

MINUTES
CITY OF CAMARILLO CITY COUNCIL
REGULAR MEETING
WEDNESDAY, JUNE 24, 2015

CALL TO ORDER/ROLL CALL

Mayor Little called the meeting to order at 5:09 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
 Monica McGrath, Police Department Commander
 Dave Norman, Assistant City Manager
 Richard Petropulos, Administrative Services Director
 Brian Pierik, City Attorney

I. AMENDMENTS TO THE AGENDA

Items III Q, XIV B, and XVIII B were removed from the agenda. Item III I was pulled for discussion.

II. PRESENTATIONS

A. 2015 Special Olympics World Summer Games Update

Celina Zacarias, CSUCI, Director of Community & Government Relations, provided an update on the host activities and community support for the Special Olympics.

III. CONSENT CALENDAR

Councilmember Kildee moved, seconded by Vice Mayor Morgan, to approve Consent Calendar Items A through S, with the exception of Items I and Q, and the abstentions noted on Items E and P below.

A. Minutes

Approved the minutes of the City Council meeting held June 10, 2015, as presented.

B. Resolution – Approval of Disbursements

Adopted Resolution No. 2015-67 approving disbursements dated on or before June 17, 2015.

C. Financial Reports – May 2015

Received and filed the following financial reports pursuant to the City's Investment Policy and State law:

1. Investment Report dated May 31, 2015
2. Chronological Investment Activity Report for the Month Ended May 31, 2015
3. General Fund Comparative Balance Sheet, March 31, 2015 and April 30, 2015, and April 30, 2014
4. Minutes of the May 26, 2015 Investment Committee Meeting

- D. Ordinance No. 1110, an Ordinance of the City Council of the City of Camarillo, California, Amending Section 19.44.030 (Parking – Residential Uses), Section 19.44.125 (Camarillo Commons Parking Requirements) and Section 19.44.150 (Size Of Parking Spaces) of Chapter 19.44 (Off-Street Parking) of Title 19 (Zoning) of the Camarillo Municipal Code

Adopted Ordinance No. 1110, which constituted reading of the title as stated in the agenda, and waiver of reading of the Ordinance.

- E. Alcoholic Beverage License – Taqueria El Tapatio, 345 Arneill Road

Indicated the City does not wish to protest issuance of the license if the license is conditioned to restrict off-premise sales.

Councilmember Craven abstained from the vote on Item III E due to a financial conflict of interest.

- F. Legislative Committee's Recommendations on Current Legislation

Confirmed the Legislative Committee's recommended positions on State Assembly and Senate bills, and ratifies position letters sent.

- G. American Legion Post Parking Lot Closure

Authorized the special event permit, in accordance with the recommended conditions of approval, to allow closure of a parking lot for the American Legion Riders' fundraising event.

- H. Purchase Transit Vehicles - Camarillo Area Transit (CAT)

Authorized purchase of four buses from A-Z Bus Sales, a state and federal approved vendor that provides vehicles through the California Association for Coordinated Transportation/Morongo Basin Transit Authority Purchasing Cooperative.

- I. Request for Proposal - Camarillo Area Transit (CAT) Operations and Maintenance Services

Pulled for discussion as VI C.

- J. Purchase Order - Annual Software Maintenance & Support

Authorized a purchase order to SunGard Public Sector not-to-exceed \$120,000 and continuance of quarterly payments beginning July 1, 2015 to September 30, 2015.

- K. Agreement for Professional Services – Robin Humberstone

Authorized the City Manager to sign Agreement No. 2015-39 with Robin Humberstone for programming support and other Information Systems projects.

L. Agreements for Water Testing and Analysis, Emergency Generator Maintenance, Well Service and Maintenance, and Purchase of Chemicals

Authorized the City Manager sign Agreement Nos. 2015-40 with Weck Laboratories, Inc., for water quality testing/analysis; 2015-41 with Cummings Pacific for emergency stand-by generator maintenance; 2015-42 with General Pump Company for well service/maintenance; 2015-43 with Brenntag Pacific, Inc., for chemical purchases; and 2015-44 with JCI Jones Chemicals, Inc., for the chemical purchases.

M. Resolution Amending Personnel Rules – Paid Sick Leave AB 1522

Adopted Resolution No. 2015-68 adding Section 11.20, Paid Sick Leave for Employees Outside the Competitive Service, to the Personnel Rules in compliance with AB 1522.

N. Resolution Establishing the 2015/2016 Appropriations Limit

Adopted Resolution No. 2015-69 setting the appropriations limit and the ratios used to set the limit.

O. GASB 54 Commitment of Fund Balance

Adopted Resolution No. 2015-70 committing \$48,100,000 of the projected General Fund Balance for the fiscal year ended June 30, 2015.

P. Acquisition of Permanent Easement Martinez – Recycled Water Distribution Line Project

Authorized the City Manager to execute Easement Agreement No. 2015-45, the easement deed, and any other documents necessary to acquire the easement for the construction of a Recycled Water Line to water facilities located at Lewis Road.

Councilmember McDonald stated she did not have a personal conflict of interest but Mr. Martinez is a client of her firm and she abstained for that reason. Per Policy 1.05, the abstention is recorded as a yes vote.

Q. Annexation No. 7 – Resolution of the West Camarillo Community Facilities District No. 1 Declaring its Intent to Annex Property and Levy a Special Tax

This item was removed from the agenda.

R. Termination Agreement & Release of Regulatory Agreement – Park Glenn Apartments

Authorized the City Manager to execute the Termination and Release of Regulatory Agreement No. 2015-46 related to Park Glenn Apartments.

S. Property Tax Consulting and Audit Services

Authorized the City Manager to execute Agreement No. 2015-47 for Property Tax Consulting/Audit Services with HdL, Coren and Cone.

Motion carried 5-0.

IV. CITY COUNCIL

A. League of California Cities Conference October 2015 - Voting Delegate

Vice Mayor Morgan moved, seconded by Councilmember Craven, to designate Mayor Little as the voting delegate and Vice Mayor Morgan as the alternate for the Annual Business Meeting.

Motion carried 5-0.

B. St. John's Healthcare Foundation's Request for Grant to Purchase Hospital Equipment

City Attorney Pierik stated his research indicates that public health is considered a legitimate public purpose and therefore the request is eligible for funding by the City. He expressed concern that the grant could trigger prevailing wage requirements and recommended the City obtain a determination letter from the Department of Industrial Relations before awarding a grant.

Councilmember McDonald requested further information including what money the City has given to the hospital in the past; with respect to prevailing wage, what percentage triggers requirements, what is the de minimis standard, does timing of the grant matter; what have other cities done to support hospital services; what can the City afford?

Vice Mayor Morgan suggested the Council could consider granting funding for the hospital's current equipment upgrades not associated with the new construction project.

The Council directed staff to bring the item back with the additional information.

V. FINANCE – NONE

VI. PUBLIC WORKS

A. Public Hearing on Resolution of Necessity for Acquisition of 1.52 acres and 2.20 acres of Temporary Construction Easement (Calleguas Land Company, LTD) - Recycled Water Distribution Line (Continued from May 27, 2015)

Public Works Director Fox stated the City proposes to construct a Recycled Water Line from the Water Treatment Plant to certain water facilities located at Lewis Road requiring construction of a subsurface waterline and certain associated facilities within the property identified as APN: 234-0-040-080. To accommodate the project, the City needs to acquire both a permanent and temporary construction easement. The project was designed to minimize the impact to the property.

Councilmember McDonald questioned the amount of land needed for the permanent easement and noted the word "permanent" was not used in the title on the agenda.

PUBLIC HEARING OPENED

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

Councilmember Kildee moved, seconded by Vice Mayor Morgan, to adopt

Resolution No. 2015-71 authorizing the commencement of eminent domain proceedings to acquire the necessary easements and authorize the City Manager to execute such documents as may be necessary to implement acquisition of the easements.

Motion carried 4-1 (McDonald dissenting).

- B. Public Hearing on Resolution of Necessity for Acquisition of 1.09 acres (Hiji Investment Company) - Recycled Water Distribution Line (Continued from May 27, 2015)

Public Works Director Fox stated staff is working on the details with the property owner and requested the item be continued to July 22, 2015.

PUBLIC HEARING OPENED

The Mayor declared the PUBLIC HEARING CONTINUED to July 22, 2015.

- VII. COMMUNITY DEVELOPMENT – NONE
- VIII. CITY ATTORNEY – NONE
- X. CITY CLERK – NONE
- XI. ADMINISTRATIVE SERVICES – NONE
- XII. CLOSED SESSION

The City Council recessed at 6:00 p.m. to Closed Session to consider the following items:

- A. Conference with Real Property Negotiator
 - a. Authority – Government Code Section 54956.8
 - b. Property – former library, 3100 Ponderosa; APN 166-0-020-315
 - c. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Administrative Services Director, Community Development Director, Finance Director and Bob Burrow
 - d. Negotiating Parties – Qualified buyers
 - e. Under Negotiation – Price and terms of payment

- C. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2); Number of Cases: three.

RECESS/RECONVENE TO THE ADMINISTRATIVE CONFERENCE ROOM

The Council recessed to a Study Session. The Mayor called the Study Session to order at 7:00 p.m. with no action to report from Closed Session.

- XIV. STUDY SESSION

- A. Peace Pole

Administrative Services Director Petropulos stated the City received a request for a

peace pole and he presented a PowerPoint reviewing possible locations for the pole. The Council expressed interest in locating one at the Camarillo Library.

B. Review Use of City Seal by Camarillo Business Development Board

This item was removed from the agenda.

RECESS/RECONVENE/CALL TO ORDER/ROLL CALL

The Study Session recessed at 7:25 p.m. The Mayor reconvened the regular meeting of the City Council at 7:30 p.m.

FLAG SALUTE

Vice Mayor Morgan led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS – NONE

XVI. PUBLIC SAFETY/INFORMATION – NONE

XVII. PUBLIC COMMENTS

Matt Lorimer reiterated his request for a letter to the Lamplighter Mobile Home park owners encouraging them to comply with the Rent Review Commission's recommendation.

XVIII. PUBLIC HEARINGS

A. Resolution Adopting the Five-Year Capital Improvement Program (Joint with the Camarillo Sanitary District)

Principal Civil Engineer Matsuoka reviewed a PowerPoint stating the five-year comprehensive capital expenditure program sets forth projects for buildings and grounds, storm drainage, transportation, water, sanitary, and redevelopment. The program indicates the location, size, and estimates of cost for all facilities and improvements to be financed from various fund sources. The Planning Commission determined the Capital Improvement Program is consistent with the City's General Plan.

PUBLIC HEARING OPENED

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

Councilmember Craven moved, seconded by Councilmember Kildee, to adopt Resolution No. 2015-74 adopting the Five-Year Capital Improvement Program.

Motion carried 5-0.

B. Annexation No. 7 to the West Camarillo Community Facilities District No. 1 – Determining Validity of Proceedings and Calling a Special Election

This item was removed from the agenda.

XIX. DEPARTMENTAL

A. Exclusive Negotiation Agreement - Hotel Conference Center

City Consultant Bob Burrow reviewed the history of the proposed project which began as a redevelopment project many years ago prior to the dissolution of redevelopment. He recommended the City enter into an Exclusive Negotiation Agreement with The Mian Companies to formalize the negotiation process for the development of the hotel and conference center at the southeast corner of Las Posas Road and the U.S. Highway 101/Ventura Freeway.

Shawn Nichols, President of Operations of The Mian Companies, noted T.M. Mian is a Camarillo resident and his company owns and runs their hotels, several of which are located in Ventura County. The Mian Companies has the experience to run a conference center and to locate appropriate retail for the project.

Larry Kosmont, President of Kosmont Companies, stated his firm assisted in the interview process locate the most skilled hotel operator that also had the ability to run a conference center. The Mian Companies stood out among the operators.

Gary Cushing, Chair Camarillo Hotel and Tourism Association, stated they were excited about a new hotel in the city and supported the agreement.

John Walsh, Compass Acquisitions, stated he presented a joint proposal with Hawkeye Investments for the hotel conference center. He stated they have extensive experience in retail and he asked the Council to consider separating the retail component from the hotel.

The Council noted this project has taken a long time to get to this point and reiterated the hotel must meet the Council's standards, fit the City's character, and the community's needs.

Councilmember Kildee moved, seconded by Councilmember McDonald, to authorize the City Manager to execute Exclusive Negotiation Agreement No. 2015-48 with the The Mian Companies.

Motion carried 5-0.

B. Resolution of the West Camarillo Community Facilities District No. 1 Authorizing the Levy of a Special Tax for FY 2015/16

Finance Director Campbell stated this item had been revised to remove the annexation wording, leaving the annual levy of a special tax within the District.

Vice Mayor Morgan moved, seconded by Councilmember Craven, to adopt Resolution No. 2015-75 of the West Camarillo Community Facilities District No. 1 authorizing the Levy of a Special Tax for FY 2015/16.

Motion carried 5-0.

C. Resolution Adopting the 2015/2016 Budget, including 2015/2016 Appropriations and Authorizing Certain Amendments to the 2014/2015 Budget (Joint with the Camarillo Sanitary District)

Finance Director Campbell reviewed a PowerPoint stating the City Council and Camarillo Sanitary District conducted a detailed review of the proposed 2015/2016 Budget and amendments to the 2014/2015 Budget on June 3, 2015. Staff recommends adoption of the 2015/2016 Budget, authorization of appropriations for 2015/2016, and approval of the amendments to the 2014/2015 Budget as outlined in the agenda report.

City Manager Feng stated at the Budget Study Session the Council asked him to meet with Studio Channel Islands Art Center to evaluate their financial status and programming. He indicated there is not a gap in their funding. They do provide free programs available to the public.

Councilmember McDonald did not support considering a contribution outside of the Community Service Grant process.

Councilmember Craven stated she raised the idea of funding to support the Center because it is important to Old Town's economic vitality. The Council asked that the item come back on a future agenda with additional information.

Councilmember Craven moved, seconded by Vice Mayor Morgan, to adopt Resolution No. 2015-76 approving the 2015/2016 Budget, authorizing appropriations for 2015/2016 and amending the 2014/2015 Budget, along with supplemental changes to the proposed budget.

Motion carried 5-0.

D. Appropriation of Funds and Expenditure - 16-inch Water Main Repair

Public Works Director Fox stated a leak had been identified on a 16-inch water main located at the intersection of Lewis Road and Pleasant Valley. The emergency repair requires an appropriation of funds and expenditure of \$45,000.

Councilmember Kildee moved, seconded by Councilmember McDonald, to authorize an appropriation of \$45,000 to Account No. 860-3640-436.36-23 and an expenditure not-to-exceed \$45,000.

Motion carried 5-0.

VI. PUBLIC WORKS (continued)

C. Request for Proposal - Camarillo Area Transit (CAT) Operations and Maintenance Services (formerly III I)

Councilmember Craven stated she has not received any complaints since Roadrunner took over the service. She recommended extending their contract with options for renewals. The Council supported the recommendation.

IX. CITY MANAGER

A. Consider Resolutions setting forth Compensation, Classification and Benefits for City Employees and Approving a Statement of Understanding Effective July 1, 2015.

City Manager Feng stated the proposed resolutions set forth the Compensation, Classification and Benefits Program and approves a Statement of Understanding for the terms and conditions of employment for City employees. The resolutions provide an average increase of 2% to the salary bands and maintenance of employee benefits. As a result of operational efficiencies, the proposal results in a decrease to the budget.

Councilmember Kildee moved, seconded by Councilmember Craven, to adopt Resolution Nos. 2015-72 and 2015-73 setting forth the Compensation, Classification and Benefits Program for City employees; and approving a Statement of Understanding, effective July 1, 2015.

Motion carried 5-0.

XIII. NEW BUSINESS – ORAL COMMUNICATIONS

A. City Manager

Update – City Manager Feng reported on his attendance at the annual VCOG meeting and the City Managers' monthly meeting.

4th of July Celebration - Assistant City Manager Norman reported on status of the event planning.

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.

National Night Out - Councilmember Craven suggested staff consider combining the annual National Night Out open house with the Ventura County Sheriff's Foundation's Coppers and Choppers event which is held in Camarillo.

Movie in the Park – Councilmember McDonald announced the upcoming event.

Pavement Management Plan – Councilmember McDonald requested an update on Paving Management Plan. Public Works Director Fox stated staff is in process of updating the 5-year plan.

XII. CLOSED SESSION

The City Council recessed at 9:06 p.m. to Closed Session to consider the following items:

B. Conference with Real Property Negotiator

a. Authority - Government Code Section 54956.8

b. Property - hotel conference center, Ventura Boulevard; APN 229-0-010-090, -110, -150, -590, -610 & -630.

- c. Agency Negotiators - City Attorney, City Manager, Assistant City Manager, Community Development Director, Finance Director and Bob Burrow
- d. Negotiating Parties - Qualified buyers
- e. Under Negotiation - Price and terms of payment

C. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2); Number of Cases: three.

XX. ADJOURN

The meeting adjourned at 10:00 p.m.

ATTEST:



Mayor



City Clerk