



Resolution No. 2005-2421
Ordinance No. 328

**CITY COUNCIL
REGULAR MEETING AGENDA
WEDNESDAY, DECEMBER 7, 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, Yugal Lall, City Engineer/Public Works Director.
 - B. Introduction of New City Employee, Richard Denniston, Assistant Planner I.
 - C. Presentation by Starrett Kreissman, Annual Report for Moorpark Library.
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(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)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 Interim Urgency Ordinance Extending a Temporary Moratorium on Permitting New or Amended Uses for Adult Businesses, Body Piercing and/or Tattoo Establishments, Massage Establishments, and Secondhand Dealer Establishments within the City. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Ordinance No. _____. **ROLL CALL VOTE REQUIRED: 4/5th AFFIRMATION (Staff: Barry Hogan)**
- B. Consider Interim Urgency Ordinance Extending a Temporary Moratorium on Development in Non-Residential Zones of the Downtown Specific Plan Overlay Zone and on Decreased Parking Requirements in the Downtown Area. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Ordinance No. _____. **ROLL CALL VOTE 4/5TH AFFIRMATION (Staff: Barry Hogan)**
- C. 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 November 2, 2005, with public hearing open) Staff Recommendation: 1) Continue to accept public testimony, and close the public hearing; and 2) Introduce Ordinance No. ____ for first reading, waive full reading, and schedule second reading and adoption for December 21, 2005. **(Staff: Barry Hogan)**

8. PUBLIC HEARINGS: (continued)

- D. Consider Resolution for Modification No. 1 to Residential Planned Development No. 965 to Remove an Existing Freestanding Spire and Add a New Thirty-Six Foot (36') High Steeple on the Ridgeline of the Roof of an Existing Church Building, for an Overall Height of Approximately Sixty-nine Feet (69'), Located at 15351 Benwood Drive, on the Application of Richard Westwood for Church of Jesus Christ of Latter-Day Saints. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; and 2) Adopt Resolution No. 2005-____, approving Modification No. 1 to RPD No. 965, subject to Conditions of Approval . **(Staff: Barry Hogan)**
- E. Consider Zoning Ordinance Amendment 2004-03 Amending Section 17.08.010 - Definitions for Farm Animal, Animal Husbandry, Pet Animal, Aviary, and Section 17.28.030 - Standards Relating to Animal Keeping; to Provide Greater Clarity, Simplicity of Use, and to Adjust the Number of Dogs and Cats Allowed for Lots Five Acres or Larger. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Introduce Ordinance No. ____ for first reading, waive full reading, and schedule second reading and adoption for December 21, 2005. **(Staff: Barry Hogan)**

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider an Ordinance Amending Title 6 of the Moorpark Municipal Code, Animal Regulations. Staff Recommendation: Introduce Ordinance No. ____, for first reading, waive full reading, and schedule second reading and adoption for December 21, 2005. **(Staff: Mary Lindley)**
- B. Consider California Public Employees Retirement Systems (CalPERS) Benefits and Adjustment to Compensation for City Council Members. Staff Recommendation: Direct staff as deemed appropriate. **(Staff: Johnny Ea)**

10. CONSENT CALENDAR:

- A. Consider Approval of the Regular Meeting Minutes of November 2, 2005.

Consider Approval of the Regular Meeting Minutes of November 16, 2005.

Staff Recommendation: Approve the minutes.

- B. Consider Approval of Warrant Register for Fiscal Year 2005-2006 - December 7, 2005.

Staff Recommendation: Approve the warrant register.

- C. Consider Surety Bond Exoneration for Calabasas BCD Incorporated (Tract 3492, Lots 15 & 16). Staff Recommendation: Authorize the City Clerk to fully exonerate Bond No. 83S103507028BCM in the amount of \$50,000. **(Staff: Barry Hogan)**

- D. Consider Resolution Establishing Fares for City Transit Services and Rescinding Resolution No. 2003-2131. Staff Recommendation: Adopt Resolution No. 2005-____, and rescind Resolution 2003-2131. **(Staff: Mary Lindley)**

- E. Consider Resolution to Authorize the Termination of the Joint Powers Agreement Creating the Ventura Cities Mortgage Financing Authority and to Dissolve the Ventura Cities Mortgage Financing Authority and Rescind Resolutions Nos. 99-1592 and 2002-1941. Staff Recommendation: 1) Adopt Resolution No. 2005-____, and rescind Resolutions Nos. 99-1592 and 2002-1941; and 2) Authorize the Mayor to execute an agreement for the performance of administrative functions associated with these actions. **(Staff: Nancy Burns)**

- F. Consider Resolutions Adopting the New Speed Studies and Speed Limits on State Routes 23 and 118 and Rescinding Resolutions Nos. 95-1159 and 95-1160. Staff Recommendation: Adopt Resolutions Nos. 2005-____ and 2005-____ and rescind Resolutions Nos. 95-1159 and 95-1160. **(Staff: Teddy Okoye)**

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. 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; and
Parks, Recreation and Community Services 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, December 7, 2005, at 7:00 p.m. in the Council Chambers of the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California, was posted on December 2, 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 December 2, 2005.

Maureen Benson, Deputy City Clerk