

**MINUTES**  
**CITY OF CAMARILLO CITY COUNCIL**  
**REGULAR MEETING**  
**WEDNESDAY, DECEMBER 10, 2014**

CALL TO ORDER/ROLL CALL

Mayor Little called the meeting to order at 5:05 p.m.

Councilmembers Present: Bill Little, Mayor  
Mike Morgan, Vice Mayor  
Charlotte Craven, Councilmember  
Kevin Kildee, Councilmember  
Jeanette McDonald, 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  
Richard Petropulos, General Services Director  
Brian Pierik, City Attorney  
Guy Stewart, Police Department Commander

I. AMENDMENTS TO THE AGENDA

Item III H was pulled from the Consent Calendar for discussion. Item VI A was moved to the 7:30 session to be combined with the Special Meeting on the same topic (Camarillo Springs Debris Flow).

II. PRESENTATIONS

A. Proclamation Declaring Jordan Dobson Day

The Mayor presented a proclamation declaring December 14, 2014, Jordan Dobson Day.

III. CONSENT CALENDAR

Councilmember Kildee moved, seconded by Councilmember Craven, to approve Consent Calendar Items A through I, with the exception of item H.

A. Minutes

Approved the minutes of the City Council meetings held November 19 and December 3, 2014, as presented.

B. Resolution – Approval of Disbursements

Adopted Resolution No. 2014-124 approving disbursements dated on or before November 3, 2014.

C. Financial Reports – November 2014

Received and filed the following financial reports pursuant to the City's Investment

Policy and State law:

1. Investment Report dated November 30, 2014
2. Chronological Investment Activity Report for the Month Ended November 30, 2014
3. General Fund Comparative Balance Sheet, September 30, 2014, and October 31, 2014 and October 31, 2013
4. Minutes of the November 17, 2014 Investment Committee Meeting

D. 2014 Legislative Bill Tracking Summary

Received and filed the 2014 Legislative Bill Tracking Summary.

E. AB 1600 Developer Impact Fee Report for FY 2013/2014

Received and filed the AB 1600 Developer Impact Fees Report for FY 2013/2014.

F. Professional Services Agreement - Robert W. Burrow, AICP

Authorized the City Manager to execute Professional Services Agreement No. 2014-110 with Robert W. Burrow, AICP, in an amount not-to-exceed \$67,200.

G. Ordinance No. 1099, an Ordinance of the City Council of the City of Camarillo, California, Amending Chapters of the Camarillo Municipal Code Zoning Ordinance Pertaining to Breweries, Wineries, Distilleries, and Tasting Areas in Industrial Zones

Adopted Ordinance No. 1099, which constituted reading of the title as stated in the agenda, and waiver of reading of the Ordinance.

H. Ordinance No. 1100, an Ordinance of the City Council of the City of Camarillo, California, Amending Camarillo Municipal Code Zoning Ordinance Tables 19.44.030 and 19.44.125 Chapter 19.44 (Off-Street Parking), Pertaining to Parking Requirements for New Residential Multifamily Ownership Projects

Pulled for discussion as Item VII B.

I. Award of Bid - GS-2014-4 Trailer Mounted Pressure Washer and Transfer of Funds

Awarded bid GS-2014-4 at a total bid amount of \$15,794.15 and authorized the transfer of funds from the Gas Tax Fund to the Vehicles & Equipment Fund.

Motion carried 5-0.

J. Resolution Approving Tract Map and Improvement Plans, and Acknowledging Receipt of Agreements, Securities and Other Documents - Tract 5561-1, elacora Springville, LLC

Public Works Director Fox stated T-5561-1 is located north of the U.S./Ventura Freeway, south of Ponderosa Drive, east of Earl Joseph Drive, and west of Spring Oak Road. The developer submitted improvement plans, agreements, a security and other necessary documents, and paid required fees. The project has already been approved. This approval simply acknowledges the public improvement plans have been reviewed and meet the necessary design standards.

Councilmember McDonald stated she would be voting no because she has

consistently voted against the Springville project; however, her vote in no way indicates any concern regarding the design of the improvement.

Councilmember Craven moved, seconded by Councilmember Kildee, to adopt Resolution No. 2014-125 approving the tract map and improvement plans, acknowledging receipt of agreements, securities, and other necessary documents and authorizing the Mayor and City Engineer to sign the tract map and authorizing the City Engineer to sign improvement plans.

Motion carried 4-1 (McDonald dissenting).

IV. CITY COUNCIL

A. Meeting Schedule for 2015

City Clerk Madland presented the 2015 City Council Meeting Schedule for approval.

Councilmember Craven moved, seconded by Councilmember Kildee, to approve the 2015 Meeting Schedule.

Motion carried 5-0.

B. Annual Events Calendar for 2015

City Clerk Madland presented the Annual Events Calendar, which includes holidays and major Council conferences, for approval.

Councilmember McDonald requested a discussion on the venue for the Employee Recognition Dinner. Councilmember Craven noted an error on the date for National Night (Day) Out Open House. City Clerk Madland indicated staff would work with the Police Department to get the correct date.

Vice Mayor Morgan moved, seconded by Councilmember Craven, to approve the 2015 Annual Events Calendar with the exception of the National Night (Day) Out Open House and request a discussion on the venue for the Employee Recognition Dinner.

Motion carried 5-0.

C. City Council Committee Appointments for 2015

Mayor Little presented the 2015 City Council Committee Appointments list for approval.

Councilmember Craven moved, seconded by Councilmember Kildee, to confirm the 2015 Committee Appointments List.

Motion carried 5-0.

V. FINANCE

A. Financial Statements – Fiscal Year Ended June 30, 2014 (combined with CSD)

Robert Callanan, White Nelson Diehl Evans, Certified Public Accounts, stated they completed the Comprehensive Annual Financial Report (CAFR) and other various reports as part of their audit for the fiscal year ended June 30, 2014. There were no noted deficiencies or areas of concern.

Councilmember Kildee asked if there was anything the City should be doing or not doing. Mr. Callanan indicated GASB 68, relating to pensions, will have to be

addressed in the future.

Councilmember Kildee moved, seconded by Councilmember Craven, to receive and file the Comprehensive Annual Financial Report (CAFR) and various audit reports.

Motion carried 5-0.

VII. COMMUNITY DEVELOPMENT

A. Exclusive Negotiation Agreement - Cedar Oak Mixed Use Project

Community Development Director Norman recommended the Council consider an Exclusive Negotiation Agreement setting parameters for formal negotiations for development of the Cedar Oak Mixed Use project in Old Town Camarillo. He presented a PowerPoint on the project.

Councilmember McDonald hoped the project would facilitate undergrounding in the adjacent areas. Public Works Director Fox confirmed the City would be working with Edison through their undergrounding program.

Bart Stern, Ventura Investment Company, expressed interest in moving forward and working with the Community Development department and Consultants to come up with an arrangement that is feasible for the City and the joint venture partner, KL Associates.

Councilmember Kildee noted there must be sufficient residential parking to ensure the residents do not impact commercial parking. Mr. Stern agreed parking was one of the major issues with the project and he was hopeful there was a solution to ensure ample parking.

Councilmember Craven moved, seconded by Vice Mayor Morgan, to authorize the City Manager to execute Exclusive Negotiation Agreement No. 2014-112 with Ventura Investment Co. and KL Associates, LLC.

Motion carried 5-0.

B. Ordinance No. 1100, an Ordinance of the City Council of the City of Camarillo, California, Amending Camarillo Municipal Code Zoning Ordinance Tables 19.44.030 and 19.44.125 Chapter 19.44 (Off-Street Parking), Pertaining to Parking Requirements for New Residential Multifamily Ownership Projects (formerly item III H)

Community Development Director Norman presented a PowerPoint on the parking requirements for new condos/townhomes and reviewed the Council's action on November 19, 2014. He noted adoption of the ordinance would leave the zoning regulations silent with respect to units with 4 bedrooms or more. Staff would need to bring back an ordinance to address those types of units.

Councilmember McDonald recommended moving forward with the ordinance as introduced because the City's current regulations did not provide enough parking.

Vice Mayor Morgan supported tabling the adoption of the ordinance and pursuing a comprehensive ordinance for all unit sizes.

Mayor Little expressed concern about adopting the regulations one at a time and

suggested a future study session to consider one comprehensive ordinance.

Councilmember Craven stated she was interested in considering the proposal raised by Mr. Mishler, using a parking formula based on square footage.

Councilmember Kildee reiterated the current regulations did not provide enough parking. He supported moving forward with the ordinance and having staff come back with an ordinance to address larger units.

Councilmember McDonald moved, seconded by Councilmember Kildee, to adopt Ordinance No. 1100, which constituted reading of the title as stated in the agenda, and waiver of reading of the Ordinance.

Motion carried 3-2 (Morgan and Craven dissenting).

(This action was subsequently reconsidered later in the evening.)

#### VIII. CITY ATTORNEY – 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 6:20 p.m.

#### XIV. STUDY SESSION

##### A. Regulation of the Sale of Tobacco Products, Electronic Smoking Devices and Products

Community Development Director Norman presented a PowerPoint on proposed regulations involving the sale of tobacco and electronic smoking devices.

##### B. Temporary Use Permits

Community Development Director Norman presented a PowerPoint on proposed regulations allowing administrative approval of temporary use permits.

##### C. Modification of Development Permits and Conditional Use Permits

Community Development Director Norman presented a PowerPoint on proposed regulations allowing administrative approval of minor modifications to development permits and conditional use permits.

#### XII. CLOSED SESSION

The City Council recessed to Closed Session at 7:00 p.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: One.

RECESS/RECONVENE/CALL TO ORDER/ROLL CALL

The Mayor reconvened the regular meeting of the City Council at 7:30 p.m., with no action to report from the Closed Session.

FLAG SALUTE

Councilmember Kildee led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS

A. Friends of the Camarillo Library

The Friends of the Camarillo Library presented a check to the City in the amount of \$200,000.

XVI. PUBLIC SAFETY/INFORMATION – NONE

XVII. PUBLIC COMMENTS – NONE

XVIII. PUBLIC HEARINGS

A. Resolution of Necessity for the Acquisition of 10,595 Square Feet of Permanent Easement and 9824 Square Feet of Temporary Construction Easement on the property located at 6529 Santa Rosa Road (APN: 172-040-045) -- ST-05-01 Santa Rosa Road Widening (Continued from November 19, 2014)

City Attorney Pierik recommended the Council consider adoption of a resolution of necessity authorizing the commencement of eminent domain proceedings to acquire permanent and temporary construction easements necessary for the construction and use of the Santa Rosa Road Widening project. The City received a letter from the property owner's legal representative raising several concerns which were already addressed in the agenda report.

Public Works Director Fox stated the City has been trying to move forward with project design for two years. Right-of-way certification is required by Caltrans in order to move to the next step. Through the design process to minimize the impact to the property, the City could have required the hill to be cut back at a slope that would extend onto the property which would have required purchase of land. Staff has done everything in order to minimize the impact to the property. There are no more options at this point. Staff recommended moving forward with the recommended action.

PUBLIC HEARING OPENED

Clare Bronowski, Glaser Weil Law Firm, representing the property owner, expressed concern over access to the property during construction and after the project. She felt further design work was necessary.

City Attorney Pierik stated staff would have further discussions with the property owner regarding the issues raised. He recommended the Council proceed with adoption of the resolution.

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

Vice Mayor Morgan moved, seconded by Councilmember Kildee, to adopt Resolution No. 2014-126 authorizing the commencement of eminent domain proceedings to acquire the easements necessary for the construction of the Santa Rosa Widening Project and authorizing the City Manager to execute such documents as may be necessary to implement the acquisition of the easements and direct staff to have further discussions with the property owner regarding issues raised by their legal counsel.

Motion carried 5-0.

XIX. DEPARTMENTAL – NONE

VI. PUBLIC WORKS

A. Camarillo Springs Debris Flow

City Manager Feng gave an overview of the events leading up to the Camarillo Springs debris flow issues. The project scope was expanded and estimated cost increased to \$360,000; the cost will be paid by the City with 75% being reimbursed by the Natural Resources Conservation Service of the United States Department of Agriculture (NRCS) and 25% would be the responsibility of the Springs HOA.

Public Works Director Fox gave an overview of the preparations for the upcoming rain. He reviewed the immediate and short range plans.

Ted Elliott thanked the Council and staff for their time, expertise, and effort.

Barbara Williams, President, Springs HOA, thanked the City for all of the work that has been done. She expressed concern about the increased cost; noting the HOA has already spent quite a bit of money and the community lived on fixed incomes.

Councilmember McDonald thanked staff and other agencies for their response. She noted the City needed to move forward to protect the community and the reimbursement issues will be resolved at a later time.

City Attorney Pierik stated the City needs to obtain written confirmation from the HOA that it is agreeable to the NRCS plan before the City can move forward.

Ms. Williams stated the HOA is in agreement with the NRCS plan.

Councilmember McDonald moved, seconded by Councilmember Craven, to:

1. Authorize the City Manager to execute Agreement 2014-111 for the Project recommended by the Natural Resources Conservation Services (NRCS) for an amount not-to-exceed \$360,000 to construct improvements in the Camarillo Springs area due to the debris flow in that area; and
2. Authorize the City Manager to execute all necessary documents with the NRCS for the City to qualify for reimbursement by federal funds for the costs of the construction of the improvements; and
3. Approve the NRCS Plans and specifications for the Project; and
4. Make the findings of public purpose as described in this report; and

5. Approve an appropriation of \$360,000 to the account number noted in the staff report; and
6. To authorize the City Manager to negotiate an agreement with the Springs HOA regarding the 25% funding amount and the maintenance of the improvements and return to the City Council for approval of that agreement at the first Council meeting in January 2015; and
7. No action will be taken with respect to implementing any of the steps until the City has received written confirmation from the HOA that the proposed project is acceptable to the HOA.

Motion carried 5-0.

IX. CITY MANAGER

A. Purchase and Development Agreement with the Ventura County Transportation Commission (VCTC) for Reuse of the Old Courthouse Building

City Manager Feng recommended the Council consider a Purchase and Development Agreement with VCTC for reuse of the old courthouse building located on Ventura Boulevard.

The Council expressed concern about shared use of the parking lot and wanted to assure that the uses of the building (in addition to VCTC) are in fact compatible uses.

Darren Kettle, Executive Director, VCTC, stated VCTC's twenty full-time employees would occupy over half of the building. The intent is that the remainder of the facility would serve as professional office space for public agencies, such as SCAG. It will cost \$2.5-\$3 million to upgrade the building, which will take 18-24 months to complete.

Councilmember Craven moved, seconded by Vice Mayor Morgan, to approve the Purchase and Development Agreement No. 2014-113 and related documents with VCTC and authorize the City Manager to execute all necessary documents subject to any further revisions and approval as to form as recommended by the City Attorney.

Motion carried 5-0.

X. CITY CLERK – NONE

XI. GENERAL SERVICES

A. Professional Services Agreement – GS-2014-2 Library Expansion Project

General Services Director Petropulos recommended the Council consider a professional services agreement for architecture design services for a room addition and enclosure of an existing area in the Young Adults section at the Camarillo Public Library. The addition will be completed in time for the opening of Rancho Campana High School in September 2015.

Councilmember Kildee moved, seconded by Councilmember Craven, to authorize the City Manager to enter into Professional Services Agreement No. 2014-114 with CWA AIA, Inc., in the amount not-to-exceed \$67,300.

Motion carried 5-0.

XVII. PUBLIC COMMENTS (Continued)

Joel Mann, Mission Oaks Condos, requested the Council reconsider the adoption of Ordinance No. 1100 because it would negatively impact projects that are in process.

The City Attorney reviewed the requirements for a motion to reconsider.

Mayor Little moved, seconded by Councilmember Craven, to reconsider the Council's prior action on Item VII B, adoption of Ordinance 1100.

Councilmember McDonald opposed the motion to reconsider because it set a horrible precedent for the City and it was not how the City should do business.

Mayor Kildee agreed. He indicated the Council had a thorough discussion regarding the Ordinance during a well-attended public hearing.

Mayor Little was concerned that Council's changes at the dais were not thoroughly vetted by staff.

Councilmember Craven supported the motion based on staff's presentation.

Motion carried 3-2 (McDonald and Kildee dissenting).

VII. COMMUNITY DEVELOPMENT (Continued)

B. Ordinance No. 1100, an Ordinance of the City Council of the City of Camarillo, California, Amending Camarillo Municipal Code Zoning Ordinance Tables 19.44.030 and 19.44.125 Chapter 19.44 (Off-Street Parking), Pertaining to Parking Requirements for New Residential Multifamily Ownership Projects (formerly item III H)

Community Development Director Norman reviewed the options before the Council as set forth in his PowerPoint.

Councilmember Craven stated she was in favor of tabling the adoption of the ordinance and allowing staff to come back with an ordinance that addresses all unit sizes.

Councilmember McDonald asked what effect it would have by leaving the current ordinance in place and if there were any projects in play that would be impacted. Community Development Director Norman indicated leaving the current ordinance in place would not resolve the parking issues and Mr. Mann's project is in play under current regulations.

The Council reviewed the various parking proposals and how they impact developments.

Councilmember Craven moved, seconded by Vice Mayor Morgan, to bring back an ordinance at the January 14, 2015, meeting with staff's original recommendation.

Councilmember McDonald asked if the motion could be amended to include that no further work will be done on current General Plan Amendments (GPA) under the current ordinance. Councilmember Craven and Vice Mayor Morgan supported the amendment.

Motion carried 3-2 (McDonald and Kildee dissenting).

Community Development Director Norman confirmed that staff would stop processing current GPAs (including Mann, EJM, and Shea Homes) until a new parking ordinance was in place which at the earliest would be March 2015.

Mr. Mann asked that staff be allowed to continue processing Residential Planned Development applications for allocation purposes. The City Attorney noted that the topic of allocations was not on the agenda for discussion.

XIII. NEW BUSINESS – ORAL COMMUNICATIONS

A. City Manager

Updates – City Manager Feng gave updates on the Camarillo Tourism Marketing District, discussions with a potential hotel developer, and the desalter project.

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.

Happy Holidays – The Council wished everyone Happy Holidays.

Christmas Parade – Councilmember Kildee invited everyone to attend the Christmas Parade on Saturday.

Central Avenue – Councilmember McDonald stated she received complaints that the striping on Central Avenue from the off-ramp to Beardsley is confusing.

Adolfo Road and Rancho Calleguas – Councilmember McDonald stated residents from the Adolfo Mobile Home Park are walking across Adolfo Road at Rancho Calleguas. She requested staff look into a signal for that intersection.

Pavement Management Plan – Councilmember McDonald asked whether the Pavement Management Plan was complete. Public Works Director Fox indicated staff will bring the Plan to Council before the start of next year's CIP projects.

Master Plans – Councilmember McDonald requested a list of all current Master Plans.

Metrolink Parking – Vice Mayor Morgan expressed concern about the lack of parking at the Metrolink Station.

XII. CLOSED SESSION (continued)

The City Council recessed to Closed Session at 10:46 p.m. to consider the following item:

B. Conference with Labor Negotiators

1. Authority – Government Code Section 54957.6

2. Agency designated representatives - City Attorney
3. Unrepresented employee - City Manager

XX. ADJOURN

The meeting adjourned at 11:15 p.m. to January 14, 2015, with no reportable action from the Closed Session.

ATTEST:

  
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Mayor

  
\_\_\_\_\_  
City Clerk