

MINUTES OF THE CITY COUNCIL  
VENTURA COUNTY WATERWORKS DISTRICT NO. 8  
SIMI VALLEY INDUSTRIAL DEVELOPMENT AUTHORITY  
SIMI VALLEY LIBRARY BOARD OF TRUSTEES

Simi Valley, California

May 7, 2012

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AGENDA  
ITEM

CALLED TO ORDER: 6:33 p.m.

PLEDGE OF ALLEGIANCE: Led by Tom Mclean

It was noted there was a moment of silence in honor of Staff Sgt. Andrew Britton-Mihalo

ROLL CALL: Present: Council Members/Directors Judge, Sojka, Becerra, Mayor Pro Tem/Vice-Chair Williamson, and Mayor/Chair Huber

1. AGENDA REVIEW: City Manager Sedell noted supplemental material on Agenda Items 4A and 7A and noted staff would recommend Agenda Item 3(1), Appointments, be moved for discussion immediately before Agenda Item 2A, Public Statements.

ACTION: It was the consensus of the City Council/Board of Directors to approve the Agenda as modified.

- 1A. ACTION: Council Member/Director Judge moved that all resolutions and ordinances presented tonight be read in title only and all further reading be waived; Council Member/Director Sojka seconded the motion, which was carried unanimously by a voice vote. **(CC/WWD)**

ROLL CALL

AYES: Council Members Judge, Sojka, Becerra, Mayor Pro Tem Williamson and Mayor Huber

NAYS: None

ABSENT: None

ABSTAIN: None

Note: If this is a joint meeting of the City Council and Boards of Directors, the applicable entity is identified at the end of each agenda item.

CC – City Council  
WWD – Waterworks District No. 8  
LB – Simi Valley Library Board of Trustees

IDA – Industrial Development Authority  
PFA – Public Financing Authority

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ITEM1C. DECLARATION OF CONFLICT:

Council Member/Director Sojka recused himself from Agenda Item 7C due to a potential conflict of interest as there are several car dealerships that are clients of his business.

1D. SPECIAL PRESENTATIONS/HONORARY RESOLUTIONS/PROCLAMATIONS:

- (1) Mayor Huber presented a Proclamation to Bill Witt, Executive Board Member of the Simi Valley Council on Aging, declaring the month of May as Older Americans Month.
- (2) Mayor Huber presented a Proclamation to Sherry Ruiz, Transit Dispatcher; Patricia Burns, Transit Coach Operator; and Christopher Latham, Transit Supervisor, declaring the week of May 13 through 19, 2012, as Public Transportation Week.
- (3) Mayor Huber presented a Proclamation to Lieutenant Mike King and Officer Tristin Sturz on behalf of the Simi Valley Police Department declaring May 15, 2012, as Peace Officers Memorial Day.
- (4) Mayor Huber presented a Proclamation to Simi Valley Police Officer Steve Jennings for his immediate action in administering CPR, resulting in the successful resuscitation of a young child.
- (5) Mayor Huber presented a Proclamation to Amgad Masih for assisting the Simi Valley Police Department in connection with the 5-Star Jewelry Store robbery.
- (6) Mayor Huber presented Certificates of Appreciation to outgoing Citizens' Election Advisory Commission Members Avery West and Sasan Nikoomanesh.
- (7) Mayor Huber presented a 30-year service award to Community Services Specialist/TARP Coordinator Mary King-Aitchison, Department of Community Services.

1E. YOUTH COUNCIL COMMENTS: Sophie Mateu2A. PUBLIC STATEMENTS:

1. Kelly Kolarek, Simi Valley, CA thanked Council Member Sojka for attending his son's third grade class at Phoenix Ranch School to speak about local government. He presented Council Member Sojka with forty-five thank you letters from the class. He also expressed his support for Agenda Item 7C.

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The following were in support of Agenda Item 7A but did not wish to speak:

1. Nick Esser, Simi Valley, CA
2. Suzanne Botkin, Simi Valley, CA
3. John Harsyn, Simi Valley, CA
  
2. Jessica Shamam, Simi Valley, CA stated she is opposed to the possible closure of the Teen Assistance and Resource Program and remarked that many youth will suffer.
3. Eva Drovin, Simi Valley, CA commented that she is opposed to the possible closure of the Teen Assistance and Resource Program.
4. Luz Martinez, Simi Valley, CA stated that Teen Assistance and Resource Program helps teens that struggle with issues such as substance abuse, and other problems and is opposed to closing the Teen Assistance and Resource Program.
5. Kimberly Harasyn, Simi Valley, CA commented that the crosswalk and sidewalks at Hollow Hills Elementary School could have a possible sewage leak and requested the City Council collect soil and drinking water samples for analysis. (Submitted handout)
6. Gary Goldbloom, Simi Valley, CA requested the City perform sidewalk washing maintenance twice a month, and install French drains where there is runoff.
7. Dawn Gomez, Simi Valley, CA presented a bag of water collected from Hollow Hills and commented that she has installed French drains which helps control the constant running of water. She expressed concerns over the possible presence of E. coli in the water and questioned the City's involvement in solving the problem.
8. John Edmonson, Simi Valley, CA remarked on the City's awareness of the excess water problem and requested the City Council consult with engineering to get the matter corrected. (Submitted handout).
9. Danielle McGrath, Simi Valley, CA addressed the City Council regarding the standing water issues and the effect on her daughter's health during the past year and a half, and requested Council support further testing of the water and soil.
10. Josie Hirsch, Simi Valley, CA extended her personal thanks to Mary King-Aitcheson for her service to the community, and requested the City Council continue to support of the Teen Assistance and Resource Program.
11. Terry Marvin, President of the Rotary Club of Simi Valley, requested the City Council approve Consent Calendar Item 5.

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12. Bill Clark, Simi Valley, CA spoke in support of Agenda Item 7A.
13. Mike Antoun, Simi Valley, CA spoke in opposition to Agenda Item 7A.
14. Marybeth Jacobsen, Government Relations Manager of the Simi Valley Chamber of Commerce, commented that the Chamber put out a survey with regard to Agenda Item 7A, and noted 80% were opposed with one-third of those being bicyclists.
15. Art Jaeger, Simi Valley, CA spoke in opposition to Agenda Item 7A.
16. Richard Mason, Simi Valley, CA spoke in support of Agenda Item 7A.
17. Nan Young, Simi Valley, CA expressed the importance of the Teen Assistance and Resource Program and would like the Council's continued support of the program.

2B. CITY COUNCIL/BOARD MEMBER/SPECIAL DISTRICT COMMENTS REGARDING PUBLIC STATEMENTS:

Mayor Pro Tem Williamson expressed her sorrow when she see's people come before Council to speak, and they don't wait to hear Council's response prior to reaching a conclusion, and remarked that speakers' comments are taken very seriously.

City Manager Sedell remarked the Teen Assistance and Resource Program has not been proposed for elimination at this time.

City Manager Sedell noted that he and Public Works Director Ron Fuchiwaki were requested to attend a meeting held at the Hollow Hills Elementary School on the sidewalk issue and at it was the decision of the school to discuss the issue with residents without City's involvement. Furthermore, he remarked that the City is very concerned about the safety of pedestrians, noted the Hollow Hills sidewalk is routinely washed, and that the City is pursuing other avenues to find a solution to this problem. In addition, City Manager Sedell noted that the City is taking water samples and checking the integrity of the sewer system in order to detect and evaluate any possible water contamination.

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City Manager Sedell commented on the various State and Federal Laws that prevent the City from taking certain measures when dealing with the historical high water table issues and remarked that the City Council would report back on the groundwater problem at such time as new information becomes available.

Council Member Becerra noted he has a similar problem with water in his area, and thanked the residents for bringing these concerns to the City Council's attention.

3. APPOINTMENTS:(1) Appointments to the Citizens' Election Advisory Commission (Behjan) (CC)

ACTION: Council Member Becerra moved to authorize and the Mayor appoint Jay Taylor, Thomas McLean, and David Kern to the CEAC as regular members to terms ending February 28, 2016; and appoint Michael Shires to the CEAC as Alternate No. 1 to a term ending February 28, 2016; Antoinette Mann to the CEAC as Alternate No. 2 to a term ending February 28, 2014; and Wayne Evans to the CEAC as Alternate No. 3 to a term ending February 28, 2014. Council Member Sojka seconded the motion.

## ROLL CALL

AYES: Council Members Judge, Sojka, Becerra, Mayor Pro Tem Williamson and Mayor Huber

NAYS: None

ABSENT: None

ABSTAIN: None

(2) Appointment of City Council Members to conduct returning Youth Council Member interviews (Solomon) (CC)

ACTION: It was the consensus of the City Council to have a subcommittee consisting of Mayor Pro Tem Williamson and Council Member Sojka to conduct returning Youth Council Member interviews. There being no objections, the motion carried through acclamation.

(3) Appointment of City Council Members to conduct Neighborhood Council Executive Board interviews (Solomon) (CC)

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ACTION: It was the consensus of the City Council that Mayor Huber and Council Member Becerra interview applicants for Neighborhood Council #3, and Mayor Pro Tem Williamson and Council Member Judge conduct interviews for Neighborhood Council #1 and #2. There being no objection, the motion carried through acclamation.

4. PUBLIC HEARINGS:4A. A public hearing to consider authorizing the placement of the Draft Managed-Growth Plan on the November 2012 ballot and adoption of a resolution (Lyons) (CC)

The public portion of the hearing was opened at 8:15 p.m. There being no speakers, the public portion of the hearing was closed at 8:16 p.m.

ACTION: Council Member Sojka moved to approve staff's recommendation No. 1; Council Member Becerra seconded the motion.

Resolution No. 2012-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY AUTHORIZING THE PLACEMENT OF THE DRAFT MANAGED-GROWTH PLAN ON THE NOVEMBER 2012 BALLOT

ACTION: Mayor Pro Tem Williamson moved to adopt Resolution No. 2012-25; Council Member Becerra seconded the motion.

## ROLL CALL

AYES: Council Members Judge, Sojka, Becerra, Mayor Pro Tem Williamson and Mayor Huber

NAYS: None

ABSENT: None

ABSTAIN: None

5. CONSENT CALENDAR:(1) Approval of minutes of February 13, 2012 (CC/WWD/IDA)

ACTION: Approved.

(2) Award of contracts and approval of contract amendments for professional engineering services (CC)

ACTION: Contract awarded to Fugro Consultants, Inc. and Lavelle-Marvin, Inc., and approved contract amendment with Twining Laboratories and Dudek.

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- (3) Authorization to solicit bids for traffic signal maintenance services, Specification No. SV 12-19 (CC)

ACTION: Approved.

- (4) Approval of the FY 2012-13 Traffic Signal Construction Program (CC)

ACTION: Approved.

- (5) Approval of request to use the Simi Valley Rail Station parking lot for overflow parking for the 2012 Fourth of July Event (CC)

ACTION: Approved.

ACTION: Mayor Pro Tem/Vice-Chair Williamson moved to approve Consent Calendar Items 1 through 5; Council Member/Director Becerra seconded the motion:

ROLL CALL

AYES: Council Members/Directors Judge, Sojka, Becerra, Mayor Pro Tem/Vice-Chair Williamson, and Mayor/Chair Huber

NAYS: None

ABSENT: None

ABSTAIN: None

6. CONTINUED BUSINESS:

- 6A. Direction to staff regarding a community needs list to be incorporated into the request for proposals for the Community Projects Grant Program (Catania) (CC)

This item was continued to the next meeting to give Under One Roof representatives an opportunity to answer some questions from Council.

It was noted the City Council meeting was recessed at 8:43 p.m. and reconvened with all City Council Members present.

AGENDA  
ITEM7. NEW BUSINESS:

- 7A.
- Request for direction regarding traffic and bicycle lanes along Los Angeles Avenue between Madera Road and Erringer Road (Fuchiwaki) (CC)

ACTION: It was the consensus of City Council to take no action at this time.

- 7B.
- Request for direction on allowing the boarding of horses in the Commercial Recreation (CR) zone as an interim use on vacant property (Lyons) (CC)

ACTION: Council directed staff to move forward with the draft ordinance to be brought back to Council at a later date.

- 7C.
- Request for direction to consider amending the New Vehicle Dealer (NVD) Overlay District to include the used car dealer located at the northeast corner of Tapo and Cochran Streets (Lyons) (CC)

ACTION: It was the consensus of the Council to direct staff to consider possible modifications and/or restrictions amending the New Vehicle Dealers Overlay District and bring this request back to Council.

8. REPORTS:

- 8A.
- City Council/Board Member/Special District Member Reports

Council Member Judge reported that he attended the Simi Valley Blues Festival.

Council Member Judge noted that he attended the American Cancer Society's Bark for Life event.

Council Member Judge stated that he participated in the Task Force on Heroin Prevention meeting.

Council Member Judge commented he attended the Every 15 Minutes Assembly at Simi Valley High School.

Council Member Judge stated he attended Dennis Gillette's retirement event, a City Council Member from Thousand Oaks.

Council Member Judge noted he attended the Junior Olympics at Royal High School.



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Council Member Judge mentioned that he attended the Job and Career Expo for Youth Employment Services.

Council Member Judge advised that he met with a member of the Police Officers' Association to discuss issues dealing with the Police Department.

Council Member Judge reported that he met with Alice Sterling to discuss sustainable issues facing the city.

Council Member Judge stated he took a tour of the community with Planning Commissioner Rice to explore upcoming locations being presented for re-zoning.

Council Member Judge requested City Manager Mike Sedell to advise the Council of plans for upgrading the shooting range for Simi Valley Police Officers.

Council Member Sojka reported he attended the California Association of Councils of Government Assembly.

Council Member Sojka mentioned he attended the Simi Valley Blues Festival.

Council Member Sojka stated he attended Dennis Gillette's retirement event.

Council Member Sojka noted he attended the Assembly Bill 1778 meeting in Sacramento.

Council Member Sojka commented he attended a meeting of the Ventura County Transportation Commission and discussed Metrolink allocations.

Council Member Sojka noted he attended the Leadership Simi Valley Social.

Council Member Becerra reported that he attended the League of California Cities and Leadership Institute meetings in Sacramento.

Council Member Becerra mentioned he attended the re-dedication of the Rancho Simi Softball Complex in honor of Jim Meredith.

Council Member Becerra stated he attended the Cultural Arts Foundation Spotlight Awards.

Council Member Becerra mentioned he attended Dennis Gillette's retirement event.

Council Member Becerra commented he attended the Every 15 Minutes Assembly at Simi Valley High School.

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Council Member Becerra noted he attended the Southern California Association of Governments meeting.

Council Member Becerra stated he attended the Leadership Simi Valley Social.

Council Member Becerra reported that he attended the pre-interview process with the consultant for selecting a new City Attorney.

Council Member Becerra reported that he met with Mike McCaffrey, President of the Chamber of Commerce, and Maggie Kestly to discuss the economic development activities and needs of the business community in Simi Valley.

Council Member Becerra noted he met with Bob Bibb to discuss economic development and property maintenance issues. Council Member Becerra requested a property maintenance brochure be made available to all residents and placed in their water bill.

Council Member Becerra requested staff compile a report on the process of revisiting the possibility of having a movie studio occupy a small portion of the Big Sky property, which would bring many high paying jobs to the community, noting that this proposal was formerly rejected by the Ventura County Board of Supervisors. Council Member Becerra requested staff provide a memo clarifying the issue surrounding the denial of this project and placed in Council boxes for review.

Mayor Pro Tem Williamson reported she attended the Salvation Army Food Drive.

Mayor Pro Tem Williamson mentioned she attended the Cultural Arts Foundation Spotlight Awards.

Mayor Pro Tem Williamson commented that she attended the Simi Valley Blues Festival.

Mayor Pro Tem Williamson reported that she attended the pre-interview process along with the consultant regarding the hiring of a new City Attorney.

Mayor Pro Tem Williamson stated that she attended a meeting at the Chamber of Commerce in reference to the upcoming Street Fair.

Mayor Pro Tem Williamson reported that she attended a wrap-up meeting with the Tree Advisory Board.

Mayor Pro Tem Williamson reported that she attended a meeting with Monica Nolan, Executive

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Director of Animal Services for Camarillo and some residents to discuss recruiting more volunteers for the animal shelter, and reported that she met with City Manager Mike Sedell, Ms. Nolan, and Dr. Novy to discuss animal regulations.

Mayor Huber reported that he attended the Thousand Oaks Community Forum regarding drug issues.

Mayor Huber noted he attended the Superior Physical Medicine Ribbon Cutting event.

Mayor Huber mentioned he attended the Chamber of Commerce Networking breakfast.

Mayor Huber commented he attended the re-dedication of the Rancho Simi Softball Complex in honor of Jim Meredith.

Mayor Huber stated he attended the Cultural Arts Foundation Spotlight Awards.  
Mayor Huber noted he attended the Mr. Electric Ribbon Cutting event.

Mayor Huber stated he represented the City Council at the Emergency Medical Technician graduation ceremony.

Mayor Huber mentioned he attended the Simi Valley Blues Festival.

Mayor Huber stated he attended the Grace Brethren Church Gala at the Ronald Reagan Presidential Library.

Mayor Huber noted he attended the American Cancer Society's Bark for Life event.

Mayor Huber mentioned he attended the Annual Simi Valley Garden Tour.

Mayor Huber stated he attended the Simi Valley Task Force on Heroin meeting.

Mayor Huber stated he attended Dennis Gillette's retirement event.

Mayor Huber mentioned he attended the Every 15 Minutes Assembly at Simi Valley High School.

Mayor Huber reported that he attended the pre-interview process with the consultant regarding the hiring of a new City Attorney.

Mayor Huber stated that he had the privilege of hosting a tour of City facilities for representatives from the Republic of Georgia.

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Mayor Huber mentioned he attended the meetings with Ventura County Animal Control and Dr. Novy to discuss animal regulations.

8B. Intergovernmental Reports: None

8C. Planning Commission Reports: None

9. CLOSED SESSION:

9A. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957:

(1) Public Employee Appointment (CC)

Title: City Attorney

9B. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a):

(1) Conference with Legal Counsel - Existing Litigation (CC)

SEIU Local 721, et al. v. City of Simi Valley  
Ventura County Superior Court  
Case No. 56-2012-00410606-CU-WM-VTA

(2) Conference with Legal Counsel – Existing Litigation (CC)

Colich Construction, LP, et al. v. City of Simi Valley, et al.  
LASC Central District Case No. BC453390

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ITEM(3) Conference with Legal Counsel – Existing Litigation (CC)

Mundell v. City of Simi Valley  
Ventura County Superior Court  
Case No. 56-2010-00371739-CU-CR-SIM, and  
United States District Court  
Case No. CV11-00174 GAF (JCGx)

9C. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c)(1) Conference with Legal Counsel – Initiation of Litigation (CC)

One Case pursuant to subdivision (c) of Section 54956.9

10. PUBLIC REPORT OF ACTION TAKEN PURSUANT TO GOVERNMENT CODE SECTION 54957.1:

Interim City Attorney Marjorie Baxter stated there was no reportable action from the Closed Session.

ADJOURNMENT: Mayor/Chair Huber adjourned the meeting in memory of Staff Sgt. Andrew Britton-Mihalo at 11:59 p.m. to the meeting of May 14, 2012 at 6:30 p.m. There being no objections, the motion carried through acclamation.

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Robert O. Huber, Mayor of the City of Simi Valley, California, and Chair of the Ventura County Waterworks District No. 8 and Simi Valley Industrial Development Authority, and President of the Simi Valley Library Board of Trustees

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Ky Spangler, Assistant City Clerk/  
District Secretary/Board Secretary