

MINUTES
CITY OF CAMARILLO CITY COUNCIL
REGULAR MEETING
WEDNESDAY, OCTOBER 28, 2015

CALL TO ORDER/ROLL CALL

Mayor Little called the meeting to order at 5:04 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
Dave Klotzle, 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
Joe Vacca, Community Development Director

I. AMENDMENTS TO THE AGENDA

Item III D was pulled for discussion.

II. PRESENTATIONS

A. Introduction of 2015-2016 California State University Channel Islands City of Camarillo Scholarship Recipients

Eva Gomez, from CSUCI, introduced the 2015-2016 scholarship recipients.

III. CONSENT CALENDAR

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

A. Minutes

Approved the minutes of the City Council meetings held October 14 and 20, 2015, as presented.

B. Resolution – Approval of Disbursements

Adopted Resolution No. 2015-116 approving disbursements dated on or before October 21, 2015.

C. Financial Reports – September

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

1. Investment Report dated September 30, 2015
2. Chronological Investment Activity Report for the Month Ended September 30, 2015
3. General Fund Comparative Balance Sheet, July 31, 2015 and August 31, 2015, and August 31, 2014
4. Minutes of the September 21, 2015 Investment Committee Meeting

D. Resolution Approving the Americans with Disabilities Act Transition Plan for City Facilities and Parks

Pulled for discussion as XI A.

E. Resolution Approving Parcel Map and Improvement Plans and Acknowledging Receipt of Agreements, Securities, and Other Necessary Documents - LD-533 Dinovitz

Adopted Resolution No. 2015-118 approving the parcel map and improvement plans and acknowledging receipt of agreements, securities, and other necessary documents and authorizing the City Engineer to sign the parcel map and improvement plans.

F. Resolution Approving the Final Pay Estimate and Accepting Improvements - ST-14-03 2014 Annual Overlay Program

Adopted Resolution No. 2015-119 approving the final pay estimate no. 7 to Toro Enterprises, Inc., in the amount of \$18,999.47 and accepting improvements, and authorizing the Mayor to sign the Notice of Completion.

Motion carried 5-0.

IV. CITY COUNCIL – NONE

V. FINANCE – NONE

VI. PUBLIC WORKS

A. Award of Contract – ST-05-01 Santa Rosa Road Widening

Public Works Director Fox presented a PowerPoint reviewing the project which will widen Santa Rosa Road between Via Lantina Drive to past San Rafael Way to provide two lanes in both directions. The project will also include retaining walls, water efficient landscaping, and right hand turn pockets.

Councilmember Kildee moved, seconded by Councilmember Craven, to appropriate \$1,100,000 Traffic Mitigation Fees and \$150,000 federal grant funds to Project ST-05-01.

Motion carried 5-0.

Councilmember Craven moved, seconded by Mayor Little, to authorize the City Manager to execute Agreement No. 2015-81 with Granite Construction Company for the Base Bid and Alternate Bids 1, 2, and 3 totaling \$3,451,044.10.

Motion carried 5-0.

Councilmember Kildee moved, seconded by Councilmember Craven, to authorize the City Manager to execute Professional Service Agreement No. 2015-82 with Filippin Engineering, Inc., for construction management; No. 2015-83 with Fugro Consultants, Inc. for materials testing; No. 2015-84 with Kimley-Horn and Associates, Inc. for design support; and No. 2015-85 with Jordan, Gilbert & Bain Landscape Architects for landscape construction management.

Motion carried 5-0.

VII. COMMUNITY DEVELOPMENT – NONE

VIII. CITY ATTORNEY – NONE

IX. CITY MANAGER – NONE

X. CITY CLERK – NONE

XI. ADMINISTRATIVE SERVICES

A. Resolution Approving the Americans with Disabilities Act Transition Plan for City Facilities and Parks (formerly Item III D)

Councilmember Craven expressed concern that adopting the plan would start the City down the path to complete all projects outlined in the plan. She was concerned about items that were actually tenant improvements within City facilities leased by other organizations for which the City should not be responsible to modify and about proposed improvements to the Camarillo Ranch which would negatively affect historical preservation.

Administrative Services Director Petropulos and Fleet & Facilities Manager Jorgensborg explained the Transition Plan is an inventory of the items in all of the City owned facilities that do not currently meet ADA standards. The items are listed by priority indicated in the Federal standards and the City has flexibility in the timing of addressing the items.

The Council requested that the list of proposed improvements be reviewed annually during the budget review session.

Councilmember McDonald moved, seconded by Vice Mayor Morgan, to adopt Resolution No. 2015-117 approving the Americans with Disabilities Act Transition Plan which meets federal regulatory requirements for Title II of the Civil Rights Act of 1990.

Motion carried 5-0.

XII. CLOSED SESSION

The City Attorney announced the Closed Session items.

Jim Lingl, representing the Camarillo Springs Common Area Association, stated he hoped to have a final agreement to the Council within a couple of days.

RECESS/RECONVENE TO THE ADMINISTRATIVE CONFERENCE ROOM

The Council recessed to a Study Session at 5:56 p.m. The Mayor called the Study Session to order at 6:10 p.m.

XIV. STUDY SESSION

A. Other Post-Employment Benefits (OPEB) Review

Finance Director Campbell and Assistant Finance Director Uribe gave an update on the OPEB trust. Representatives from Highmark Capital Management and PARS gave an overview of the Post-Retirement Healthcare Plan Trust Funding.

XII. CLOSED SESSION

The City Council recessed to Closed Session at 6:30 p.m. to consider the following items:

A. Conference with Real Property Negotiator

1. Authority – Government Code Section 54956.8
2. Property – former library, 3100 Ponderosa; APN 166-0-020-315
3. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Administrative Services Director, Community Development Director, Finance Director and Bob Burrow
4. Negotiating Parties – Qualified buyers
5. Under Negotiation – Price and terms of payment

B. Conference with Real Property Negotiator

1. Authority – Government Code Section 54956.8
2. Property – hotel conference center, Ventura Boulevard; APN 229-0-010-090, -110, -150, -590, -610 & -630
3. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Community Development Director, Finance Director and Bob Burrow
4. Negotiating Parties – Qualified buyers
5. Under Negotiation – Price and terms of payment

C. Conference with Real Property Negotiator

1. Authority – Government Code Section 54956.8
2. Property – Cedar Oak 2000-2028 Ventura Blvd.; APNs 162-0-104-010, 162-0-135-050, 162-0-135-060
3. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Community Development Director, Finance Director
4. Negotiating Parties – Qualified buyers, Ventura Investment Company and KL Associates
5. Under Negotiation – Price and terms of payment

D. Conference with Legal Counsel - Anticipated Litigation

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

E. Public Employee Performance Evaluations

1. Authority - Government Code Section 54957
2. Titles - City Manager and City Attorney

F. Conference with Labor Negotiators

1. Authority – Government Code Section 54957.6
2. Agency designated representatives – Richard Petropulos
3. Unrepresented employee - City Manager

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 Closed Session.

FLAG SALUTE

Councilmember Kildee led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS – NONE

XVI. PUBLIC SAFETY/INFORMATION

A. Moment of Silence in Memory of Deputy Eugene Kostiuhenko who was killed in the line of duty on October 28, 2014, while working for the Camarillo Police Department

Commander McGrath led a moment of silence in memory of Deputy Kostiuhenko.

XVII. PUBLIC COMMENTS

Grace Winner stated she has been unable to live in her Bradford Apartment since May due to mold issues and is unable to find an alternative Section 8 housing in Camarillo. The Council requested the City Manager look into the matter and provide assistance.

Elton Gallegly expressed concern about his mother's Camarillo Springs residence being negatively impacted by potential debris flows being rerouted by a temporary road used for the emergency repairs and asked that it be removed.

Barbara Williams expressed concern about the Camarillo Springs Project being delayed by lack of approval of the agreement.

Hal Hyman stated the Camarillo Springs residents are appreciative of the work the City had done in the past, but they are concerned by the lack of communication to the residents.

Matthew Lorimer encouraged the City Council to expedite the Camarillo Springs

project and to adopt a rent stabilization ordinance to address the rent increases at Lamplighter Mobile Home Park.

Linda Fisher-Helton, Area Housing Authority, announced they are holding a workshop to assist landlords and property managers in protecting their section 8 properties from the El Nino rainy season.

Kari Staben Lisak, Moxie Salon, asked for assistance so that she can use her outdoor patio for pedicures for clients who have allergies. Community Development Director Vacca stated he will have staff follow-up with her on this issue.

XVIII. PUBLIC HEARINGS

A. Ordinance Amending Municipal Code Chapter 14.12, Water Conservation Measures, and Resolution Redeclaring a Stage 2 Water Shortage Condition and Imposing Additional Conservation Measures

Public Works Director Fox presented a PowerPoint on the proposed ordinance which responds to the State's Emergency Regulation for a 20% water reduction. The additional water conservation measures would require new development to offset their water demand. He also addressed the concerns and comments brought up at the October 14 meeting and reviewed the amendments which address self-serve car washes, new pool construction, and clarifies new connections versus new service.

PUBLIC HEARING OPENED

Lynn Schwaebel applauded staff's creativity to address water conservation, but expressed continued concern regarding the state of groundwater supplies.

Dennis Hardgrave supported the proposal and felt it was a rational approach to ensure new development will help conserve water and at the same time create a program that will benefit city residents.

Jose Soloria, pool and spa specialist, thanked the City Council for an innovative program and addressing the pool industry's concerns.

Matthew Lorimer felt the proposed measures were not sufficient to address water demand by new development.

Hillary Ling stated his mixed-use project on Ventura Boulevard is completely through the City's review process and fees have already been paid; however, the item was delayed and will not be on the Council agenda until the next meeting. He asked that his project be exempted from the new program.

Randy Bauer, Symphony Pools, thanked the City Council for addressing the pools.

Tony Trembley thanked staff for developing a creative program to address the water issues and wanted to recommend that specific criteria be set to evaluate the success of the program, reviews be conducted on frequent intervals, and the residents be kept informed about the success or lack of success of the program.

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

Public Works Director Fox confirmed Dr. Ling's project could have been approved prior to adoption of the ordinance. He recommended exempting the project which will not be online for more than 2 years and at that time will have little impact on the City's water supply.

City Attorney Pierik read the title of Ordinance No. 1116

Councilmember Kildee moved, seconded by Vice Mayor Morgan, to waive further reading and adopt Ordinance No. 1116 amending Municipal Code Chapter 14.12, Water Conservation Measures.

Motion carried 5-0.

Vice Mayor Morgan moved, seconded by Councilmember Craven, to adopt a Resolution Redeclaring a Stage 2 Water Shortage Condition and Imposing Additional Conservation Measures.

Motion carried 5-0.

Councilmember Craven moved, seconded by Councilmember Kildee, to adopt a Resolution establishing a Water Conservation Credit Program.

Motion carried 5-0.

Councilmember McDonald inquired if they could make an exemption for all small projects similar to Dr. Ling's rather than making a specific exemption.

City Attorney Pierik advised the Council could either revise the ordinance or rescind their prior actions and continue the Public Hearing to November 4 to take action after the Ling project is approved.

The Mayor reopened the public hearing. Mayor Little did not support changing or delaying the vote on these items.

Councilmember Craven moved, seconded by Vice Mayor Morgan, to reconsider the City Council's prior actions on the Ordinance and two Resolutions.

Motion carried 4-1 (Little dissenting).

Councilmember Craven moved, seconded by Vice Mayor Morgan, to rescind the City Council's prior approval of the Ordinance and two Resolutions.

Motion carried 4-1 (Little dissenting).

Vice Mayor Morgan moved, seconded by Councilmember Craven, to continue the Public Hearing to November 4, 2015.

Motion carried 5-0.

B. Ordinance amending Chapter 16.04 of the Camarillo Municipal Code Pertaining to Water Conservation Fixtures and Fittings

Building Official Meriaux recommended the Council adopt an Ordinance that would add new Sections 16.04.256 and 16.04.257 to the City's Building Code. The purpose of the ordinance is to impose water efficiency requirements for the construction of new buildings and the installation of new plumbing fixtures in existing buildings to

minimize demand on water supplies and the effect of water shortages to water customers within the City.

Councilmember Craven asked that residents and plumbing retailers be notified about the new requirements.

PUBLIC HEARING OPENED

Matt Lorimer expressed concern about the cost of permits to install new fixtures.

Jameson Lingl recommended the City Council consider using social media to get information to residents.

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

City Attorney Pierik read the title of Ordinance No. 1115

Councilmember Craven moved, seconded by Vice Mayor Morgan, to waive further reading and adopt Ordinance No. 1115 amending Chapter 16.04 of the Camarillo Municipal Code to add Sections pertaining to water conservation fixtures and fittings based upon local climatic, topographic, and geographical conditions.

Motion carried 5-0.

C. Ordinance Amendment to Camarillo Municipal Code Chapter 14.14 Pertaining to Water Efficient Landscapes and, Resolution Amending City's Landscape and Irrigation Guidelines

Senior Planner Lee presented a PowerPoint reviewing the updated State Model Water Efficient Landscape Ordinance and the proposed amendments to the City's Landscape and Irrigation Guidelines to ensure they are consistent with the updated Model Ordinance. She presented several changes recommended by the Planning Commission.

Councilmember Craven expressed concern that the City Council would not know about future changes to the State's model ordinance. Community Development Director Vacca stated any changes that would significantly impact Camarillo would be brought back to the City Council. Senior Planner Lee stated changes to the model ordinance do not impact single family residential homes.

Councilmember Craven did not support reducing the amount of allowable artificial turf from 90% to 70% as recommended by the Planning Commission.

PUBLIC HEARING OPENED

Matthew Lorimer expressed concern about reducing the maximum allowed artificial turf from 90% to 70%.

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

Councilmember Craven moved, seconded by Councilmember Kildee, to revise the

Landscape and Irrigation Guidelines by increasing the maximum amount of allowed artificial turf in front yard landscape from 70 % to 90 %.

Councilmember McDonald felt 90% was too high and supported the numbers being consistent with southwest landscape requirements.

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

City Attorney Pierik read the title of Ordinance No. 1117

Councilmember Kildee moved, seconded by Vice Mayor Morgan, to waive further reading and introduce Ordinance No. 1117 amending and restating Chapter 14.14 of the Camarillo Municipal Code pertaining to water efficient landscapes and schedule a public hearing for November 4, 2015, at 7:30 p.m. for adoption of the Ordinance.

Motion carried 5-0.

Councilmember Craven moved, seconded by Councilmember Kildee, to adopt Resolution No. 2015-122 approving amendments to the City of Camarillo Landscape and Irrigation Guidelines with a revision to change the maximum allowed artificial turf in front yard landscaping to 90%.

Motion carried 4-1 (McDonald dissenting).

D. Ordinance Amending Camarillo Municipal Code Chapters 19.04 and 19.16 of Title 19 pertaining to Single-Room Occupancy (SRO) Facilities

Community Development Director Vacca gave an overview of the ordinance that would amend Chapters 19.04 and 19.16 of Title 19 of the Camarillo Municipal Code pertaining to single-room occupancy (SRO) facilities, by adding a definition of a SRO facility, deleting the definition of "bachelor apartment," establishing an appropriate zone location for such use, and adding specific SRO facility development standards.

PUBLIC HEARING OPENED

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

City Attorney Pierik read the title of Ordinance No. 1111

Councilmember Craven moved, seconded by Councilmember Kildee, to waive further reading and introduce Ordinance No. 1111 amending Chapters 19.04 and 19.16 of Title 19 of the Camarillo Municipal Code pertaining to the definition of and permitted zone for Single-Room Occupancy facilities.

Motion carried 4-1 (McDonald dissenting).

XIX. DEPARTMENTAL – 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.

Cyber Security – Councilmember Craven suggested that a presentation be made for city residents regarding the risks associated with cell phones.

Water Issues – Councilmember Kildee thanked staff for their hard work on addressing water conservation issues.

Awards – Mayor Little stated the City recently received two awards, the Public Agency Art Stars Award from the Ventura County Arts Council and an honorable mention from Cool Planet for the energy projects at the Corporation Yard.

Todd Terres – Mayor Little requested the meeting be adjourned in the memory of Todd Terres. Todd was a long-time Camarillo resident and active community volunteer having served as a Long-Term Care Ombudsman for many, many years. He also served on the Camarillo Fiesta Association, the Camarillo Council on Aging, and was a senior driving instructor for AARP. Councilmember Kildee stated Todd was the quintessential Camarillo resident who was always willing to volunteer for the benefit of the community and he would be missed.

XII. CLOSED SESSION

The City Council recessed back to Closed Session at 10:27 p.m.

XX. ADJOURN

The meeting adjourned in the memory of Todd Terres at 11:55 p.m. to November 4, 2015, with no reportable action from the Closed Session.

ATTEST:



Mayor



City Clerk