



## **ANNOTATED**

**CITY COUNCIL  
REGULAR MEETING AGENDA  
WEDNESDAY, APRIL 6, 2005  
7:00 P.M.**

**Moorpark Community Center**

**799 Moorpark Avenue**

1. CALL TO ORDER:

**7:14 P.M.**

2. PLEDGE OF ALLEGIANCE:

**SCOTT MOSHER, EXECUTIVE DIRECTOR OF THE MOORPARK BOYS AND GIRLS CLUB, LED THE PLEDGE OF ALLEGIANCE.**

3. ROLL CALL:

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

**ABSENT: COUNCILMEMBER MILLHOUSE.**

4. PROCLAMATIONS AND COMMENDATIONS:

- A. Introduce New City Employee, Ruth Burris, Account Technician II.

**MAYOR HUNTER INTRODUCED NEW CITY EMPLOYEE, RUTH BURRIS, ACCOUNT TECHNICIAN II.**

- B. Proclamation Recognizing the Moorpark Boys and Girls Club's 20th Anniversary and Announcing April 3 through April 9, 2005 as Boys and Girls Club Week.

**MAYOR HUNTER PRESENTED SCOTT MOSHER, EXECUTIVE DIRECTOR OF THE MOORPARK BOYS AND GIRLS CLUB WITH A PROCLAMATION RECOGNIZING THEIR 20TH ANNIVERSARY.**

5. PUBLIC COMMENT:

ONE SPEAKER.

THE CITY COUNCIL MEETING WAS RECESSED AT 7:23 P.M. TO CONVENE THE REDEVELOPMENT AGENCY MEETING. THE COUNCIL MEETING RECONVENED AT 7:37 P.M.

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

PULLED ITEM 10.E. FROM THE CONSENT CALENDAR.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

COUNCILMEMBER PARVIN ANNOUNCED SANTA PAULA CHEVROLET WILL BE HOLDING A CAR SALE FUNDRAISER FOR THE MOORPARK BOYS AND GIRLS CLUB APRIL 9TH-10TH AT MISSION BELL PLAZA.

COUNCILMEMBER PARVIN ANNOUNCED ANOTHER MOORPARK BOYS AND GIRLS CLUB FUNDRAISER AT THE MOORPARK COUNTRY CLUB ON APRIL 16TH.

MAYOR HUNTER ANNOUNCED A FREE COMPOST AND WOOD CHIP GIVE-AWAY ON SATURDAY MAY 7TH AT ARROYO VISTA COMMUNITY PARK FROM 10 A.M. TO 2 P.M. AND FOR MORE INFORMATION TO CALL CITY HALL AT 517-6257.

MAYOR HUNTER ANNOUNCED THE EMERGENCY MEDICAL SERVICES AGENCY OF VENTURA COUNTY HAS BEGUN THEIR THIRD ANNUAL DROWNING PREVENTION CAMPAIGN. THEIR GOAL IS TO REMIND PARENTS AND CAREGIVERS OF VARIOUS SAFETY TIPS TO PREVENT THIS TRAGEDY FROM OCCURRING. THE LIST OF SAFETY TIPS WILL BE MADE AVAILABLE ON THE CITY'S WEBSITE AT [www.ci.moorpark.ca.us](http://www.ci.moorpark.ca.us) AND ON GOVERNMENT CHANNEL 10. FOR ADDITIONAL INFORMATION, THE EMERGENCY MEDICAL SERVICES' WEBSITE IS [www.vchca.org/ph/ems](http://www.vchca.org/ph/ems) OR CALL 805-981-5301.

MAYOR HUNTER ANNOUNCED THE UNITED STATES DEPARTMENT OF JUSTICE HAS REQUESTED PUBLIC INFORMATION REGARDING CITY COUNCIL ELECTIONS FOR THE PAST 20 YEARS AND WILL NOT BE SHARING ANY INFORMATION ON THE PURPOSE OF THIS REQUEST UNTIL THE CONCLUSION OF THEIR INQUIRY. THE CITY HAS BEEN AND WILL CONTINUE TO COOPERATE AND SUPPORTS ALL RIGHTS OF MOORPARK VOTERS AND RESPECTS THE EFFORTS OF ANY AUTHORITY THAT SEEKS TO PROTECT THE RIGHTS OF THESE SAME VOTERS.

8. PUBLIC HEARINGS:

- A. Consider General Plan Amendment No. 2003-02, Zone Change No. 2003-02, Vesting Tentative Tract No. 5425, and Residential Planned Development (RPD) No. 2003-02, a Request to Subdivide Approximately 15 Acres for Condominium Purposes to Develop 102 Duplex-Style and Detached Condominium Dwellings and a Recreation Facility, Located at the Terminus of Fremont Street, South of Los Angeles Avenue (Hwy 118) and East of Majestic Court, on the Application of Shea Homes, Inc. (Continued with public hearing open from March 2, 2005) Staff Recommendation: 1) Continue to take public testimony, and close the public hearing; 2) Adopt Resolution No. 2005-2303, adopting a Mitigated Negative Declaration and approving General Plan Amendment No. 2003-02; 3) Introduce Ordinance No. 312 for first reading to approve Zone Change No. 2003-02. Schedule second reading and adoption for April 20, 2005; and 4) Adopt Resolution No. 2005-2304, approving Vesting Tentative Map No. 5425 and RPD No. 2003-02. (Staff: Barry Hogan)

**APPROVED STAFF RECOMMENDATION, INCLUDING: 1) ADOPTION OF RESOLUTION NO. 2005-2303; 2) INTRODUCTION OF ORDINANCE NO. 312; AND 3) ADOPTION OF RESOLUTION NO. 2005-2304, AS AMENDED FOR CONDITIONS OF APPROVAL. (Voice Vote: 4-0, Councilmember Millhouse absent)**

- B. Consider an Ordinance of the City of Moorpark for Proposed Development Agreement Between Shea Homes, Limited Partnership and City of Moorpark Pertaining to Vesting Tentative Tract No. 5425. Staff Recommendation: 1) Open the public hearing, take public testimony, and close the public hearing; and 2) Introduce Ordinance No. 313 for first reading and schedule second reading and adoption for April 20, 2005. (Staff: Steven Kueny)

**APPROVED STAFF RECOMMENDATION, INCLUDING INTRODUCTION OF ORDINANCE NO. 313. (Voice Vote: 4-0, Councilmember Millhouse absent)**

- C. Consider an Amendment to Specific Plan No. 1995-02 Relating to Development Standards for Specific Plan Area No. 2; Zoning Ordinance Amendment No. 2004-05, a

Request to Amend Chapter 17.74 of the Moorpark Municipal Code Relating to Development Standards for Specific Plan Area No. 2; and Residential Planned Development Permit Nos. 2004-01, -02 and -03, for Construction of a Total of 102 Multiple-Family Residences, and 132 Single-Family Residences within Specific Plan Area No. 2, Located Approximately One-Half Mile North of the Northerly Terminus of Spring road and Three-Fourths of One Mile East of Walnut Canyon Road, on the Application of Pardee Homes.  
Staff Recommendation: 1) Open the public hearing, take public testimony, and close the public hearing; 2) Adopt Resolution No. 2005-2305, approving an Amendment to Specific Plan No. 1995-02 (Moorpark Highlands Specific Plan); 3) Introduce Ordinance No. 314 for first reading to approve Zoning Ordinance Amendment No. 2004-05. Schedule second reading and adoption for April 20, 2005; and 4) Adopt Resolution No. 2005-2306, approving Residential Planned Development Permit Nos. 2004-01, 2004-02, and 2004-03, subject to Conditions of Approval. (Staff: Barry Hogan)

**APPROVED STAFF RECOMMENDATION, INCLUDING: ADOPTION OF RESOLUTION NO. 2005-2305; 2) INTRODUCTION OF ORDINANCE NO. 314; AND 3) ADOPTION OF RESOLUTION NO. 2005-2306, AS AMENDED FOR CONDITIONS OF APPROVAL. (Voice Vote: 4-0, Councilmember Millhouse absent)**

- D. Consider Withdrawal from the Ventura County Library System. Staff Recommendation: 1) Open the public hearing, take public testimony, and continue the open public hearing to May 4, 2005. (Staff: Mary Lindley)

**DIRECTED STAFF TO ENGAGE A CONSULTANT TO EXPLORE FACTS AND CIRCUMSTANCES FOR WITHDRAWING FROM THE LIBRARY SYSTEM INCLUDING MONETARY AND SERVICE IMPACTS AND THE REQUIREMENTS FOR TRANSITION FROM A COUNTY TO A MUNICIPAL SERVICE AND TO REPORT BACK TO COUNCIL AT A CONTINUED OPEN PUBLIC HEARING ON JUNE 1, 2005. (Voice Vote: 4-0, Councilmember Millhouse absent)**

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Request for Bids for Construction of the New Corporate Yard and Resolution Increasing the Funding for Project 8041. Staff Recommendation: 1) Approve

plans and specifications for subject project and authorize staff to invite all Pre-Qualified contractors to submit bids for construction; and 2) Adopt Resolution No. 2005-2307, amending the FY 2004/05 Budget to increase funding for the project. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2307, AS AMENDED TO CORRECT TOTAL APPROPRIATIONS AMOUNT. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- B. Consider Resolution Amending the Classification Plan and Job Descriptions for Non-Competitive and Competitive Service and Hourly Employees and Rescinding Resolution No. 2004-2042. Staff Recommendation: Adopt Resolution No. 2005-2308, consistent with the agenda report. (Staff: Deborah Traffenstedt)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2308 AND RESCINDING OF RESOLUTION NO. 2002-2042. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- C. Consider the Establishment of an Ad-Hoc Committee to Develop a Draft Development Agreement Between Toll Brothers, Inc. and the City of Moorpark for General Plan Amendment No. 2003-04, Zone Change No. 2003-03, Tentative Tract Map Nos. 5463 and 5464, Residential Planned Development Permit No. 2003-04, and Modification No. 6 to Residential Planned Development Permit No. 1994-01. Staff Recommendation: Appoint two Councilmembers to an Ad-Hoc Committee. (Staff: Barry Hogan)

**APPOINTED COUNCILMEMBERS MILLHOUSE AND PARVIN TO SERVE ON THE TOLL BROTHERS, INC. DEVELOPMENT AGREEMENT AD-HOC COMMITTEE.**

10. CONSENT CALENDAR:

**APPROVED CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 10.E., WHICH WAS PULLED FOR INDIVIDUAL CONSIDERATION. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- A. Consider Approval of Minutes of Regular Meeting of September 15, 2004.

Consider Approval of Minutes of Regular Meeting of October 20, 2004.

Consider Approval of Minutes of Regular Meeting of February 2, 2005.

Consider Approval of Minutes of Regular Meeting of February 16, 2005.

Consider Approval of Minutes of Regular Meeting of March 2, 2005.

Consider Approval of Minutes of Special Meeting of March 16, 2005.

Staff Recommendation: Approve the minutes.

**APPROVED STAFF RECOMMENDATION.**

- B. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - April 6, 2005.

Manual Warrants	118769 - 118774	\$ 68,167.83
Voided Warrant		\$ (0.00)
Payroll Liability Warrants	118775 - 118779	\$ 1,780.75
Regular Warrants	118780 - 118896 & 118897 - 118915	\$ 72,753.80 \$ 760,671.38

Staff Recommendation: Approve the warrant register.

**APPROVED STAFF RECOMMENDATION.**

- C. Consider Agreement Between the City of Moorpark and the City of Camarillo for Regular Monthly Household Hazardous Waste (HHW) Event Participation. Staff Recommendation: Approve the Agreement, subject to final language approval of the City Manager and City Attorney and authorize the Mayor to execute the Agreement. (Staff: John Brand)

**APPROVED STAFF RECOMMENDATION.**

- D. Consider Subdivision Bond Reduction for Richmond American Homes of California, Inc. (Tract 4977). Staff Recommendation: 1) Authorize the City Clerk to reduce Subdivision Bond - Drainage Improvements (Performance/Labor & Materials) to 10% for Richmond American Homes of California, Inc. (Tract 4977); and 2) Authorize the City Clerk to fully exonerate the aforementioned sureties for Tract 4977 one year after this approval of the reduction of surety bond and upon written confirmation from the City Engineer that no warranty work is required. (Staff: Brad Miller)

**APPROVED STAFF RECOMMENDATION.**

- E. Consider Resolution Establishing a "No Parking of Oversized Vehicles" Zone on Flinn Avenue, Minor Street, Fitch Avenue, Lassen Avenue and Park Lane. Staff Recommendation: Adopt Resolution No. 2005-2309. (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2309, AS AMENDED TO ADD TOWING AUTHORITY AT STAFF DISCRETION. (Voice Vote: 4-0, Councilmember Millhouse absent)**

- F. Consider Resolution Proclaiming the Termination of a Local Emergency and Rescinding Resolutions 2005-2278 and 2005-2279 Regarding the "2005 Winter Storms". Staff Recommendation: Adopt Resolution No. 2005-2310. (Staff: Kim Chudoba)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2310 AND RESCINDING OF RESOLUTIONS NOS. 2005-2278 AND 2005-2279. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- G. Consider Rejection of Claim: John Wood, O.D. a Professional Corporation; John Wood, an Individual. Staff Recommendation: Reject the claim and direct staff to send a standard rejection letter to the claimants. (Staff: Deborah Traffenstedt)

**APPROVED STAFF RECOMMENDATION.**

- H. Consider Authorizing Submittal of a Beverage Container Recycling and Litter Reduction Act Grant Application

for \$9,535 to the California Department of Conservation Division of Recycling. Staff Recommendation: Approve grant application. (Staff: John Brand)

**APPROVED STAFF RECOMMENDATION.**

- I. Consider Mid-Year Budget Amendments to 2004/2005 Fiscal Year Budget. Staff Recommendation: Adopt Resolution No. 2005-2311, amending the FY 2004/05 budget. ROLL CALL VOTE REQUIRED (Staff: Johnny Ea)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2311. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- J. Consider Resolution Authorizing the Submittal of a Grant Renewal Application to the Ventura County Area Agency on Aging for Older Americans Act Title III-B Funds for Senior Center Support, and Authorizing City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2005-2312. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2312. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- K. Consider Resolution Authorizing the Submittal of a Ventura County Area Agency on Aging Grant Application for Older Americans Act Title III-D for Disease Prevention and Health Promotion One-Time-Only Funds and Authorizing City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2005-2313. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2313. (Roll Call Vote: 4-0, Councilmember Millhouse absent)**

- L. Consider Resolution Authorizing the Submittal of a Ventura County Area Agency on Aging Grant Application for Older Americans Act Title III-D Funds for Disease Prevention and Health Promotion Services at Senior Centers and Authorizing City Manager to Sign All Related Agreements. Staff Recommendation: Adopt Resolution No. 2005-2314. (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF  
RESOLUTION NO. 2005-2314. (Roll Call Vote: 4-0,  
Councilmember Millhouse absent)**

11. ORDINANCES:

**NONE.**

12. CLOSED SESSION:

**THE COUNCIL RECESSED AT 10:44 P.M. FOR CLOSED SESSION  
DISCUSSION OF ITEMS 12.A., 12.B., 12.C., 12.D. AND 12.E.**

- 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)
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Pursuant to Subdivision (a) of Section 54956.9 of the  
Government Code)  
The Committee to Preserve Historic High Street, an  
unincorporated association, and Cynthia Hollister vs.  
City of Moorpark and Moorpark City Council (Case No.  
SC037584)
- D. 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
- E. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Unrepresented employees: Accountant I, Administrative  
Services Director, Assistant City Manager, Assistant  
to City Manager/City Clerk, Budget and Finance  
Manager, City Engineer, Community Development  
Director, Community Services Director, Information  
Systems Manager, Planning Manager, Principal Planner,

Public Works Director, Public Works Superintendent,  
Recreation Manager, and Senior Management Analyst

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

13. ADJOURNMENT:

**11:25 P.M.**