



ANNOTATED

**CITY COUNCIL
REGULAR MEETING AGENDA
WEDNESDAY, OCTOBER 5, 2005
7:00 P.M.**

Moorpark Community Center

799 Moorpark Avenue

1. CALL TO ORDER:

7:21 P.M.

2. PLEDGE OF ALLEGIANCE:

STEVEN KUENY, CITY MANAGER, LED THE PLEDGE OF ALLEGIANCE.

3. ROLL CALL:

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

4. PROCLAMATIONS AND COMMENDATIONS:

- A. Introduction of New City Employee, Joseph Vacca,
Principal Planner.

**MAYOR HUNTER INTRODUCED NEW CITY EMPLOYEE, JOSEPH
VACCA, PRINCIPAL PLANNER.**

- B. Proclamation Approving October 7, 2005, as "California
Arts Day" and Recognizing the Month of October as
"Arts and Humanities Month".

**MAYOR HUNTER PRESENTED MARY LINDLEY, PARKS/RECREATION
AND COMMUNITY SERVICES DIRECTOR, WITH A PROCLAMATION
APPROVING OCTOBER 7, 2005, AS "CALIFORNIA ARTS DAY"
AND RECOGNIZING THE MONTH OF OCTOBER AS "ARTS AND
HUMANITIES MONTH".**

5. PUBLIC COMMENT:

NONE.

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

COUNCILMEMBER MILLHOUSE REQUESTED ITEM 10.C. BE PULLED FROM THE CONSENT CALNDAR FOR INDIVIDUAL CONSIDERATION.

COUNCILMEMBER MILLHOUSE REQUESTED ITEM 8.D. AND ITEM 8.E. BE TAKEN AFTER ITEM 8.A.

MAYOR HUNTER REQUESTED ITEM 9.D. BE MOVED TO THE CONSENT CALENDAR.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

COUNCILMEMBER MIKOS ANNOUNCED THE 10TH ANNIVERSARY CELEBRATION OF SOAR (SAVE OPEN-SPACE & AGRICULTURAL RESOURCES) IS TAKING PLACE SUNDAY, OCTOBER 9, 2005, AT THE TIERRA REJADA FARM WALNUT GROVE. MANY EVENTS ARE PLANNED. FOR MORE INFORMATION VISIT: WWW.SOARUSA.ORG OR CALL (805)653-0061.

COUNCILMEMBER PARVIN ANNOUNCED THE MOORPARK EDUCATION FOUNDATION WILL BE HOLDING ITS ANNUAL DINNER TO BENEFIT EDUCATION FOR CHILDREN OF MOORPARK ON SATURDAY, OCTOBER 22, 2005, AT 6 P.M. AT THE MOORPARK COUNTRY CLUB FOR MORE INFORMATION CALL (805) 990-0895.

MAYOR HUNTER ANNOUNCED THE METROLINK NORTH PARKING LOT WILL BE CLOSED SUNDAY, OCTOBER 23RD FOR THE ROAM'N RELICS CAR SHOW. PLEASE USE THE METROLINK SOUTH PARKING LOT.

MAYOR HUNTER ANNOUNCED RESIDENTS CAN DISPOSE OF HOUSEHOLD HAZARDOUS WASTE FOR FREE ON THE SECOND FRIDAY AND SATURDAY OF EVERY MONTH, AND THE THIRD SATURDAY OF EVERY MONTH. CALL THE COMMUNITY SERVICES INFORMATION HOTLINE AT 517-6315 FOR MORE INFORMATION.

MAYOR HUNTER CONGRATULATED STEVEN KUENY, CITY MANAGER, FOR BEING PRESENTED WITH A 30-YEAR SERVICE AWARD ON BEHALF OF THE MEMBERS AND EXECUTIVE BOARD OF THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION.

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 September 7, 2005, with public hearing open) Staff Recommendation: 1) Continue the public hearing; 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 October 19, 2005. (Staff: Barry Hogan)

**CONTINUED OPEN PUBLIC HEARING TO NOVEMBER 2, 2005.
(Voice Vote: 5:0)**

- 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 September 21, 2005, with public hearing closed) Staff Recommendation: Adopt Resolution No. 2005-2399 (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)

**CONSENSUS TO TAKE ITEMS 8.B., 8.C. and 9.A. TOGETHER.
SEE ITEM 9.A.**

- 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 September 21, 2005, with public hearing closed) Staff Recommendation: Adopt Resolution No. 2005-2399 (in Agenda Item 9.A.) placing an Ordinance on the ballot that includes Development Agreement No. 2005-01 with General Plan Amendment No.

8. PUBLIC HEARINGS: (CONTINUED)

2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02 for consideration by Moorpark voters. (Staff: Steven Kueny)

CONSENSUS TO TAKE ITEMS 8.B., 8.C. and 9.A. TOGETHER. SEE ITEM 9.A.

- D. Consider Resolution for General Plan Amendment No. 2004-04, Commercial Planned Development No. 2004-03, and Conditional Use Permit 2005-04, Consisting of an Amendment to the Land Use Element that Would Allow Sales, Distribution and Warehousing in the City's Designated General Commercial Land Use Area and a Retail Center with a One-Story (with Mezzanine Level) 115,000 Square Foot Single Tenant Building Over Thirty-Five Feet (35') in Height and a 17,500 square Foot One-Story Commercial Building on 8.15-acres, Located on the North Side of New Los Angeles Avenue/White Sage Road, Immediately East of State Route 23, on the Application of Brian Poliquin. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2005-2398, approving General Plan Amendment No. 2004-04, Commercial Planned Development Permit No. 2004-03, and Conditional Use Permit No. 2005-04, subject to special and standard conditions of approval. (Staff: Barry Hogan)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2398 AS AMENDED. (Voice Vote: 3-1, Councilmember Mikos dissenting, Mayor Hunter absent.)

- E. Consider Ordinance for Development Agreement No. 2004-02 between the City of Moorpark and NLA 118, L.L.C. (Warehouse Discount Center) in Connection with General Plan Amendment No. 2004-04 and Commercial Planned Development Permit No. 2004-03 for the Property Located on the East Side of State Route 23, Immediately North of New Los Angeles Avenue (Lot 1 of Tract 5004). Staff Recommendation: Open the public hearing, accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. 322 for first reading and schedule second reading and adoption for October 19, 2005. (Staff: Steven Kueny)

8. PUBLIC HEARINGS: (CONTINUED)

INTRODUCED ORDINANCE NO. 322 AND SCHEDULED SECOND READING FOR OCTOBER 19, 2005. (Voice Vote: 3-1, Councilmember Mikos dissenting, Mayor Hunter absent.)

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Special Election Resolutions for the North Park Village and Nature Preserve Project Calling a Special Election for February 28, 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 September 21, 2005) Staff Recommendation: Adopt the three election Resolutions Nos. 2005-2399, 2400, and 2401. (Staff: Deborah Traffenstedt)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTIONS NO. 2005-2399, AS AMENDED, (CALLING A SPECIAL ELECTION FOR FEBRUARY 28, 2006); NO. 2005-2400, AS AMENDED, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS); AND NO. 2005-2401 (PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS). (Roll Call: 4-1, Councilmember Mikos dissenting.)

- B. Consider Ordinance Amending Title 6, Animal Regulations, to Reflect Current Conditions and Services and Make Technical Changes for Clarity of Language and Purpose. (continued from September 21, 2005) Staff Recommendation: Continue this item to November 2, 2005. (Staff: John Brand)

CONTINUED TO NOVEMBER 2, 2005.

- C. Consider Library Study Scope of Work and Resolution Amending the Fiscal Year 2005/06 Budget. (continued from September 21, 2005) Staff Recommendation: Approve the library study scope of services as outlined in the agenda report, authorize the City Manager to execute an agreement with Arroyo Associates, subject to final language approval by the City Attorney and City Manager, and adopt Resolution No. 2005-2403. ROLL CALL VOTE REQUIRED (Staff Mary Lindley)

9. PRESENTATION/ACTION/DISCUSSION: (CONTINUED)

APPROVED STAFF RECOMMENDATION, AS AMENDED, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2403. (Roll Call Vote: Unanimous)

- D. Consider Resolution Certifying the Results of the Project Area Commission (PAC) Election Held September 15, 2005; and Forming the PAC for Proposed Amendment No. 2 to the Redevelopment Plan for the Moorpark Redevelopment Project. Staff Recommendation: Adopt Resolution No. 2005-2405. (Staff: David Moe)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2405. (Voice Vote: Unanimous)

- E. Consider Ordinance Revising Section 10.04.180 of the Moorpark Municipal Code Pertaining to Parking in Disabled Parking Zones. Staff Recommendation: Introduce Ordinance No. 323 for first reading, waive full reading, and schedule second reading and adoption for November 2, 2005. (Staff: Kenneth Gilbert)

INTRODUCED ORDINANCE NO. 323 AND SCHEDULED SECOND READING FOR NOVEMBER 2, 2005. (Voice Vote: Unanimous)

- F. Consider Awarding a Contract for the Construction of the New Corporate Yard and Resolution Amending the Fiscal Year Budget to Increase Funding for the Project. Staff Recommendation: 1) 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 2) Adopt Resolution No. 2005-2404, increasing the funding for the project. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2404. (Roll Call Vote: Unanimous)

- G. Consider Scheduling a Public Meeting to Review and Discuss the Proposed New Digital Flood Insurance Rate Map (DFIRM). Staff Recommendation: 1) Set November 9, 2005, as the date of a Public Meeting to discuss

9. PRESENTATION/ACTION/DISCUSSION: (CONTINUED)

the new DFIRM; 2) Direct staff to publish a notice of this Public Meeting in the local newspaper; and 3) Direct staff to mail said notice to all property owners and residents in the City. (Staff: Kenneth Gilbert)

APPROVED STAFF RECOMMENDATION, INCLUDING SETTING A SPECIAL CITY COUNCIL MEETING FOR NOVEMBER 9, 2005, AT 7:00 P.M.

10. CONSENT CALENDAR:

APPROVED CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 10.A. AND 10.C., WHICH WERE PULLED FOR INDIVIDUAL CONSIDERATION, AND ADDED ITEM 9.D. (Roll Call Vote: Unanimous)

A. Consider Approval of Minutes of Regular Meeting of September 21, 2005. Staff Recommendation: Approve the minutes.

APPROVED MINUTES (VOICE VOTE 4-0, MAYOR HUNTER ABSTAINING).

B. Consider Approval of Warrant Register for Fiscal Year 2005-2006 - October 5, 2005.

Staff Recommendation: Approve the warrant register.

APPROVED STAFF RECOMMENDATION.

C. Consider Award of Agreement for Food and Beverage Vending Machine Services. Staff Recommendation: Award an agreement to Advantage Vending Solutions for food and beverage vending machine services and authorize the City Manager to sign the agreement on behalf of the City, subject to final language approval of City Manager and City Attorney. (Staff: Mary Lindley)

APPROVED STAFF RECOMMENDATION (VOICE VOTE 4-1, COUNCILMEMBER MILLHOUSE DISSENTING).

10. CONSENT CALENDAR: (CONTINUED)

- D. Consider Final Map Approval for Tract Map No. 5045-1 - Pardee Homes. Staff Recommendation: Authorize the Mayor and City Clerk to sign the Map and the City Clerk to cause Tract Map No. 5045-1 to be recorded in the office of the Ventura Country Recorder. (Staff: Barry Hogan)

APPROVED STAFF RECOMMENDATION.

- E. Consider Final Map Approval for Tract Map No. 5045-2 Staff Recommendation: Authorize the Mayor and City Clerk to sign the Map and the City Clerk to cause Tract Map No. 5045-2 to be recorded in the office of the Ventura Country Recorder. (Staff: Barry Hogan)

APPROVED STAFF RECOMMENDATION.

- F. Consider Final Map Approval for Tract Map No. 5045-3 Staff Recommendation: Authorize the Mayor and City Clerk to sign the Map and the City Clerk to cause Tract Map No. 5045-3 to be recorded in the office of the Ventura Country Recorder. (Staff: Barry Hogan)

APPROVED STAFF RECOMMENDATION.

- G. Consider Rejection of Claims: Timothy Grimes and Susan Lang; and Freddie Craft Individually and on Behalf of the Freddie Jefferson Craft Trust, Dated 6/19/03. Staff Recommendation: Reject the claims and direct staff to send a standard reject letter to the claimants. (Staff: Deborah Traffenstedt)

APPROVED STAFF RECOMMENDATION.

- H. Consider Rejection of Claim: Secret Garden Restaurant. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimant. (Staff: Deborah Traffenstedt)

APPROVED STAFF RECOMMENDATION.

10. CONSENT CALENDAR: (CONTINUED)

- I. Consider Request for Qualifications for Architect to Design Arroyo Vista Recreation Center and Gymnasium Expansion. Staff Recommendation: Authorize solicitation of a Request for Qualifications/Proposals for the design of Arroyo Vista Recreation Center and gym improvements. (Staff: Mary Lindley)

APPROVED STAFF RECOMMENDATION.

- J. Consider Professional Services Agreement to Retain Kenneth Gilbert to Provide Consultant Project Management Services. Staff Recommendation: Authorize the City Manager to approve the Professional Services Agreement, subject to final language approval by the City Manager and City Attorney. (Staff: Deborah Traffenstedt)

APPROVED STAFF RECOMMENDATION.

THE FOLLOWING PRESENTATION/ACTION/DISCUSSION ITEM 9.D. WAS MOVED TO THE CONSENT CALENDAR.

9. PRESENTATION/ACTION/DISCUSSION:

- D. Consider Resolution Certifying the Results of the Project Area Commission (PAC) Election Held September 15, 2005; and Forming the PAC for Proposed Amendment No. 2 to the Redevelopment Plan for the Moorpark Redevelopment Project. Staff Recommendation: Adopt Resolution No. 2005-2405. (Staff: David Moe)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2405. (Voice Vote: Unanimous)

11. ORDINANCES:

- A. Consider Ordinance No. 319, an Ordinance of the City of Moorpark, Levying a Special Tax within Community Facilities District No. 2004-1 (Moorpark Highlands). Staff Recommendation: Waive full reading and declare Ordinance No. 319 read for the second time and adopted as read.

ADOPTED ORDINANCE NO. 319. (Voice Vote: Unanimous)

11. ORDINANCES: (CONTINUED)

- B. Consider Ordinance No. 320, an Ordinance of the City of Moorpark, Levying a Special Tax within Community Facilities District No. 2004-2 (Vistas at Moorpark. Staff Recommendation: Waive full reading and declare Ordinance No. 320 read for the second time and adopted as read.

ADOPTED ORDINANCE NO. 320. (Voice Vote: Unanimous)

- C. Consider Ordinance No. 321, an Ordinance of the City of Moorpark, Amending Title 17 (Zoning) Chapter 17.50 (Art in Public Places to Require Certain Development Projects to Provide Public Art. Staff Recommendation: Waive full reading and declare Ordinance No. 321 read for the second time and adopted as read.

ADOPTED ORDINANCE NO. 321. (Voice Vote: Unanimous)

12. CLOSED SESSION:

NONE WAS HELD.

13. ADJOURNMENT:

10:14 P.M.