



**NOTICE AND CALL OF A SPECIAL
MEETING OF THE MOORPARK CITY COUNCIL**

TO THE MEMBERS OF THE MOORPARK CITY COUNCIL:

NOTICE IS HEREBY GIVEN that a Special Meeting of the City Council of the City of Moorpark is hereby called to be held on Wednesday, August 31, 2005, commencing at 7:00 p.m. Said meeting will convene in the Moorpark Community Center located at 799 Moorpark Avenue, Moorpark, California.

Said Special Meeting shall be for the purpose of considering the following:

1. **CALL TO ORDER:**
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **PUBLIC COMMENT:**
5. **PUBLIC HEARING:**
 - A. Consider Resolution for Commercial Planned Development Permit No. 2005-02 to Allow Construction of an Approximately 74,402 Square Foot Retail Commercial Shopping Center on Approximately 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: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2005-____ adopting a Mitigated Negative Declaration and approving Commercial Planned Development Permit No. 2005-02. **(Staff: Barry Hogan)**

5. PUBLIC HEARING: (continued)

- B. Consider Resolution for 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: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2005-____ approving Modification No. 4 to Commercial Planned Development Permit No. 1990-02 and Conditional Use Permit No. 2005-01, subject to Conditions of Approval. **(Staff: Barry Hogan)**

6. CONSENT CALENDAR:

- A. Consider Purchase of Original Painting of the Moorpark Mammoth. Staff Recommendation: Approve the purchase of the original painting by Jan Mecklenburg and authorize payment of \$2,700. **ROLL CALL VOTE REQUIRED (Staff: Hugh Riley)**
- B. Consider Resolution Amending Resolution No. 2004-2174, the City's ICMA Retirement Corporation Governmental Money Purchase Plan and Trust Adoption Agreement [401 (a) Plan]. Staff Recommendation: Adopt Resolution No. 2005-____ approving an amendment to Resolution No. 2004-2174, the City's 401(a) Plan, and authorize the City Manager to sign Attachment 1 Amending the City of Moorpark Governmental Money Purchase Plan and Trust Adoption Agreement. **(Staff: Johnny Ea)**

7. CLOSED SESSION:

- 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)

7. CLOSED SESSION: (continued)

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

8. ADJOURNMENT:

Dated: August 24, 2005.

Deborah S. Traffenstedt, City Clerk

Any member of the public may address the Council during the Public Comments portion of the Agenda, unless it is a Public Hearing or a Presentation/Action/Discussion item. Speakers who wish to address the Council concerning a Public Hearing or Presentation/ Action/Discussion item must do so during the Public Hearing or Presentation/ Action/Discussion portion of the Agenda for that item. Speaker cards must be received by the City Clerk for Public Comment prior to the beginning of the Public Comments portion of the meeting and for Presentation/Action/Discussion items prior to the beginning of the first item of the Presentation/Action/Discussion portion of the Agenda. Speaker Cards for a Public Hearing must be received prior to the beginning of the Public Hearing. A limitation of three minutes shall be imposed upon each Public Comment and Presentation/Action/Discussion item speaker. A limitation of three to five minutes shall be imposed upon each Public Hearing item speaker. Written Statement Cards may be submitted in lieu of speaking orally for open Public Hearings and Presentation/Action/Discussion items. Copies of each item of business on the agenda are on file in the office of the City Clerk and are available for public review. Any questions concerning any agenda item may be directed to the City Clerk at 517-6223.

In compliance with the Americans with Disabilities Act, if you need special assistance to review an agenda or participate in this meeting, including auxiliary aids or services, please contact the City Clerk's Department at (805) 517-6223. Upon request, the agenda can be made available in appropriate alternative formats to persons with a disability. Upon advance notification of the need for disability-related modification or accommodation, reasonable arrangements will be made by City staff to provide accessibility to the meeting (28 CFR 35.102-35.104; ADA Title II).