Mayor Hunter absent)

- E. Consider Resolution Determining and Levying the Special Tax in Community Facilities District (CFD) No. 97-1 (Carlsberg Business Park Public Improvements) for Fiscal Year 2005/06. Staff Recommendation: Adopt Resolution No. 2005-2366. ROLL CALL VOTE REQUIRED (Staff: Johnny Ea)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2366. (Roll Call Vote: 4-0, Mayor Hunter absent)

- F. Consider Resolution Commemorating Southern California Association of Governments' 40th Anniversary. Staff Recommendation: Adopt Resolution No. 2005-2367. (Staff: Deborah Traffenstedt)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2367. (Roll Call Vote: 4-0, Mayor Hunter absent)

- G. Consider Request from Moorpark Chamber of Commerce for Reduced Park Rental Fees. Staff Recommendation: Waive park rental fees for the Moorpark Chamber of Commerce's softball tournament on July 24, 2005, and require them to pay any City-direct costs as outlined in the agenda report. (Staff: Mary Lindley)

APPROVED STAFF RECOMMENDATION.

- H. Consider Resolution Authorizing Submittal of Grant Application to the Ventura County Community Foundation for Community Needs Response Funds and Authorizing City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2005-2368. (Staff: Mary Lindley)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2368. (Roll Call Vote: 4-0, Mayor Hunter absent)

- I. Consider Authorization for Recordation of Notice of Completion for Mountain Meadows Park Playground Improvement Project and Resolution Amending the Fiscal Year 2005/06 Budget to Accommodate One Change Order. Staff Recommendation: 1) Authorize the City Clerk to file the Notice of Completion for the project, and authorize the release of the balance of payment, due upon satisfactory clearance, thirty-five (35) days after Notice of Completion records, release bonds in accordance with the contract, and completion of closeout contractual obligations on the part of contractor; and 2) Adopt Resolution No. 2005-2369, amending the FY 2005/06 budget to cover the cost of one change order. ROLL CALL VOTE REQUIRED (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF
RESOLUTION NO. 2005-2369. (Roll Call Vote: 4-0, Mayor
Hunter absent)**

- J. Consider Resolution Amending the City's Classification
Plan and Rescinding Resolution No. 2005-2330. Staff
Recommendation: Adopt Resolution No. 2005-2370.
(Staff: Deborah Traffenstedt)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF
RESOLUTION NO. 2005-2370. (Roll Call Vote: 4-0, Mayor
Hunter absent)**

11. ORDINANCES:

NONE.

12. CLOSED SESSION:

**THE COUNCIL RECESSED AT 11:10 P.M. FOR CLOSED SESSION
DISCUSSION OF ITEM 12.C.**

- C. CONFERENCE WITH LABOR NEGOTIATOR
(Pursuant to Section 54957.6 of the Government Code)
Agency Designated Representative: Steven Kueny
Employee Organization: Service Employees International
Union, AFL-CIO, CLC, Local 998

13. ADJOURNMENT:

11:29 P.M.