



Resolution No. 2005-2303  
Ordinance No. 312

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

Moorpark Community Center

799 Moorpark Avenue

1. **CALL TO ORDER:**
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **PROCLAMATIONS AND COMMENDATIONS:**
  - A. Introduce 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.

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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 Presentations/Action/Discussion item must do so during the Public Hearing or Presentations/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.

5. PUBLIC COMMENT:

*(AT THIS POINT IN THE MEETING, THE COUNCIL WILL CONVENE THE REGULAR REDEVELOPMENT AGENCY MEETING, UNLESS CANCELED.)*

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

*(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)*

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

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-\_\_\_\_, adopting a Mitigated Negative Declaration and approving General Plan Amendment No. 2003-02; 3) Introduce Ordinance No. \_\_\_\_ 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-\_\_\_\_, approving Vesting Tentative Map No. 5425 and RPD No. 2003-02. (Staff: Barry Hogan)
- 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. \_\_\_\_ for first reading and schedule second reading and adoption for April 20, 2005. (Staff: Steven Kueny)

**8. PUBLIC HEARINGS: (continued)**

- 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-\_\_\_\_, approving an Amendment to Specific Plan No. 1995-02 (Moorpark Highlands Specific Plan); 3) Introduce Ordinance No. \_\_\_\_ 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-\_\_\_\_, approving Residential Planned Development Permit Nos. 2004-01, 2004-02, and 2004-03, subject to Conditions of Approval. (Staff: Barry Hogan)
- 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)

**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-\_\_\_\_, amending the FY 2004/05 Budget to increase funding for the project. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

**9. PRESENTATION/ACTION/DISCUSSION: (continued)**

- B. Consider Resolution Amending the Classification Plan and Job Descriptions for Non-Competitive and Competitive Service and Hourly Employees and Rescinding Resolution No. 2002-2042. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_, consistent with the agenda report. **(Staff: Deborah Traffenstedt)**
- 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)**

**10. CONSENT CALENDAR:**

- 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.

**10. CONSENT CALENDAR: (continued)**

- 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 &<br>118897 - 118915 | \$ 72,753.80<br>\$ 760,671.38 |

Staff Recommendation: Approve the warrant register.

- 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)**

- 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)**

- 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-\_\_\_\_. **(Staff: Kenneth Gilbert)**

- 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-\_\_\_\_. **(Staff: Kim Chudoba)**

**10. CONSENT CALENDAR: (continued)**

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

**11. ORDINANCES:**

None.

**12. 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)
- 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:**

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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. Any request for disability-related modification or accommodation should be made at least 48 hours prior to the scheduled meeting to assist the City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104; ADA Title II).

STATE OF CALIFORNIA )  
COUNTY OF VENTURA )     ss  
CITY OF MOORPARK     )

AFFIDAVIT OF POSTING

I, Maureen Benson, declare as follows:

That I am the Deputy City Clerk of the City of Moorpark and that an agenda of the Regular Meeting of the Moorpark City Council to be held on Wednesday, April 6, 2005 at 7:00 p.m. in the Council Chambers of the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California, was posted on March 31, 2005, at a conspicuous place at the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2005.

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Maureen Benson, Deputy City Clerk