

MINUTES
CITY OF CAMARILLO CITY COUNCIL
REGULAR MEETING
WEDNESDAY, JANUARY 9, 2019

CALL TO ORDER/ROLL CALL

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

Councilmembers Present: Kevin Kildee, Mayor
 Tony Trembley, Vice Mayor
 Charlotte Craven, Councilmember
 Shawn Mulchay, Councilmember
 Susan Santangelo, Councilmember

Staff Present: Dave Norman, City Manager
 Tully Clifford, Assistant City Manager
 Dave Klotzle, Public Works Director
 Jeffrie Madland, City Clerk
 Carmen Nichols, Administrative Services Director
 Jeremy Paris, Police Captain
 Brian Pierik, City Attorney
 Mark Uribe, Assistant Finance Director
 Joe Vacca, Community Development Director

I. AMENDMENTS TO THE AGENDA

Items III F and III J were pulled for discussion.

II. PRESENTATIONS – NONE

III. CONSENT CALENDAR

Councilmember Craven moved, seconded by Councilmember Mulchay, to approve Consent Calendar Items A through O, with the exception of Items F and J.

A. Minutes

Approved the minutes of the City Council meetings held December 12 and 19, 2018.

B. Resolution – Approval of Disbursements

Adopted Resolution No. 2019-1 approving disbursements dated on or before January 2, 2019.

C. Ordinance No. 1160, an Ordinance of the City Council of the City of Camarillo Amending and Restating Chapter 5.36 (Taxicab Permits) of Title 5 (Business Tax Certificates and Permitting Procedures) of the Camarillo Municipal Code

Adopted Ordinance No. 1160, which constituted reading of the title as stated in the agenda, and waiver of reading of the Ordinance.

D. Police Facility Staff Restroom Remodel Project AS-2018-1 - Agreement for Design Services

Authorized the City Manager to execute Professional Services Agreement No. 2019-

2 with Leach Mounce Architects for design services at a fixed fee amount of \$35,130.

- E. Camarillo Library Young Adults Interior Remodel LB-14-01 - Resolution Exonerating Warranty Security

Adopted Resolution No. 2019-2 exonerating warranty security for improvements.

- F. Conference Center Drain Project CC-11-01 - Agreement Amendment

Pulled for discussion as VI A.

- G. CPD-245 Alisam Camarillo LLC (301 Daily Drive) - Resolution Approving Improvement Plans, Acknowledging Receipt of Agreements and Securities, and Issuance of a Water Will-Serve Letter - Waterdrops Carwash

Adopted Resolution No. 2019-3 approving improvement plans, and authorizing staff to process all documents and the City Engineer to sign improvement plans.

- H. IPD-53M(7) Rexford Industrial LLC (3233 East Mission Oaks Boulevard) - Resolution Accepting Public Improvements and Warranty Security and Exonerating Performance Securities

Adopted Resolution No. 2019-4 accepting public improvements and warranty security and exonerating performance securities.

- I. LD-536 Union Pacific Railroad Company (west of the intersection of Dawson Drive and Magnolia Street) - Resolution Approving Parcel Map

Adopted Resolution No. 2019-5 approving parcel map and authorizing the City Engineer to sign the parcel map.

- J. LD-539 Camino Ruiz LLC (southwest corner of Verdugo Way and Camino Ruiz) - Resolution Approving Parcel Map and Acknowledging Receipt of Necessary Documents

Pulled for discussion as VI B.

- K. Capital Project Construction Management and Inspection Services - Request for Qualifications

Authorized staff to issue a Request for Qualifications for professional construction management and inspection services for various capital projects.

- L. Tract 5350 (Backbone) Western Pacific Housing Inc. Village at the Park - Resolution Exonerating Warranty Security

Adopted Resolution No. 2019-7 exonerating warranty security.

- M. Tract 5976/RPD-198 Shea Homes LP (northeast corner of Calleguas Creek and Upland Road) - Resolution Approving Tract Map and Improvement Plans, Acknowledging Receipt of Agreements, Securities and Other Necessary Documents

Adopted Resolution No. 2019-8 approving the final tract map and improvement plans; acknowledging receipt of agreements and securities; authorizing staff to process all documents; authorizing the Mayor and the City Engineer to sign the tract

map; and authorizing the City Engineer to sign improvement plans.

N. Traffic Signal Pole Replacement TM-2018-6 - Award of Contract

Authorized an appropriation of \$30,125 to the Public Works Traffic and Signal Maintenance budget from General Fund Unassigned Fund Balance, and authorized the City Manager to execute Agreement No. 2019-1 with Taft Electric Company in the amount of \$26,125, and execute contract change orders for project contingencies in an additional amount not-to-exceed \$4,000, for a total authorized expenditure of \$30,125.

O. Project Management & Entitlement Processing Services - Professional Services Agreement

Authorized the City Manager to execute Agreement No. 2019-4 with Charles Abbott Associates Inc. for project management and entitlement processing services in the amount of \$26,000.

Motion carried 5-0.

IV. CITY COUNCIL

A. Planning Commission Appointments

City Clerk Madland stated three Planning Commission positions expire January 2019. The recently elected Councilmembers introduced their appointees.

Vice Mayor Trembley moved, seconded by Councilmember Craven, to adopt Resolution No. 2019-9 appointing Luis Espinosa, Eugene Talmadge, and Beverly Vandermeulen to the Planning Commission for four year terms.

Motion carried 5-0.

V. FINANCE – NONE

VI. PUBLIC WORKS

A. Conference Center Drain Project CC-11-01 - Agreement Amendment (formerly III F)

Vice Mayor Trembley was concerned about the issues related to the drain boxes and any change order deduction for increased costs.

Councilmember Craven moved, seconded by Councilmember Mulchay, to authorize the City Manager to execute Agreement No. 2018-28A with NV5 West Inc. for testing, evaluation, inspection, and other technical services, for an amount not-to-exceed \$30,225, for a total authorized expenditure of \$111,714.

Motion carried 5-0.

B. LD-539 Camino Ruiz LLC (southwest corner of Verdugo Way and Camino Ruiz) - Resolution Approving Parcel Map and Acknowledging Receipt of Necessary Documents (formerly III J)

Vice Mayor Trembley questioned what impact this approval would have relative to the general plan amendment referral (GPA No. 2017-1). Community Development Director Vacca clarified there is no impact, the referral is a separate process.

Councilmember Craven moved, seconded by Councilmember Santangelo, to

Adopted Resolution No. 2019-6 approving parcel map, authorizing staff to process all documents, and the City Engineer to sign the parcel map.

Motion carried 5-0.

VII. COMMUNITY DEVELOPMENT – NONE

VIII. CITY ATTORNEY – NONE

IX. CITY MANAGER

A. Fiscal Year 2018/19 Community Support Funding Agreement with the Camarillo Chamber of Commerce - Startups Ventura County

Assistant City Manager Clifford presented a Community Support Funding Agreement for sponsoring this year's Startups Ventura County, which will be held April 5-7, 2019.

Gary Cushing, Camarillo Chamber of Commerce, was available to answer questions.

Councilmember Craven moved, seconded by Councilmember Mulchay, to authorize the City Manager to sign Agreement No. 2019-5 with the Camarillo Chamber of Commerce in the amount of \$10,000 to sponsor the 2019 Startups Ventura County.

Motion carried 5-0.

B. Sidewalk Vending - Ordinance Amending Camarillo Municipal Code

Mayor Kildee continued this item to January 23, 2019.

C. Policy 2.02, Legislation and Legislative Matters and Policy 1.01, City Council Reorganization, Committees, and Appointments

City Manager Norman presented an amendment to City Council Policy 2.02 to expedite the process of responding to legislative proposals introduced at both the State and Federal levels, and an amendment to Policy 1.01 to remove the reference to the Legislative Committee.

Councilmember Craven felt the process would be less cumbersome.

Vice Mayor Trembley moved, seconded by Councilmember Mulchay, to adopt amendments to Policy 2.02 Legislation and Legislative Matters, and Policy 1.01 City Council Reorganization, Committees, and Appointments.

Motion carried 5-0.

X. CITY CLERK – NONE

XI. ADMINISTRATIVE SERVICES – 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.

Electronic Bathroom Faucets – Councilmember Craven received complaints about the City's requirement for electronic faucets and requested the Council revisit the requirement.

Permitted Construction Days – Councilmember Craven inquired about the City's restriction regarding construction on holidays and requested the Council revisit the restriction.

E.J. Harrison – Councilmember Mulchay received calls from residents who contacted E.J. Harrison regarding large item pickups, but do not receive a call back.

Clean Power Alliance (CPA) – Vice Mayor Trembley stated the City's informational mailer will be arriving in mailboxes this week.

The Council recessed to the Administrative Conference Room.

XIV. STUDY SESSION

A. Summer Concert Season Update and Discussions on Chair/Blanket Placement and Alcohol Policies

City Manager Norman presented a PowerPoint reviewing the current chair/blanket placement and alcohol policies during the summer concert season. The Council opted to allow Friday night placement of chairs/blankets at 5:00 p.m. without security and to continue the current practice related to alcohol.

XII. CLOSED SESSION

The City Council recessed to Closed Session to consider the following item:

A. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code Section 54956.9 (d)(1); Name of case: Southwest Voter Registration Education Project v. City of Camarillo, et al., Ventura County Superior Court Case No. 56-2018-00522031-CU-CR-VTA.

RECONVENE/CALL TO ORDER/ROLL CALL

The Mayor called the meeting back to order with no information to report from the Closed Session.

FLAG SALUTE

Councilmember Santangelo led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS – NONE

XVI. PUBLIC SAFETY/INFORMATION – NONE

XVII. PUBLIC COMMENTS

Bill Taber expressed concern over the home occupation permit fee as applied to his wife's business.

Matt Lorimer asked the Council to consider restoring the Former Fire Station for use as a police substation.

XVIII. PUBLIC HEARINGS

A. Annexation No. 10 - West Camarillo Community Facilities District (WCCFD) No. 1

Consultant Maryanne Goodkind stated in 1990, the City formed the WCCFD No. 1 to provide sewer, drainage and bridge facilities to western Camarillo if and when such area developed. T.M. Mian and Associates Inc. and the City, as owners of the conference center parcel and drainage channel, respectively, are now ready to annex. This Annexation will not trigger modification to the existing rate and method of apportionment.

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 Vice Mayor Trembley, to adopt Resolution No. 2019-10 determining the validity of prior proceedings and calling a special election related to Annexation No. 10.

Motion carried 5-0.

City Clerk Madland opened two ballots which contained affirmative votes.

Councilmember Craven moved, seconded by Vice Mayor Trembley, to adopt Resolution No. 2019-11 canvassing the results of the election.

Motion carried 5-0.

Councilmember Craven moved, seconded by Vice Mayor Trembley, to adopt Resolution No. 2019-12 annexing Annexation No. 10 to the WCCFD No. 1, authorizing levy of a Special Tax, and approving certain related actions.

Motion carried 5-0.

XIX. DEPARTMENTAL

A. California Voting Rights Act

City Attorney Pierik stated the City received a demand letter from attorney Kevin Shenkman which cites the California Voting Rights Act ("CVRA") and urges the City to change its at-large system of electing City Councilmembers. On December 24, 2018, Mr. Shenkman filed a Complaint against the City alleging a violation of the CVRA. He presented a PowerPoint reviewing the CVRA and options on how to proceed in light of the demand letter from Mr. Shenkman and the Complaint.

Bev Dransfeldt urged the Council to move forward with districting.

Barbara Williams stated she was offended by Mr. Shenkman's claims. She felt districts would divide the City and urged the Council to challenge the CVRA.

Libby Higgins stated districting is good for local elections.

Matt Lorimer supported districting.

Nash Dingman recommended Single Transferrable Voting as an alternative type of voting.

Bill Taber stated Mr. Shenkman provided no proof to support his claims. He felt smaller districts (like nine) would provide better representation.

Jessica Romero supported district elections.

Neal Dixon stated Mr. Shenkman's only goal is to line his own pockets. He felt a compromise would be to have three districts, with two at-large councilmembers.

Vice Mayor Trembley stated on the legal side, Mr. Shenkman would have to prove racially polarized voting in Camarillo. However, CVRA litigation is very expensive, there is very little appellate case law, and no municipality has effectively won CVRA litigation. On the pragmatic side, he noted there are advantages and disadvantages to district elections. He was skeptical from a governance standpoint that districts are necessary in Camarillo, but felt litigation would not be a prudent use of public funds. He supported option No. 1.

Councilmember Craven was frustrated the League of California Cities did not oppose the legislation when it was initially introduced. She has done everything she could to support minorities, including farmworker housing. She did not believe the City votes racially and finds the allegation offensive and felt districts would be a tremendous detriment to the City. She felt Camarillo is being bullied into districts, but she also felt there was little chance of challenging the law at this point. She felt forced to support option No. 1.

Councilmember Santangelo felt challenging the law would be extremely expensive with little chance of success. She stated she ran her campaign on diversity, not racial diversity, but diversity at all levels, socio-economic, gender, age. She noted there has only been one Latino councilmember in the City's history and there are areas of the City that have never had representation on the Council. She embraced districts.

Councilmember Mulchay stated he appreciated that the City took the time to evaluate what is in the best interests of the City and felt it appropriate to delay the decision until the newly elected Council was seated. He felt districting would not be beneficial in any way to the City of Camarillo. He did not believe there was racially polarizing voting in Camarillo. Diversity can be achieved on the Council without districting as evidenced by the recent election. He felt the CVRA is a flawed piece of legislation which will lead to more divisiveness in communities throughout California. He unwillingly supported option No. 1.

Mayor Kildee stated he did not favor districting. He felt it made sense in larger cities, but not in Camarillo which was still small enough for candidates to reach out to everyone. This will change the way voters of Camarillo elect their representatives, but he was hopeful that future councilmembers would continue to represent every voter in the City regardless of where the voter lived. He supported option No. 1.

Councilmember Santangelo moved, seconded by Mayor Kildee, to adopt Resolution No. 2019-13 declaring the City's intent to transition from at-large to district based elections pursuant to Elections Code Section 10010 and directing the City Manager to take appropriate action to implement the Resolution.

Motion carried 5-0.

XIV. STUDY SESSION – Continued

B. Desalter Redesign Update

Public Works Director Klotzle presented a PowerPoint reviewing options for building redesign and project design review.

The Council provided direction on the building redesign and supported proceeding with a modified Option 3 for project redesign with peer review, including input from the plant operations perspective focused on identifying cost-saving modifications to the project to be incorporated during the redesign if possible and also after the construction contract is awarded.

XII. CLOSED SESSION – Continued

The City Council recessed back to Closed Session to consider the following items:

B. Conference with Real Property Negotiator; Authority - Government Code Section 54956.8

Property - 15 Stearman Street, 280 Skyway Drive and 330 Skyway Drive, Camarillo
Agency Negotiators - City Manager, City Attorney, Assistant City Manager, Community Development Director, and Finance Director
Negotiating Parties - Oxnard Union High School District
Under Negotiation - Price and terms of payment

C. Conference with Real Property Negotiator; Authority - Government Code Section 54956.8

Property - former fire station, 2474 Ventura Boulevard; APNs 162-0-160-230, -445
Agency Negotiators - City Manager, City Attorney, Assistant City Manager, Community Development Director, and Finance Director
Negotiating Parties - St. Mary Magdalen School
Under Negotiation - Price and terms of payment

XX. ADJOURN

The meeting adjourned at 12:05 a.m. with no action to report from the Closed Session.

ATTEST:

Kevin Kildee
Mayor

Jamadland
City Clerk