

MINUTES
CITY OF CAMARILLO CITY COUNCIL
REGULAR MEETING
WEDNESDAY, SEPTEMBER 28, 2016

CALL TO ORDER/ROLL CALL

Mayor Morgan called the meeting to order at 5:03 p.m.

Councilmembers Present: Mike Morgan, Mayor
 Jeanette McDonald, Vice Mayor
 Charlotte Craven, Councilmember (arrived at 6:00 p.m.)
 Kevin Kildee, Councilmember
 Bill Little, Councilmember

Staff Present: Dave Norman, City Manager
 Misty Cheng, Interim Finance Director
 Don Davis, Assistant City Attorney
 Tom Fox, Assistant City Manager (arrived at 6:00 p.m.)
 Dave Klotzle, Public Works Director
 Jeffrie Madland, City Clerk
 Richard Petropulos, Administrative Services Director
 Brian Pierik, City Attorney (arrived at 6:00 p.m.)
 Cory Rubright, Police Department Captain
 Joe Vacca, Community Development Director

- I. AMENDMENTS TO THE AGENDA – NONE
- II. PRESENTATIONS – NONE
- III. CONSENT CALENDAR

Councilmember Kildee moved, seconded by Councilmember Little, to approve Consent Calendar Items A through N.

A. Minutes

Approved the minutes of the City Council meetings held September 14 and 20, 2016, as presented.

B. Resolution – Approval of Disbursements

Adopted Resolution No. 2016-113 approving disbursements dated on or before September 21, 2016.

C. Financial Reports – August

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

1. Investment Report dated August 31, 2016
2. Chronological Investment Activity Report for the Month Ended August 31, 2016
3. General Fund Comparative Balance Sheet, June 30, 2016 and July 31, 2016, and July 31, 2015

4. Minutes of the August 22, 2016 Investment Committee Meeting

D. Ordinance 1128 an Ordinance of the City Council of the City of Camarillo Amending Camarillo Municipal Code Section 17.04.090.K Regarding Temporary Noncommercial Signs

Adopted Ordinance No. 1128, which constituted of reading of the title as stated in the agenda, and waiver of reading of the Ordinance.

E. Ordinance 1129 an Ordinance of the City Council of the City of Camarillo Amending and Restating Chapter 9.24 and Chapter 9.36 of the Camarillo Municipal Code Pertaining to the City's Tobacco Regulations

Adopted Ordinance No. 1129, which constituted of reading of the title as stated in the agenda, and waiver of reading of the Ordinance.

F. Award of Bid - AS-2016-1 BMW R1200RT-P Police Motorcycle

Awarded bid to Long Beach BMW Motorcycles at the total bid amount of \$27,817.17.

G. Award of Bid - AS-2016-2 Trailer Mounted Vacuum with Pressure Washer System

Awarded bid to Pacific Tek at the total bid amount of \$61,420.13; and authorized the budgeted fund transfer from General Fund to the Vehicle & Equipment Fund.

H. Reject Bid - AS-2016-3 Trailer Mounted Sprayer

Directed staff to reject the "No Bid" received and re-advertise.

I. Solicit Bids - Purchase Fleet Vehicles

Authorized staff to invite bids for AS-2016-5, AS-2016-6, AS-2016-7, AS-2016-8 and AS-2016-9 replacement fleet vehicles.

J. Purchase - Hydraulic Backhoe Breaker and Accessories

Authorized the purchase of a Caterpillar Hydraulic Breaker and Accessories through the National Joint Powers Alliance (NJPA) Cooperative Contract No. 060311 from Quinn Group Inc. at the total delivered cost of \$28,870.70.

K. Request for Proposals - Camarillo Area Transit on-Board Security Camera System TM-2016-3

Directed staff to issue an RFP to furnish and install an on-board security camera system.

L. Award of Contract - ST-15-03 Annual Overlay Program

Authorized the City Manager to execute Agreement No. 2016-52 with Toro Enterprises Inc. for the Base Bid and Alternate Bids 1, 2, 3 and 4 totaling \$1,956,803.

M. Agreement for Materials Testing Services - ST-15-03 Annual Overlay Program

Authorized the City Manager to execute Agreement No. 2016-53 with Fugro Consultants Inc. in an amount not-to-exceed \$150,000.

N. Affordable Housing Agreement - Cedar Oak Mixed-Use Project

Authorized the City Manager to execute Affordable Housing Agreement No. 2016-54 with Aldersgate Investment LLC.

Vice Mayor McDonald stated that she did not have a personal conflict of interest but Aldersgate Investment LLC is a client of her firm and she abstained on item III N for that reason. Per Policy 1.05, the abstention was recorded as a yes vote.

Motion carried 4-0-1 (Craven absent).

IV. CITY COUNCIL – NONE

V. FINANCE – NONE

VI. PUBLIC WORKS

A. Agreements - Trolley Service

Councilmember Kildee recused himself due to a conflict of interest because he has financial interests located within 500 feet of a trolley stop.

Public Works Director Klotzle recommended the Council consider approving the first amendment to the agreement with the Chamber of Commerce (Chamber) and a new agreement with California State University, Channel Islands (CSUCI) specifying the City will continue to provide trolley service and the Chamber and CSUCI will contribute funds to offset a portion of the trolley operating costs.

Councilmember Little moved, seconded by Vice Mayor McDonald, to authorize the City Manager to sign Agreement No. 2014-83C with the Chamber and Agreement No. 2016-55 with CSUCI to share the cost of providing trolley service.

Motion carried 3-0-2 (Craven and Kildee absent).

Councilmember Kildee returned to the meeting.

VII. COMMUNITY DEVELOPMENT – NONE

VIII. CITY ATTORNEY – NONE

IX. CITY MANAGER

A. Consideration of Proposition 64 - Adult Use of Marijuana Act

Management Analyst Pichardo stated the City Council Legislative Committee met on and recommended opposing Proposition 64, which seeks to legalize recreational use of marijuana for adults 21 years of age or older. He provided an overview of the proposition.

Vice Mayor McDonald stated Proposition 64 has a direct effect on City operations such as the Police Department. The Legislative Committee felt it is not in the best interest of the City and is against federal law.

Councilmember Kildee moved, seconded by Vice Mayor McDonald, to oppose Proposition 64 - Adult Use of Marijuana Act.

Motion carried 4-0-1 (Craven absent).

B. Pleasant Valley Recreation and Park District Needs Assessment Ad Hoc Committee

City Manager Norman stated the Pleasant Valley Recreation and Park District (PVRPD) requests the appointment of two Councilmembers to participate on an Ad Hoc Committee to oversee the District's needs assessment project. He recommended appointing the members of the City's Liaison Committee, Mayor Morgan and Vice Mayor McDonald.

Mary Otten, PVRPD General Manager, stated the needs assessment will include gaps in services and facilities, including the need for a larger senior center.

Councilmember Kildee moved, seconded by Councilmember Little, to appoint Mayor Morgan and Vice Mayor McDonald to the Pleasant Valley Recreation and Park District's Needs Assessment Ad Hoc Committee.

Motion carried 4-0-1 (Craven absent).

X. CITY CLERK – NONE

XI. ADMINISTRATIVE SERVICES – NONE

RECESS/RECONVENE TO THE ADMINISTRATIVE CONFERENCE ROOM

The Mayor called the Study Session to order at 6:10 p.m. with Councilmember Craven present.

XIV. STUDY SESSION

A. Development Allotment Guidelines

Community Development Director Vacca presented a PowerPoint on proposed updates to the Allotment Evaluation Criteria.

XII. CLOSED SESSION

The City Council recessed at 6:47 p.m. to Closed Session to consider the following items:

A. Conference with Legal Counsel Anticipated Litigation

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

B. Conference with Real Property Negotiator

1. Authority: Government Code Section 54956.8
2. Property: former fire station, 2474 Ventura Boulevard; APN 162-0-160-230 and 160-0-160-445
3. Agency Negotiators: City Attorney, City Manager, Assistant City Manager, Community Development Director, Administrative Services Director, and Interim Finance Director
4. Negotiating Parties: St. Mary Magdalen School
5. Under Negotiation: Price and terms of payment

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 Little led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS

A. Introduction - New Police Chief Commander Chris Dunn

Sheriff Geoff Dean introduced Chris Dunn, the new Police Department Commander.

B. Ventura County Lodging Association (VCLA) Annual Report

Rebekah Evans, Executive Director, Ventura County Lodging Association presented a PowerPoint on the VCLA annual report.

XVI. PUBLIC SAFETY/INFORMATION – NONE

XVII. PUBLIC COMMENTS

Jill Ingram expressed concern over residential crime and increase in the homeless population in the City.

Matt Lorimer felt Councilmembers should not be allowed to serve on non-profit boards within the City.

Terry Bray stated she has not received a response to her offer to settle her claim against the City.

XVIII. PUBLIC HEARINGS

A. Resolution - Fiscal Year 2016/17 Action Plan Amendment

Associate Planner Buck stated the City submitted the FY 2016/17 Action Plan to the U.S. Department of Housing and Urban Development (HUD) on May 16, 2016. Subsequently, staff prepared a draft FY 2016/17 Action Plan Amendment adding a new rental housing rehabilitation program to expend the City's unallocated CDBG funds. She presented a PowerPoint reviewing the amendment.

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. 2016-114 approving the FY 2016/17 Action Plan Amendment and appropriating \$400,000 for the Rental Housing Rehabilitation Program in Account No. 280-4406-465.70-78 - CDBG Grant/Rental Housing Rehabilitation Program.

Motion carried 5-0.

B. Resolutions Certifying Subsequent Final EIR No. 2014-08 and Approving General Plan Amendment No. 2014-2 and Airport North Specific Plan Amendment; Approval of Agreement Regarding General Plan Amendment and Zone Change; and Introduction of an Ordinance Approving Change of Zone 322 for Springville LLC (Bob Selleck) (Continued from August 24, 2016)

Community Development Director Vacca presented a General Plan Amendment (GPA 2014-2) seeking change in the Land Use Element designation from Industrial to General Commercial, an amendment to the Airport North Specific Plan and Change of Zone (CZ-322), a Regional Destination Retail Use Agreement, and certification of Subsequent EIR No. 2014-08. The project area is located south of the U.S. Highway 101/Ventura Freeway, west of Springville Drive, north of the Camarillo Airport, and just east of West Ventura Boulevard. He presented a PowerPoint reviewing the project and provided an overview on how the applicant would mitigate traffic and water impacts.

PUBLIC HEARING OPENED

Robert Selleck thanked the Council and City staff for working so hard to get him to this point. He is committed to continue efforts to obtain a destination retailer. He should know within three to six months if the designation is going to work. If not, he will be back to request the reversion to industrial.

Barbara Williams asked if there are plans to address the Central Avenue Bridge for residents who use that exit.

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

Public Works Director Klotzle stated there is no indication from Caltrans that they are ready to move forward with improvements to the Central interchange at this time.

Councilmember Kildee moved, seconded by Councilmember Little, to adopt Resolution No. 2016-115 certifying Final Subsequent Environmental Impact Report (SEIR) No. 2014-8 for GPA 2014-2, CZ-322, and companion applications prepared and circulated in accordance with City and State guidelines.

Vice Mayor McDonald expressed concern over the possibility of ending up with an empty building.

Motion carried 4-1 (McDonald dissenting).

Councilmember Craven moved, seconded by Councilmember Little, to adopt Resolution No. 2016-116 approving General Plan Amendment 2014-2 and the corresponding amendment to the Airport North Specific Plan to change the Land Use Element designation from Industrial (Research and Development) to General Commercial for 26 acres of the 46 acre project site.

Motion carried 4-1 (McDonald dissenting).

Councilmember Craven moved, seconded by Councilmember Kildee, to authorize the City Manager to execute Agreement No. 2016-56 regarding General Plan Amendment and Zone Change.

Motion carried 4-1 (McDonald dissenting).

City Attorney Pierik read the title of Ordinance No. 1130.

Councilmember Craven moved, seconded by Councilmember Little, to waive further reading and introduce Ordinance No. 1130 approving Change of Zone No. 322 for the approximately 26-acre site from Limited Manufacturing (LM) to Commercial Planned Development (CPD).

Motion carried 4-1 (McDonald dissenting).

C. Resolution Approving 2015 Urban Water Management Plan Update

Deputy Director Public Works McGovern stated this public hearing was noticed for September 28, 2016. Staff requests the hearing be continued to October 12, 2016.

PUBLIC HEARING OPENED

Hearing no requests to speak, either for or against the item, the Mayor continued the hearing to October 12, 2016.

Motion carried 5-0.

XIX. DEPARTMENTAL

A. Camarillo Springs Debris Flow Barriers ER-15-02

Director of Public Works Klotzle recommended the Council consider Change Order No. 4 to replace Change Order No. 3 with Access Limited Construction Company in an amount not-to-exceed \$200,000 for removal of up to 5,000 cubic yards of debris including trucking and disposal of the debris at an off-site location. He provided a history of the project.

The following people spoke on this item and supported approval of Change Order No. 4:

Matt Lorimer
Bob Kelly
Barbara Williams
Barry Gilbert
Ted Elliott

Phil Eads
Steve West
Steve Polley
Ron Kester

The speakers thanked the City for what they have done to help the community; felt the property owners of the hill or the City should be responsible for ongoing maintenance; asked the City to issue building permits to the five remaining homes that were red-tagged or declare the properties uninhabitable; and asked that the emergency access road that was constructed in December be removed.

City Manager Norman stated the City continues to evaluate the safety of issuing permits for the red-tagged homes as conditions on the mountain change and negotiations continue on the ongoing maintenance plan with the parties involved.

Vice Mayor McDonald moved, seconded by Councilmember Craven, to authorize the City Manager to execute Change Order No. 4 in an amount not-to-exceed \$200,000 for ER-15-02 Camarillo Springs Debris Flow Barriers and to approve an appropriation of \$81,000 to Account No. 101-3101-431.35-02 Project ER-15-02.

Motion carried 5-0.

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.

Vietnam Veterans Event – Navy Band Southwest Brass Quintet – Councilmember Little stated the event was fantastic.

North Pleasant Valley Groundwater Desalter Project – Assistant City Manager Fox reported that after six years, the City finally received approval from Fox Canyon Groundwater Management Agency and can move forward to the planning and design phase of the project. Vice Mayor McDonald congratulated staff for their work on the project.

California Contract Cities Association – Councilmember Craven announced the Sacramento Legislative Orientation Tour will be January 8-10, 2017. She recommended one of the Legislative Committee members attend.

Joint Land Use Study (JLUS) Implementation – Community Development Director Vacca stated Amanda Fagan attended his recent staff meeting. He has not heard of any upcoming meeting.

City Website Update – Administrative Services Director Petropulos reported the migration of the information is complete and they are currently involved in a department by department review of the content.

XII. CLOSED SESSION

The City Council recessed back to Closed Session at 9:52 p.m.

XX. ADJOURN

The meeting adjourned at 10:25 p.m.

ATTEST:

Mike Morgan
Mayor

Jamadland
City Clerk