



Resolution No. 2005-2287
Ordinance No. 311

**CITY COUNCIL
REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 2, 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. Certificate of Recognition of John Roberts as Moorpark Police Department's 2004 Volunteer of the Year.
 - B. Proclamation Recognizing February 2005 as Interface Children Family Services and United Way of Ventura County 2-1-1 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.

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(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)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

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)**
- 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-____. **(Staff: Mary Lindley)**
- 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)**

10. CONSENT CALENDAR:

- 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.

10. CONSENT CALENDAR: (continued)

- 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)**

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

- 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-____, amending the FY 2004/05 budget. **ROLL CALL VOTE REQUIRED (Staff: Mary Lindley)**

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

- 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-____. **(Staff: Johnny Ea)**

- 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)**

10. CONSENT CALENDAR: (continued)

- 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)

11. ORDINANCES:

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: 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:

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, February 2, 2005, at 7:00 p.m. in the Council Chambers of the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California, was posted on January 28, 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 January 28, 2005.

Maureen Benson, Deputy City Clerk