

MINUTES
CITY OF CAMARILLO CITY COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 14, 2014

CALL TO ORDER/ROLL CALL

Mayor Kildee called the meeting to order at 5:17 p.m.

Councilmembers Present: Kevin Kildee, Mayor
 Bill Little, Vice Mayor
 Charlotte Craven, Councilmember
 Jeanette McDonald, Councilmember
 Michael Morgan, Councilmember

Staff Present: Bruce Feng, City Manager
 Ronnie Campbell, Finance Director
 Tom Fox, Public Works Director
 Jeffrie Madland, City Clerk
 Dave Norman, Community Development Director
 Dan Paranick, Assistant City Manager
 Richard Petropulos, General Services Director
 Brian Pierik, City Attorney
 Guy Stewart, Police Department Commander

I. **AMENDMENTS TO THE AGENDA**

 Pulled Items III D and III J for discussion.

II. **PRESENTATIONS – NONE**

III. **CONSENT CALENDAR**

 Councilmember Craven moved, seconded by Councilmember Morgan, to approve Consent Calendar Items A through I with the exception of Item D.

A. Minutes

 Approved the minutes of the City Council meeting held April 23, 2014, as presented.

B. Resolution – Approval of Disbursements

 Adopted Resolution No. 2014-44 approving disbursements dated on or before May 7, 2014.

C. Citizen Appointment - Ventura County Area Agency on Aging Advisory Council

 Confirmed the appointment of Jay Evans to the Ventura County Area Agency on Aging Advisory Council for a term expiring June 2016.

 Jay Evans introduced himself to the Council and thanked the Council on Aging for their recommendation.

D. Alcoholic Beverage License - Sonoma Coast Theater

 Pulled for discussion as Item VII A.

- E. Resolution Exonerating Warranty Securities – LS-09-01 Ponderosa Drive Channel Landscape Phase 2, ST-11-04 2012 Annual Slurry Seal Program, and ST-07-08 Calleguas Creek Bike Trail Phase 2

Adopted Resolution 2014-45 exonerating warranty securities.

- F. General Plan Annual Report for 2013

Approved the 2014 General Plan Annual Report for Year 2013 and directed staff to forward the Report to the State of California.

- G. Capital Improvement Projects General Plan Consistency Finding – Camarillo Airport

Authorized staff to forward a letter to the Ventura County Department of Airports informing them their projects are consistent with the City's General Plan and a coordinated development plan is not necessary.

- H. Capital Improvement Projects General Plan Consistency Finding – County Agencies

Authorized staff to forward letters to the various county agencies informing them that their projects are consistent with the City's General Plan and a coordinated development plan is not necessary.

- I. Legislative Committee's Recommendations on Current Legislation

Confirmed the Legislative Committee's recommended positions on legislative bills with a noted correction to the report that AB 1035 should state "oppose"; ratified position letters signed by the City Manager; received and filed the Legislative Bill Tracking Report; and approved distribution of the Legislative Bill Tracking Report at the beginning of each month.

- J. Agreement with Pyro Spectaculars North, Inc. for the 2014 July 4th/50th Anniversary Fireworks Display

Pulled for discussion as Item XI B.

Motion carried 5-0.

- IV. CITY COUNCIL – NONE

- V. FINANCE – NONE

- VI. PUBLIC WORKS – NONE

- VII. COMMUNITY DEVELOPMENT

- A. Alcoholic Beverage License - Sonoma Coast Theater (formerly Item III D)

Councilmember Craven and Vice Mayor Little expressed concern about alcohol in a theater frequented by underage children. Community Development Director Norman noted the use requires a CUP. If the business applies for a CUP, the Planning Commission will be able to address any concerns at that time.

Councilmember Craven moved, seconded by Vice Mayor Little, to protest the issuance of the license.

Motion carried 5-0.

VIII. CITY ATTORNEY

A. Ordinances Amending Smoking Regulations to Include E-Cigarettes and Establishing a Moratorium on New E-cigarette Businesses

City Attorney Pierik presented information on the laws and pending legislation relating to electronic smoking, and regulatory options currently in use in other municipal jurisdictions. He recommended adopting an amendment to Chapter 9.24 to impose the same restrictions on e-cigarettes that apply to smoking tobacco products and adopting an urgency ordinance to establish a moratorium on e-cigarette businesses to allow the City time to study potential health impacts.

Michael Mirabel stated, as a former smoker, he felt the e-cigarettes were a positive and safe alternative to smoking. He believed the FDA report was flawed and there was evidence available that vapor did not cause health impacts.

Michael Burns, owner of Vapor Connection, stated there is a lack of education on this product and no current definitive evidence showing negative effects from e-cigarettes. He stated there are newer studies based on improved devices. He was concerned the ordinance would be detrimental to his business if customers are not allowed to sample devices in his store.

Community Development Director Norman stated an existing business would be grandfathered at its current location and treated as a smoking lounge, which would allow customers to continue sampling the devices in the store. If the business was to relocate, it would be a new business and subject to the new regulations.

Vice Mayor Little did not support the ordinances because he was not convinced e-cigarettes were harmful to others.

Councilmembers Craven, McDonald and Morgan were concerned about health impacts and supported the ordinances.

City Attorney Pierik read the title of Ordinance No. 1087.

Councilmember Morgan moved, seconded by Councilmember Craven, to adopt Urgency Ordinance No. 1087 to impose a moratorium on the issuance of any permits, variances, business licenses, or other applicable land use entitlements for the establishment or operation of any new E-cigarette businesses in the City.

Motion carried 4-1 (Vice Mayor Little dissented).

City Attorney Pierik read the title of Ordinance No. 1088.

Councilmember Morgan moved, seconded by Councilmember Craven, to waive further reading and introduce Ordinance No. 1088 amending Chapter 9.24 of the City's Municipal Code "Regulation of Smoking" to include E-cigarettes and other electronic smoking devices within the definition of smoking.

Motion carried 4-1 (Vice Mayor Little dissented).

IX. CITY MANAGER – NONE

X. CITY CLERK – NONE

RECESS/RECONVENE TO THE ADMINISTRATIVE CONFERENCE ROOM

The Council recessed to a Study Session at 6:10 p.m. The Mayor called the Study Session to order at 6:15 p.m.

XIV. STUDY SESSION

A. Bay Delta Project and Water Conservation

Representatives from Calleguas Municipal Water District gave a presentation on the current status of the water supply, the Bay Delta Project, and water conservation efforts.

Public Works Director Fox gave a PowerPoint presentation reviewing the history of the City's water supply, recent restrictions, and the City's strategy to manage the water supply.

RECESS/RECONVENE/CALL TO ORDER/ROLL CALL

The Study Session recessed at 7:24 p.m. The Mayor reconvened the regular meeting of the City Council at 7:32 p.m.

FLAG SALUTE

Councilmember Craven led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS – NONE

XVI. PUBLIC SAFETY/INFORMATION – NONE

XVII. PUBLIC COMMENTS

Todd Terres, Camarillo Council on Aging, thanked the City Council for the funding to print the 2014-2015 Senior Resource Guide.

Karen Began presented the Council with a list of the negative impacts to her residence from the use of the Springville Dog Park. She felt the best solution was to relocate the dog park to Freedom Park.

Joy Carino noted the Springville Dog Park has negatively impacted her quality of life.

Michael Began expressed concerns that the current location of the Springville Dog Park was not appropriate for his neighborhood.

Jonathan Severn stated he had complained to the Pleasant Valley Recreation and Park District (PVRPD) about the Dog Park but his complaints were ignored. Since the park is located in Camarillo, he felt the City Council needed to intervene.

Page Hudson expressed concern that PVRPD might buy a vacant lot, adjacent to the Springville Dog Park, from Crestview Mutual Water Company for additional

parking. This lot had originally been part of his residential lot and he did not support this use.

Richard Carrera expressed his concerns about the negative impacts Springville Dog Park was having on the neighborhood.

Maria del Carmen Williamson expressed concern about the drought and how future development will affect the City's water supply.

XVIII. PUBLIC HEARINGS

A. Resolution Adopting the 2014-2015 Action Plan

Associate Planner Smith, stated that as a recipient of Community Development Block Grant (CDBG) funds, the City is required by the U.S. Department of Housing and Urban Development (HUD) to prepare an annual Action Plan. The Action Plan describes the use of CDBG funds in the 2014-2015 fiscal year.

PUBLIC HEARING OPENED

Hearing no requests to speak, either for or against the item, the Mayor declared the PUBLIC HEARING CLOSED.

Councilmember McDonald reported Habitat of Humanity had praised Mr. Smith's work on the CDBG funding program.

Councilmember Morgan moved, seconded by Councilmember Craven, to adopt Resolution 2014-46 approving the Fiscal Year 2014-2015 Action Plan and direct staff to forward the document to HUD.

Motion carried 5-0.

XIX. DEPARTMENTAL

A. Mobile Home Park Rent Issues

City Attorney Pierik gave a background of the issues at Lamplighter Mobile Home Park, and reviewed Federal and State court decisions regarding rent control, ordinances, California Mobile Home Residency Law's exemptions from local rent control, provisions of Camarillo's Rent Review Ordinance, and the outcome of rent review hearings. He advised against adopting a rent control/stabilization ordinance.

Matt Lorimer, Lamplighter Mobile Home Park Association President, presented information on maintenance issues at the Park, reviewed Lamplighter's hearing before the Rent Review Commission, and asked the City to adopt an ordinance to control future rent increases. He felt the increases since IPG purchased the park were unacceptable and the terms of the long-term lease did not benefit the residents.

Amber Monte, Lamplighter Mobile Home Park/IPG owner representative, provided a PowerPoint reviewing changes and repairs made to the park since their purchase in 2010, increases in utility costs, history of rent increases, resale information, rental assistance program, meetings with the residents, and long term leases. She stated the company is planning additional improvements over the summer. The Company has attempted to work with the residents, but they appear unwilling.

The following Lamplighter residents spoke in support of a Rent Stabilization Ordinance for Lamplighter Mobile Home Park:

Terry Bray
Joe Dodson
Craig Hull, Golden State Manufactured Home Owners League
Maria del Carmen Williamson
Daniel Lund
Fred Folden
Eva Cisneros
David Smith
Diane Hauffen
Catherine Salazar
Michael Sawyer
Norma Jean Stice

31 non-verbal comment cards were also submitted supporting Rent Stabilization.

The following people spoke in opposition to a Rent Stabilization Ordinance and felt good communication and long-term leases are the best solutions for mobile home owners and residents:

Cathy Hinz, Lamplighter Mobile Home Park on-site Manager
Mike Cirillo, Star Management for Casa Del Norte Mobile Home Park
David Evans, Western Manufactured Housing Communities Association
Scott Hughes, Camarillo Mobile Home Park owner and Rent Review Commissioner

Councilmember McDonald stated the discussion provided a good opportunity to hear facts and figures from all sides to provide everyone with a better understanding of the current situation. She felt everyone needed to work together to find a solution.

Vice Mayor Little concurred. He felt the contention between the two parties was a result of aggressive increases in rents, a non-beneficial long-term lease, an arduous application process for Rental Assistance, and the reluctance of the Lamplighter HOA to work towards resolving the issues. Based on the City Attorney's advice, he did not support pursuing a rent stabilization ordinance.

Councilmember Morgan stated the City had this same discussion in the 1980s and at that time established the Rent Review Commission. The Commission has been successful over the years. He was pleased to see there are improvements in the park with respect to maintenance and new on-site managers.

Councilmember Craven stated she did not support rent control. She agreed the Rent Review Commission has been successful and she supported providing low income housing.

Mayor Kildee stated rent control is not a viable answer given the risks involved. The park owner and residents need to join together to negotiate a solution.

Councilmember McDonald requested staff work with the owners and residents to help facilitate a resolution that is beneficial to both sides. The Council concurred.

RECESS / RECONVENE

The Council recessed at 11:18 p.m. and reconvened at 11:26 p.m.

XI. GENERAL SERVICES

B. Agreement with Pyro Spectaculars North, Inc. for the 2014 July 4th / 50th Anniversary Fireworks Display (formerly Item III J)

Assistant City Manager Paranick stated staff has worked with Ventura County Fire to assure the planned fireworks and ground display meet the new safety protocols. The agreement will also require a higher level of insurance than last year.

Councilmember McDonald did not support spending \$5,000 on a separate two-three minute ground display for the 50th Anniversary.

Councilmember Craven moved, seconded by Councilmember Morgan, to authorize the City Manager to execute Agreement 2014-25 with Pyro Spectaculars North, Inc., in an amount not-to-exceed \$30,000.

Motion carried 4-1 (Councilmember McDonald dissented).

A. 50th Anniversary Requests

General Services Director Petropulos stated in honor of the City's 50th Anniversary, Studio Channel Islands Art Center requested the City display artwork from the "Landmarks of Camarillo" entries in City Hall and select one for a "Mayor's Choice Award." They asked the City provide a \$500 prize to the winning artist and the City would receive rights to use the art in publications and display.

Councilmember McDonald did not support funding a monetary prize as it would set a precedent.

Councilmember Morgan stated he would support providing the funding if it meant the City owned the artwork.

Councilmember McDonald moved, seconded by Councilmember Craven, to approve Studio Channel Islands Art Center's request to display art at City Hall.

Motion carried 5-0.

Vice Mayor Little moved, seconded by Mayor Kildee, to direct staff to contact Studio Channel Islands Art Center to discuss pricing for purchase of the "Mayor's Choice Award."

Motion carried 5-0.

XII. CLOSED SESSION – NONE

XIII. NEW BUSINESS – ORAL COMMUNICATIONS

A. City Manager – None

B. City Attorney – None

C. Members of City Council

AB 1234 – Reports on Meetings Attended – The Councilmembers reported on attendance at outside agency and Council committee meetings.

City's Flag – Councilmember Craven stated the 50th Anniversary Committee is trying to locate Eric Thornton, the student who designed the City's flag.

Other Agencies Meetings - Vice Mayor Little stated he felt the meeting with PVRPD went well and he asked the Council to consider doing the same with the local school districts.

John Hills – Mayor Kildee requested the meeting be adjourned in the memory of John Hills. Vice Mayor Little noted John was one of the original citizens appointed to the Camarillo Ranch Foundation Board. He was the heart and soul of the Board and part of the reason why the Ranch is so successful. Councilmembers Morgan and McDonald stated John was one of first people to join the Camarillo Arts Council and was one of the hardest working volunteers. He was a special person and loved his community. Councilmember Craven stated John was the epitome of a volunteer.

RECESS / RECONVENE IN THE ADMINISTRATIVE CONFERENCE ROOM

The Council recessed to a Study Session at 12:13 a.m. The Mayor called the Study Session to order at 12:15 a.m.

XIV. STUDY SESSION (continued)

A. Bay Delta Project and Water Conservation (continued)

Public Works Director Fox continued his presentation on potential water conservation measures.

XX. STUDY SESSION

A. CSUCI City Link Local Transit Service

This item was not discussed due to the lateness of the hour.

XXI. CLOSED SESSION

The City Council recessed to Closed Session at 12:50 a.m. to consider the following item:

A. Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9; Number of Cases: two.

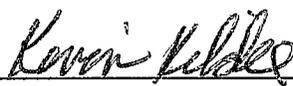
XXII. ADJOURN

The meeting adjourned at 1:10 a.m. in the memory of John Hills with no reportable action from the Closed Session.

ATTEST:



City Clerk



Mayor