



ANNOTATED

**CITY COUNCIL
REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 2, 2005
7:00 P.M.**

Moorpark Community Center

799 Moorpark Avenue

1. CALL TO ORDER:

7:17 P.M.

2. PLEDGE OF ALLEGIANCE:

JOHN ROBERTS, FORMER PARKS AND RECREATION COMMISSIONER, LED THE PLEDGE OF ALLEGIANCE.

3. ROLL CALL:

PRESENT: COUNCILMEMBERS MIKOS, MILLHOUSE, PARVIN, MAYOR PRO TEMPORE HARPER, AND MAYOR HUNTER (7:25 P.M.)

4. PROCLAMATIONS AND COMMENDATIONS:

- A. Certificate of Recognition of John Roberts as Moorpark Police Department's 2004 Volunteer of the Year.

MAYOR PRO TEMPORE HARPER PRESENTED JOHN ROBERTS, MOORPARK POLICE DEPARTMENT'S 2004 VOLUNTEER OF THE YEAR, WITH A CERTIFICATE OF RECOGNITION.

- B. Proclamation Recognizing February 2005 as Interface Children Family Services and United Way of Ventura County 2-1-1 Month.

MAYOR PRO TEMPORE HARPER PRESENTED EVE LIEBMAN, CAMPAIGN DIVISION DIRECTOR OF UNITED WAY WITH A PROCLAMATION RECOGNIZING FEBRUARY 2005 AS INTERFACE CHILDREN FAMILY SERVICES AND UNITED WAY OF VENTURA COUNTY 2-1-1 MONTH.

MS. LIEBMAN PRESENTED THE CITY OF MOORPARK WITH A PLAQUE HONORING EMPLOYEE CONTRIBUTIONS OF OVER \$5,100 TO UNITED WAY FOR THE 2004-2005 CAMPAIGN.

5. PUBLIC COMMENT:

THREE SPEAKERS.

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

NONE.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

COUNCILMEMBER PARVIN REQUESTED THE STATUS ON CALTRANS POTHOLE REPAIR ON LOS ANGELES AVENUE.

MAYOR HUNTER ASKED MR. GILBERT TO CONTACT CALTRANS ON BEHALF OF THE CITY COUNCIL TO REQUEST THE REPAIRS BE MADE CORRECTLY.

COUNCILMEMBER MILLHOUSE STATED CALTRANS IS GETTING NO FUNDING FROM THE STATE AND THAT IS WHY MEASURE B WAS PLACED ON THE NOVEMBER BALLOT; THE PUBLIC WILL HAVE TO GET USED TO POTHOLES SINCE THERE IS NO MONEY UNTIL FUNDING IS FIXED IN SACRAMENTO OR UNTIL RESIDENTS REVISIT THE SUBJECT LOCALLY; AND HE WILL ALSO TALK TO CALTRANS.

COUNCILMEMBER HARPER REQUESTED A METROLINK SPOKESPERSON BE SCHEDULED FOR A FUTURE AGENDA TO DISCUSS THE RECENT TRAIN DERAILMENT TRAGEDY IN GLENDALE; HOW TO PREVENT FUTURE SUCH INCIDENTS AND WHAT CAN BE DONE TO MAKE TRAIN TRAVEL SAFER.

COUNCILMEMBER MILLHOUSE SPOKE IN SUPPORT OF METROLINK AND STATED HE IS SURE METROLINK WOULD BE HAPPY TO ADDRESS THE COUNCIL FROM A TECHNICAL STANDPOINT AND TO ANSWER QUESTIONS.

MAYOR HUNTER ASKED STAFF TO PROVIDE THE COUNCIL WITH A MAIL BOX ITEM REPORT ON THIS SUBJECT AND WHEN THIS CAN BE AGENDIZED TO ALLOW EXTRA TIME FOR A PRESENTATION FROM METROLINK.

8. PUBLIC HEARINGS:

NONE.

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Alternative Recommendation for the Ventura County Library District Structure and Financial Policies. Staff Recommendation: Make no changes to the City Council's October 6, 2004, action. (Staff: Mary Lindley)

DIRECTION TO RECOMMEND TO THE LIBRARY COMMISSION FUNDING AND SERVICE LEVELS OF OPTION 4 WITH AN AMENDMENT TO RELINQUISH NO MORE THAN 50-PERCENT OF PROPERTY TAX REVENUE FROM THE COUNTY UNINCORPORATED AREAS; AND TO DISCUSS OVERRIDING THE CURRENT MEMORANDUM OF UNDERSTANDING GOVERNANCE STRUCTURE IN FAVOR OF A JOINT POWERS AUTHORITY. (Voice Vote: 4-1, Councilmember Millhouse dissenting)

DIRECTED STAFF TO SCHEDULE A FUTURE AGENDA ITEM TO DISCUSS FORMING AN AD HOC COMMITTEE TO EXPLORE ALTERNATIVE FORMS OF LIBRARY SERVICE INCLUDING DISCUSSIONS WITH MOORPARK COLLEGE AND THE MOORPARK MUNICIPAL SCHOOL DISTRICT. (Voice Vote: Unanimous)

THE CITY COUNCIL MEETING WAS RECESSED AT 8:43 P.M. AND RECONVENED AT 8:54 P.M.

- B. Consider Resolution Authorizing the City Manager to Enter into an Agreement with the Ventura County Area Agency on Aging for the Operation of the Moorpark Senior Nutrition Program. Staff Recommendation: Adopt Resolution No. 2005-2287. (Staff: Mary Lindley)

APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2287, AS AMENDED FOR THE TITLE. (Voice Vote: Unanimous)

- C. Consider Providing Comments on Possible Unmet Transit Needs to the Ventura County Transportation Commission and Receive Report on Unmet Transit Needs Findings and Goals. Staff Recommendation: Provide comments and direct staff to forward them to VCTC prior to the end of the public comment period. (Staff: John Brand)

DIRECTED STAFF TO FORWARD COMMENTS TO VCTC INCLUDING WHEEL CHAIR ACCESSIBILITY ON NEW TRANSIT SERVICES.

10. CONSENT CALENDAR:

APPROVED CONSENT CALENDAR. (Roll Call Vote: Unanimous)

A. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - February 2, 2005.

Manual Warrants	118294	\$	32,444.43
Voided Warrant		\$	(0.00)
Payroll Liability Warrants	118289 - 118293	\$	1,824.00
Regular Warrants	118295 - 118368 & 118369 - 118389	\$	39,196.41 \$ 1,057,650.02

Staff Recommendation: Approve the warrant register.

APPROVED STAFF RECOMMENDATION.

B. Consider Awarding a Contract for a Project to Construct the Spring Road Median Landscaping North of Second Street and to Replace the Parkway Trees on the East Side of Tierra Rejada Road South of Courtney Lane. Staff Recommendation: Approve the award of a construction contract to Martinez Landscape Company for the construction of the subject project. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

APPROVED STAFF RECOMMENDATION.

C. Consider Continuation of Local Emergency. Staff Recommendation: Continue the proclamation of a local emergency. (Staff: Kim Chudoba)

APPROVED STAFF RECOMMENDATION.

D. Consider Approval of a Memorial Donation for Poindexter Park and Resolution Amending Fiscal Year 2004/05 Budget. Staff Recommendation: Approve the memorial bench donation and adopt Resolution No. 2005-2288, amending the FY 2004/05 budget. ROLL CALL VOTE REQUIRED (Staff: Mary Lindley)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF
RESOLUTION NO. 2005-2288. (Roll Call Vote:
Unanimous).**

- E. Consider Shadyridge Buffer Zone Vehicle Gates Moorpark
Administrative Procedure. Staff Recommendation:
Receive and file. (Staff: Mary Lindley)

RECEIVED AND FILED REPORT.

- F. Consider Resolution Authorizing Revisions to the
City's Police Service Rates and False Alarm Bill Rates
and Rescinding Resolution No. 98-1491. Staff
Recommendation: Adopt Resolution No. 2005-2289.
(Staff: Johnny Ea)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF
RESOLUTION NO. 2005-2289 AND RESCINDING OF RESOLUTION
NO. 98-1491. (Voice Vote: Unanimous).**

- G. Consider Approval of Plans and Specifications and
Authorization to Advertise for a Project to Construct
a Sub-Drain on Little Hollow Place. 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.

- H. Consider Rejection of Claims: Deborah Freeborn; Voss
Enterprises dba McDonald's Restaurant; Debbie Voss,
Interested Party - President; Fifth Avenue Cleaners
dba Linda Jean Fisher; Chol Ho Kye dba Towne Cleaners;
Steven Minor dba Sabre Mortgage; 3H Network, Inc. dba
Subway; Michelle Kay, interested party - Director of
Administration; Dave DiTomaso, Interested Party -
President; Transition Board Shop, Inc.; Mike Dillehay,
Interested Party - President; Brody Trejos, Interested
Party - Vice President and Treasurer; Robert Lerma,
Michael Lopez and Alfredo Guitierrez dba 805 Automotive
& Customs; Mike Grewal and James Wu dba Postnet; J.
Bellanca Interiors, Inc. dba Traditions; Joanne
Sheftel, Interested Party; Barbara Simmons dba
Moorpark Family Billiards; Jackie Jankowski,
Interested Party; Robert Cedano dba Roberto's Fresh
Mexican Grill; Young Chozl Kwon dba Take Sushi; Engen
Enterprises, Inc. dba Taco Bell; David A. Engen,

Interested Party; Randall Smith and Frank Cangelosi dba Moorpark Cleaners; Moldavon, Inc. dba Pet Life; Gary Moldavon, Interested Party; Tony Habroun and Joann Habroun, Individually and dba Moorpark Liquor and Jr. Market; Digital Plus One Hour Photo, Inc.; Antoine Nazarian, Interested Party - President; Jung Kyo Park dba BJ's Café; Taure Banks; Susan Banks; Sandra Hansen; and Iron Horse Saddlery, LLC; Todd Guillette dba Todd's Japanese Connection; Waseli Corp. dba Two Guys from Italy; Waltrant Auer, Interested Party; Dave Pardo, Individually; Tracy Pardo, Individually; Dave Pardo and Tracy Pardo dba Anderson's Jewelers; G & S Auto Services, Corp., dba Moorpark Auto Spa & Lube Express; Mohammad Sheshebor, Interested Party - Vice President; Eddie Gharbaghi, Interested Party - President; Golden Choice, Inc. dba Grinder Restaurant; Ray Yassini, Interested Party - President; Mark Fiore, Interested Party - Manager; and Escadrille Holdings, LLC dba Jiffy Lube #2888; Andrew D. Hall, Interested Party; ATCO Enterprises, Inc. dba Tobacco Zone; Sam Zayyad, Interested Party; and Gayle Adler. Staff Recommendation: Reject the claims and direct staff to send a standard rejection letter to the claimants. (Staff: Deborah Traffenstedt)

APPROVED STAFF RECOMMENDATION.

11. ORDINANCES:

NONE.

12. CLOSED SESSION:

THE COUNCIL RECESSED AT 9:15 P.M. FOR CLOSED SESSION DISCUSSION OF ITEMS 12.A. AND 12.B.

- 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. 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:

9:57 P.M.