



Resolution No. 2005-2350  
Ordinance No. 317

**CITY COUNCIL  
REGULAR MEETING AGENDA  
WEDNESDAY, JULY 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. Introduction of New City Employee, Jeri Armstrong-Letus, Recreation Leader II.
  - B. Introduction of New City Employee, Atanas Beltchev, Information Systems Technician.
  - C. Proclamation Declaring the Month of July as "Parks and Recreation Month".

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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*(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)*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 Procedures for the Formation, Election, and Operation of a Project Area Committee (PAC) for Proposed Amendment No. 2 to the Redevelopment Plan for the Moorpark Redevelopment Project. Staff Recommendation: 1) Open the public hearing, take public testimony, and continue open public hearing to July 20, 2005. (Staff: Hugh Riley)

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2005/2006. (continued from May 25, 2005) Staff Recommendation: Approve Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2005/2006. (Staff: Steven Kueny)
- B. Consider Interim Urgency Ordinance to Establish Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries. Staff Recommendation: Adopt Interim Ordinance No. \_\_\_\_; and 2) Schedule and notice a public hearing for July 20, 2005, to extend the Interim Ordinance. (ROLL CALL VOTE REQUIRED: 4/5ths affirmative vote) (Staff: Barry Hogan)

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

- C. Consider Approval of Agreement for Professional Consulting Services with Telecommunications Management Corporation to Review Requests for the Transfer of Cable Television System Franchise Responsibilities to Time Warner and to Conduct Franchise Compliance and Fee Audits and Adopt Resolution Amending the City's Operating Budget for Fiscal Year 2005/06. Staff Recommendation: 1) Approve Agreement for Professional Consulting Services with Telecommunications Management Corporation and authorize the City Manager to sign on behalf of the City, subject to final language approval by the City Manager and City Attorney; and 2) Adopt Resolution No. 2005-\_\_\_\_, amending the FY 2005/06 Operating Budget. **ROLL CALL VOTE REQUIRED (Staff: Hugh Riley)**

**10. CONSENT CALENDAR:**

- A. Consider Approval of Minutes of Special Joint City Council/Planning Commission Meeting of April 27, 2005.

Staff Recommendation: Approve the minutes.

- B. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - July 6, 2005.

Manual Warrants	119578 - 119584 & 119590	\$ 98,594.77 \$ 557.75
Voided Warrant	119617 & 119629	\$ (0.00)
Payroll Liability Warrants	119585 - 119589 & 119591 - 119595	\$ 1,710.20 \$ 1,710.20
Regular Warrants	119596 - 119741	\$ 743,907.19

Staff Recommendation: Approve the warrant register.

- C. Consider Resolution Designating Flinn Avenue to be a Through Street in the Vicinity of Minor Street, and Directing the Placement of a Stop Sign at the Minor Street Entrance Thereto. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_. **(Staff: Brad Miller)**

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

- D. Consider Resolution Amending the Fiscal Year 2005/06 Budget to Fund the Casey Road Traffic Signal Modification Project (Project 8027). Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_. **ROLL CALL VOTE REQUIRED (Staff: Brad Miller)**
- E. Consider Promotion of Community Services Technician to Administrative Specialist. Staff Recommendation: Upgrade the Community Services Technician to Administrative Specialist effective July 8, 2005. **(Staff: Steven Kueny)**
- F. Consider Caltrans Lease Renewal for College View Park. Staff Recommendation: Authorize the Mayor to sign the Lease Agreement with Caltrans for College View Park subject to final language approval by the City Manager and City Attorney. **(Staff: Mary Lindley)**
- G. Consider Moorpark Boys and Girls Club's Use of City's Allotted Time at Moorpark Country Club Golf Course. Staff Recommendation: Approve the Moorpark Boys and Girls Club's request to use the City's allocated one-day use of the Moorpark Country Golf Course; and use funds provided consistent with the agenda report. **(Staff: Mary Lindley)**
- H. Consider Report of Annual Development Agreement Review, Established in Connection with West Pointe Homes, Located on the West Side of Walnut Canyon Road, Approximately 3,500 Feet North of Casey Road, on the Application of William Lyon Homes, Inc. Staff Recommendation: 1) Accept the Community Development Director's Report and recommendation, and find, on the basis of substantial evidence, that William Lyon Homes, Inc., has complied in good faith with the terms and conditions of the agreement; and 2) Deem the annual review process complete. **(Staff: Barry Hogan)**
- I. Consider Resolution Rescinding Resolutions Nos. 93-976, 98-1485, and 2005-2334 Pertaining to Parking Restriction on Miller Parkway and a Portion of Peach Hill Road and Establishing Revised Parking Restrictions on Said Streets. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_. **(Staff: Kenneth Gilbert)**

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

- J. Consider Surety Bond Reductions for Zelman Moorpark Marketplace, LLC (Tract 5321). Staff Recommendation: 1) Authorize the City Clerk to reduce Surety Bonds #103849585 - Erosion Control and #103849586 - Drainage Improvements to 10%; and 2) Authorize the City Clerk to fully exonerate the referenced sureties one year after this approval of the reduction of surety bonds and upon written confirmation from the City Engineer that no warranty work is required. **(Staff: Brad Miller)**
- K. Consider Surety Bond Reductions for USA Properties Fund, Inc. (Vintage Crest Senior Apartments, L.P.). Staff Recommendation: 1) Authorize the City Clerk to reduce Surety Bonds #3SM04976000, #66111212, #3SM04650900, and #66111213 to 10%; and 2) Authorize the City Clerk to fully exonerate the referenced sureties one year after this approval of the reduction of surety bonds and upon written confirmation from the City Engineer that no warranty work is required. **(Staff: Brad Miller)**
- L. Consider Establishment of a Crossing Guard Warrant. Staff Recommendation: Approve and adopt the Crossing Guard Warrant described in the agenda report. **(Staff: Brad Miller)**
- M. Consider Request from Roam'n Relics Car Club to Hold Car Show on October 23, 2005, from 8 a.m. to 3 p.m. on High Street and to Pay Reduced City Fees for the Event. Staff Recommendation: 1) Waive fee for use of Redevelopment Agency property, charge Club the contract billing rate for police services charged by the County of Ventura, and charge Club the direct cost of other staff to plan the event; 2) Require Club to pay an encroachment permit fee (\$100) and a temporary use permit fee (\$300); and 3) Require Club to provide the City and Agency with an indemnification agreement and name the City and Agency as additional insureds in the Club's insurance policy. **(Staff: Kim Chudoba)**

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

- N. Consider Resolution Amending Personnel Rules and Regulations for the Positions in the Competitive Service and Rescinding Resolution No. 2004-2219. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_, subject to final language changes approved by the City Manager and City Attorney. **(Staff: Deborah Traffenstedt)**
- O. Consider Revised Special Election Date for the North Park Village and Nature Preserve Project. Staff Recommendation: Concur with revising special election date from January 24 to January 31, 2006, and direct staff to schedule election resolutions for the September 7, 2005, regular meeting agenda. **(Staff: Deborah Traffenstedt)**
- P. Consider Resolution Amending the Salary Plan for Competitive Service, Non-Competitive Service, and Hourly Employees and Rescinding Resolution No. 2005-2327. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_. **(Staff: Deborah Traffenstedt)**
- Q. Consider One-Year Memorandum of Agreement (MOA) with Service Employees International Union AFL-CIO, CLC Local 998. Staff Recommendation: Authorize approval of a new one-year MOA for the time period from July 1, 2005, through June 30, 2006, and authorize the City Manager to sign the new MOA following final language approval by the City Manager and City Attorney. **(Staff: Debbie Traffenstedt)**
- R. Consider Approval of Resolution Adopting a Revised Benefit Program for Management Employees and Rescinding Resolution No. 2004-2220. Staff Recommendation: Adopt Resolution No. 2005-\_\_\_\_. **(Staff: Deborah Traffenstedt)**

**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 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
- D. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Unrepresented employees: Accountant I; Active Adult Center Supervisor; Administrative Services Director/City Clerk; Administrative Services Manager; Assistant City Manager; City Engineer; Community Development Director; Finance/Accounting Manager; Finance Director; Information Systems Manager; Parks and Facilities Superintendent; Parks, Recreation and Community Services Director; Planning Manager; Principal Planner; Public Works Director; Public Works Superintendent; Recreation Manager; Redevelopment Manager; and Senior Management Analyst
- E. 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; 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 July 6, 2005, at 7:00 p.m. in the Council Chambers of the Moorpark Community Center, 799 Moorpark Avenue, Moorpark, California, was posted on July 1, 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 July 1, 2005.

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Maureen Benson, Deputy City Clerk