



## **ANNOTATED**

**CITY COUNCIL  
REGULAR MEETING AGENDA  
WEDNESDAY, JUNE 15, 2005  
7:00 P.M.**

**Moorpark Community Center**

**799 Moorpark Avenue**

1. CALL TO ORDER:

**7:15 P.M.**

2. PLEDGE OF ALLEGIANCE:

**HUGH RILEY, ASSISTANT CITY MANAGER, LED THE PLEDGE OF ALLEGIANCE.**

3. ROLL CALL:

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

4. PROCLAMATIONS AND COMMENDATIONS:

A. City Manager's Monthly Report.

**MR. KUENY DEFERRED THE REPORT TO JULY 20, 2005.**

5. PUBLIC COMMENT:

**TWO SPEAKERS.**

**THE CITY COUNCIL MEETING WAS RECESSED AT 7:22 P.M. TO CONVENE THE REDEVELOPMENT AGENCY MEETING. THE COUNCIL MEETING RECONVENED AT 7:31 P.M.**

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

**CONSENSUS TO: HEAR ITEMS 8.A. AND 8.D. PRIOR TO TAKING ITEMS 8.B, 8.C, AND 9.C. CONCURRENTLY, TO THEN BE FOLLOWED BY THE REMAINDER OF THE AGENDA AS WRITTEN.**

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

**COUNCILMEMBER MIKOS ANNOUNCED A HIKE ON SATURDAY, JUNE 18 FROM 9-12:30 P.M. AT HAPPY CAMP REGIONAL PARK.**

**COUNCILMEMBER PARVIN CONGRATULATED THE MOORPARK CHAMBER OF COMMERCE ON THE SUCCESS OF THE APRICOT FESTIVAL.**

**COUNCILMEMBER PARVIN CONGRATULATED THE MOORPARK ROTARY CLUB FOR THE INSTALLATION OF "WELCOME TO MOORPARK" SIGNS.**

**MAYOR HUNTER ANNOUNCED THE ANNUAL FIREWORKS EXTRAVAGANZA, WILL TAKE PLACE ON SUNDAY JULY 3 FROM 4:00 TO 9:00 P.M. AT ARROYO VISTA PARK. THE INDEPENDENCE DAY CELEBRATION WILL FEATURE LIVE ENTERTAINMENT, SKY DIVERS, GAMES AND ATTRACTIONS, FOOD BOOTHS, AND A SPECTACULAR AERIAL FIREWORKS DISPLAY. ADMISSION IS \$2 PER PERSON. FOR MORE INFORMATION CALL 517-6300.**

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 July 20, 2005. (continued from May 18, 2005, with public hearing open) Staff Recommendation: 1) Continue open public hearings; and 2) Adopt Resolutions Nos. 2005-2340 and 2005-2341 continuing the open public hearings to July 20, 2005. (Staff: Hugh Riley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTIONS NOS. 2005-2340 AND 2005-2341. CONTINUED OPEN PUBLIC HEARING TO JULY 20, 2005. (Voice Vote: Unanimous)**

B. 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 June 1, 2005, with public hearing closed) Staff Recommendation: 1) Adopt Resolution No. 2005\_\_\_\_ (in Agenda Item 9.C.) 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)

**CONTINUED CLOSED PUBLIC HEARING TO SEPTEMBER 7, 2005, WITH DIRECTION TO INCORPORATE COUNCIL CHANGES TO GENERAL PLAN AMENDMENT AND THE SPECIFIC PLAN.**

- C. 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 June 1, 2005, with public hearing closed) Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_ (in Agenda Item 9.C.) 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)

**CONTINUED CLOSED PUBLIC HEARING TO SEPTEMBER 7, 2005, WITH DIRECTION TO ADD A NEW SECTION 6.43 TO THE DEVELOPMENT AGREEMENT FOR THE APPLICANT TO PROVIDE A \$400,000 CONTRIBUTION DEDICATED TO THE CONSTRUCTION OF A FUTURE SR-118 WILDLIFE UNDER-CROSSING.**

- D. Consider Resolution Declaring the Private Parking Facilities within the Shopping Center (CPD-2002-01), Located at the Northeast Corner of Spring Road and New Los Angeles Avenue, to be Subject to the Provisions of the California Vehicle Code. Staff Recommendation: 1) Open the public hearing, take public testimony, and close the public hearing; and 2) Adopt Resolution No. 2005-2342. (Staff: Brad Miller)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2342. (Voice Vote: Unanimous)**

**THE CITY COUNCIL MEETING WAS RECESSED AT 8:27 P.M. AND RECONVENED AT 8:50 P.M.**

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Resolution Adopting an Operating and Capital Improvements Budget for the City of Moorpark for the Fiscal Year 2005/06. (continued from May 25, 2005)  
Staff Recommendation: Adopt Resolution No. 2005-2343.  
ROLL CALL VOTE REQUIRED (Staff: Johnny Ea)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2343 (Roll Call Vote: Unanimous)**

- B. Consider Awarding a Contract for the Construction of the New Corporate Yard. (continued from June 1, 2005)  
Staff Recommendation: 1) Declare the bid received for McGillivray Construction to be non-responsive; 2) Approve the award of contract to Soltec-Pacific for the construction of the subject project and authorize the City Manager to execute all necessary contract documents; and 3) Direct the scope of work to include both Add Alternatives; and 4) Adopt Resolution No 2005-\_\_\_\_\_ increasing the funding for the project.  
ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

**DIRECTED STAFF TO REJECT ALL BIDS; ADVERTISE FOR A SECOND PRE-QUALIFICATION PROCESS; ADMINISTER THAT PROCESS AND DEVELOP A LIST OF PRE-QUALIFIED CONTRACTORS; AUTHORIZE THE PROJECT ARCHITECT TO MAKE CERTAIN CHANGES IDENTIFIED DURING THE PREVIOUS PROCESS; PROVIDE PRINTING OF NEW PLANS AND SPECIFICATIONS; AND SOLICIT BIDS FROM THE NEW PRE-QUALIFIED CONTRACTORS. (Voice Vote: 3-2, Councilmembers Harper and Mikos dissenting)**

- C. Consider Special Election Resolutions for the North Park Village and Nature Preserve Project. Staff Recommendation: Direct staff as deemed appropriate.  
(Staff: Deborah Traffenstedt)

**CONTINUED TO SEPTEMBER 7, 2005, WITH DIRECTION TO PREPARE RESOLUTIONS FOR A SPECIAL ELECTION ON JANUARY 24, 2006.**

**THE CITY COUNCIL MEETING WAS RECESSED AT 10:53 P.M. AND RECONVENED AT 11:09 P.M.**

- D. Consider Approval of the 2005 Agreement for Services with the Moorpark Chamber of Commerce. Staff Recommendation: Approve the 2005 Agreement for Services between the City of Moorpark and the Moorpark Chamber of Commerce and authorize the City Manager to sign on behalf of the City. (Staff: Hugh Riley)

**APPROVED STAFF RECOMMENDATION.**

- E. Consider Appointment to the Active Adult Center Advisory Committee to Fill One Vacancy. Staff Recommendation: Appoint one City representative to fill the vacancy on the Active Adult Center Advisory Committee for a term ending December 31, 2006. (Staff: Deborah Traffenstedt)

**APPOINTED HOWELL AGNEW TO SERVE ON THE ACTIVE ADULT CENTER ADVISORY COMMITTEE TO FILL ONE VACANCY FOR A TERM ENDING DECEMBER 31, 2006.**

- F. Consider Teen Council Appointments. Staff Recommendation: Make appointments to the Teen Council for a one-year term to end on June 30, 2006. (Staff: Deborah Traffenstedt)

**APPOINTED GENNY AAMOTH, SHALABH AGARWALA, KELSEY BUTZER, ALENA CAMPAGNA, BRANDON FEIG, KENDALL FISHER, ERIC FOOTE, CELIA GUZMAN, ROXANNA MORADI, GRANT SHIMABUKURO, AND EMILY TUNG TO SERVE ON TEEN COUNCIL FOR A ONE YEAR TERM TO END ON JUNE 30, 2006.**

- G. Consider Approval of Facility Lease with the State of California, California Highway Patrol (CHP) at Police Services Center, 610 Spring Road. Staff Recommendation: Approve the Lease Agreement with the CHP, subject to final language approval by the City Manager and City Attorney, and authorize the Mayor to sign on behalf of the City. (Staff: Hugh Riley)

**APPROVED STAFF RECOMMENDATION.**

- H. Consider Spring Road/Tierra Rejada Road Area of Contribution (SP/TR AOC) and Los Angeles Avenue Area of Contribution (L.A. Ave. AOC) Fee Revisions. Staff Recommendation: 1) Set July 20, 2005, as the date of a public hearing to consider an increase to the Spring

Road/Tierra Rejada Road AOC fee and the Los Angeles Avenue AOC fee; and 2) Direct the City Clerk to give notice of said hearing in a manner consistent with the requirements of the appropriate Sections of the Government Code. (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION.**

10. CONSENT CALENDAR:

**APPROVED CONSENT CALENDAR. (Roll Call Vote: Unanimous)**

- A. Consider Approval of Minutes of Regular Meeting of January 5, 2005.

Consider Approval of Minutes of Regular Meeting of May 18, 2005.

Consider Approval of Minutes of Special Meeting of May 25, 2005.

Staff Recommendation: Approve the minutes.

**APPROVED STAFF RECOMMENDATION.**

- B. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - June 15, 2005.

Manual Warrants		\$	0.00
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Voided Warrant		\$	0.00
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Payroll Liability Warrants	119469 - 119473	\$	1,710.20
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Regular Warrants	119466 - 119468 &	\$	36,489.67
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	119474 - 119554 &	\$	41,107.17
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	119555 - 119577	\$	1,313,185.91
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Staff Recommendation: Approve the warrant register.

**APPROVED STAFF RECOMMENDATION.**

- C. Consider Notice of Completion for Construction of the Flinn Avenue Realignment Project (Project 8037).  
Staff Recommendation: Accept the work as complete.  
(Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION.**

- D. Consider Resolution Rescinding That Portion of Resolution No. 2003-2115 Pertaining to a Westerly Extension of High Street for the General Plan Circulation Element. Staff Recommendation: Adopt Resolution No. 2005-2344. (Staff: Joseph Montes)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2344. (Roll Call Vote: Unanimous).**

- E. Consider a One-Year Extension to the Agreement with CUSA, LLC d.b.a. Antelope Valley Bus to Provide Operations and Maintenance Services for Moorpark City Transit and Approve Modifications to Separate Operations and Preventative Maintenance Contracts. Staff Recommendation: Approve a one-year extension with CUSA, and approve separate Agreements for operations and preventative maintenance, subject to final language approval by the City Manager and the City Attorney, and authorize the Mayor to sign the Agreements. (Staff: John Brand)

**APPROVED STAFF RECOMMENDATION.**

- F. Consider VISTA-East Cooperative Agreement for Commuter Bus Services. Staff Recommendation: Approve the Amendment and authorize the Mayor to sign the Amendment to the Cooperative Agreement. (Staff: John Brand)

**APPROVED STAFF RECOMMENDATION.**

- G. Consider Authorization of Recordation of Notice of Completion for the Virginia Colony Park Improvement Project. Staff Recommendation: 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. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION.**

- H. Consider Resolution Authorizing the Submittal of a Grant Renewal Application to the Ventura County Area Agency on Aging for Older Americans Act Title III-C Nutrition Contract Funds. Staff Recommendation: Adopt Resolution No. 2005-2345; and authorize the City Manager to sign all related agreements. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2345. (Roll Call Vote: Unanimous).**

- I. Consider Resolution Amending the Fiscal Year 2004/05 Budget to Transfer Funds from General Fund to Equipment Replacement Fund. Staff Recommendation: Adopt Resolution No. 2005-2346. ROLL CALL VOTE REQUIRED (Staff: Johnny Ea)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2346. (Roll Call Vote: Unanimous).**

- J. Consider Resolution Establishing the Appropriation Limitation for Fiscal Year 2005/06 for the City of Moorpark at \$18,904,696. Staff Recommendation: Adopt Resolution No. 2005-2347. (Staff: Johnny Ea)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2347. (Roll Call Vote: Unanimous).**

- K. Consider Resolution Adopting Loan Agreement Between the City of Moorpark and the Moorpark Redevelopment Agency. Staff Recommendation: Adopt Resolution No. 2005-2348. ROLL CALL VOTE REQUIRED (Staff: Johnny Ea)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2348. (Roll Call Vote: Unanimous).**

- L. Consider Resolution Authorizing Caltrans Supplemental Agreement for Tree Planting Project. Staff Recommendation: Adopt Resolution No. 2005-2349, authorizing the City Manager to execute the Agreement. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF  
RESOLUTION NO. 2005-2349. (Roll Call Vote:  
Unanimous).**

- M. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for the Construction of Median Landscaping on Tierra Rejada Road East of Spring Road (Project 8042). Staff Recommendation: Approve the plans and specifications for the subject project and authorize staff to advertise for receipt of bids for construction of the project. (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION.**

- N. Consider Approval of Amended Agreement for City Engineering Services with Charles Abbott Associates, Inc. Staff Recommendation: Approve Amended Agreement, subject to final language approval of City Manager and City Attorney, and authorize the Mayor to sign on behalf of the City. (Staff: Brad Miller)

**APPROVED STAFF RECOMMENDATION.**

11. ORDINANCES:

- A. Consider Ordinance No. 316, an Ordinance of the City of Moorpark, Amending and Replacing in Its Entirety Chapter 5.06 Cable Communications of Title 5 of the Moorpark Municipal Code. Staff Recommendation: Waive full reading and declare Ordinance No. 316 read for the second time and adopted as read.

**ADOPTED ORDINANCE NO. 316. (Voice Vote: Unanimous)**

12. CLOSED SESSION:

**THE COUNCIL RECESSED AT 12:07 A.M. JUNE 16, 2005, AND RECONVENED AT 12:20 A.M. FOR CLOSED SESSION DISCUSSION OF ITEMS 12.C. AND 12.D.**

- 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

- D. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Unrepresented employees: Accountant I; Active Adult  
Center Supervisor; Administrative Services  
Director/City Clerk; Administrative Services Manager;  
Assistant City Manager; City Engineer; Community  
Development Director; Finance/Accounting Manager;  
Finance Director; Information Systems Manager; Parks  
and Facilities Superintendent; Parks, Recreation and  
Community Services Director; Planning Manager;  
Principal Planner; Public Works Director; Public Works  
Superintendent; Recreation Manager; Redevelopment  
Manager; and Senior Management Analyst

13. ADJOURNMENT:

**12:30 A.M. JUNE 16, 2005.**