



City of Camarillo

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March 2, 2020

County Board of Supervisors
County of Ventura, Government Center
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Ventura, CA 93009

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County of Ventura, Department of Airports
555 Airport Way, Suite B
Camarillo, CA 93010

Email: kip.turner@ventura.org

Re: CloudNine Project; City of Camarillo Resolution No. 2020-29

Attached please find a Resolution of the City Council of the City of Camarillo in support of requiring CloudNine Project at Camarillo Airport to comply with the 1976 Agreement between the City of Camarillo and the County of Ventura, passed and adopted on February 26, 2020.

Respectfully,

David J. Norman
City Manager

Enclosure: Resolution No. 2020-29

cc: Kelly Long, Supervisor, Third District
Michael Powers, County Executive Officer
City Council, City of Camarillo
City Clerk, City of Camarillo

RESOLUTION NO. 2020-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMARILLO IN SUPPORT OF REQUIRING CLOUDNINE PROJECT AT CAMARILLO AIRPORT TO COMPLY WITH 1976 AGREEMENT BETWEEN CITY OF CAMARILLO AND COUNTY OF VENTURA

The City Council of the City of Camarillo resolves as follows:

SECTION 1: The City Council of the City of Camarillo finds and declares as follows:

A. In 1976, the City of Camarillo ("City") and the County of Ventura ("County") entered into an "Agreement Between County of Ventura and City of Camarillo Pertaining to Camarillo Airport Development and Surrounding Land Use" ("Agreement").

B. Paragraph 1 of the Agreement provides: "COUNTY and CITY do hereby exercise their powers and create the Camarillo Airport Authority (hereinafter "Authority")."

C. Paragraph 3 of the Agreement provides:

The Ventura County Board of Supervisors shall not give formal approval or otherwise act upon any matter brought before it pertaining to development, operation or any other matter at the Camarillo Airport until the matter shall have first been submitted to the Authority and a recommendation received therefrom."

D. Exhibit B to the Agreement is entitled "Camarillo Airport Restrictions".

E. The Camarillo Airport Restrictions include the following restriction: "4. An aircraft weight limitation of 115,000 lbs. (twin wheel) shall be in effect."

F. A project has been proposed at the Camarillo Airport ("Airport") by RKR Incorporated ("RKR") which project is known as "CloudNine at Camarillo" ("Project").

G. A draft Mitigated Negative Declaration and Initial Study ("MND") has been prepared for the Project which describes the Project (Page A-4) in the following manner: "The Proposed Project is the development of approximately seven acres of open land on the northeast quadrant of the airport with four private commercial hangars and offices under a leasehold from the airport."

H. The MND at page A-4 lists the elements for the Proposed Project which include the following:

"The proposed hangars would be accessed by a ramp (also called an apron) on the south side of the hangars, with a portion of the existing taxilane reconstructed south of the ramp. The proposed aircraft ramp would be 84,000 sf (782.7 feet wide by 120 feet deep) to be located between the new hangars and existing taxilane pavement. This depth can accommodate an aircraft such as the Boeing Business Jet 737-800 or a Gulfstream G650, two of the largest types of aircraft that are anticipated to use the airport. Based on the geotechnical report, the recommended taxilane pavement design could consist of six inches of asphalt, over five inches of stabilized base, over

10 inches of crush aggregate base. Compliance with FAA pavement standards will be required."

I. On November 19, 2019, Ronald K. Rasak (CEO of RKR) submitted a letter to Kip Turner (Airport Director, Ventura County Department of Airports) re: "Boeing 737 Operations from CloudNine" which states: **"To be clear, RKR is NOT and has NO intention now or in the future to allow Boeing 737 aircraft to operate from the CloudNine location."** (bolded text by RKR)

J. On November 20, 2019, the City submitted a letter to Erin Powers of the Department of Airports with comments on the draft MND and the letter included the following statement:

"The IS/MND fails to acknowledge the Agreement and the aforementioned Airport Restrictions contained in Exhibit B of the Agreement as applicable land use policies/regulations the project must comply or be conditioned to comply with. The IS/MND ignores the restrictions placed on the operation of the Airport, especially the aircraft weight limit of 115,000 lbs and runway location/length limit of the most westerly 6,000 feet. Tables B1 and B2 of the IS/MND disclose the various types of aircraft that will potentially use the proposed hangars and the numbers of operations annually (3,850 operations annually). The IS/MND indicates that the project may facilitate the operation of Boeing Business Jets, which could weigh up to 171,500 lbs., which is in violation of the Agreement. Even if this aircraft will not be operated at the maximum weight, it does not answer what the standard weight of such aircraft, or in other words, how can such aircraft operate without exceeding the weight limitation in the Agreement. The IS/MND does not address any safeguards or mitigation measures to ensure the maximum weight limit established in the Agreement is not exceeded."

K. On December 6, 2019, the City submitted a letter to the Ventura County Transportation Commission ("VCTC") requesting that the VCTC schedule an agenda item in its role as the Ventura County Airport Land Use Commission ("ALUC") for a consistency determination of the Project with the Camarillo Airport Master Plan ("CAMP").

L. On December 31, 2019, Mr. Turner submitted a letter to VCTC in reference to the City's letter of December 6, 2019 in which Mr. Turner said on page 1:

"The CloudNine project is currently undergoing environmental review, with a draft Mitigated Negative Declaration (MND) having been opened for public comment on October 21, 2019 and closed on November 20, 2019. The County's review of those public comments is ongoing, and it is anticipated that the MND, including any revisions that come out of the public-comment process, will be presented to the County's Board of Supervisors in early 2020 for approval."

M. Steve Mattas is the General Counsel for the VCTC. Mr. Mattas wrote a Memorandum on January 10, 2020 ("Memorandum") to the VCTC regarding the City's request for a consistency determination. The Memorandum notes the County has approved but not yet signed a draft lease with RKR for the location of the proposed Project which is at

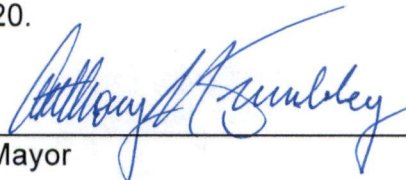
an unimproved area of the Airport. The Memorandum acknowledges the weight limit of 115,000 lbs included in the 1976 Agreement. The Memorandum (pages 8-9) state that the "proposed lease terms arguably require the Project to comply with the weight restrictions in the 1976 Agreement but for clarity it could be revised to expressly require compliance with the weight limit".

N. The City Council intends by this Resolution to confirm the City's strong recommendation that the County: (1) amend the lease with RKR to require that the Project comply with the 1976 Agreement between the City and County including, but not limited to, the Camarillo Airport Restrictions except to the extent, if at all, a term or Restriction of the 1976 Agreement is preempted by federal or state law and (2) amend the MND to require that the Project comply with the 1976 Agreement between the City and County including, but not limited to, the Camarillo Airport Restrictions except to the extent, if at all, a term or Restriction of the 1976 Agreement is preempted by federal or state law.

SECTION 2: The City Council hereby resolves that the City shall submit this Resolution to the County recommending that the County: (1) amend the lease with RKR to require that the Project comply with the 1976 Agreement between the City and County including, but not limited to, the Camarillo Airport Restrictions except to the extent, if at all, a term or Restriction of the 1976 Agreement is preempted by federal or state law and (2) amend the MND to require that the Project comply with the 1976 Agreement between the City and County including, but not limited to, the Camarillo Airport Restrictions except to the extent, if at all, a term or Restriction of the 1976 Agreement is preempted by federal or state law.

SECTION 3: The City Council hereby requests the City Manager to send a copy of this Resolution to the County of Ventura Board of Supervisors and to the County Department of Airports forthwith.

PASSED AND ADOPTED February 26, 2020.



Mayor

Attested to on 2/27/2020
Jamaadband

City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Resolution No. 2020-29 was adopted by the City Council of the City of Camarillo at a regular meeting held February 26, 2020, by the following vote:

AYES: Councilmembers: Craven, Kildee, Mulchay, Santangelo, Mayor Trembley
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Jamaadband

City Clerk

