



Resolution No. 2005-2398
Ordinance No. 322

**CITY COUNCIL
REGULAR MEETING AGENDA
WEDNESDAY, OCTOBER 5, 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. Introduction of 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".
5. **PUBLIC COMMENT:**

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.

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(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)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

8. PUBLIC HEARINGS: (continued)

- 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-____ (in Agenda Item 9.A.) placing an Ordinance on the ballot that includes Development Agreement No. 2005-01 with General Plan Amendment No. 2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02 for consideration by Moorpark voters. **(Staff: Steven Kueny)**
- 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-____, 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)**
- 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. ____ for first reading and schedule second reading and adoption for October 19, 2005. **(Staff: Steven Kueny)**

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-____, _____, and _____. **(Staff: Deborah Traffenstedt)**
- 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)**
- 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-____. **ROLL CALL VOTE REQUIRED (Staff Mary Lindley)**
- 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-____. **(Staff: David Moe)**
- 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. ____ for first reading, waive full reading, and schedule second reading and adoption for November 2, 2005. **(Staff: Kenneth Gilbert)**

9. PRESENTATION/ACTION/DISCUSSION: (continued)

- 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-____, increasing the funding for the project. **ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)**
- 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 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)**

10. CONSENT CALENDAR:

- A. Consider Approval of Minutes of Regular Meeting of September 21, 2005.
Staff Recommendation: Approve the minutes.
- B. Consider Approval of Warrant Register for Fiscal Year 2005-2006 - October 5, 2005.
Staff Recommendation: Approve the warrant register.
- 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)**

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)**
- 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)**
- 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)**
- 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)**
- 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)**
- 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)**
- 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)**

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.
- 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.
- 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.

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. 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/Public Works Director; Chief of Police;
Community Development Director; Finance Director;
Parks, Recreation and Community Services Director; and
Public Works Director

13. ADJOURNMENT:

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 October 5, 2005, at 7:00 p.m. in the Council Chambers of the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California, was posted on September 30, 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 September 30, 2005.

Maureen Benson, Deputy City Clerk