

**MINUTES OF THE CITY COUNCIL
VENTURA COUNTY WATERWORKS DISTRICT NO. 8**

Simi Valley, California

September 27, 2021

CALLED TO ORDER: 6:00 p.m. (CLOSED SESSION)

ROLL CALL: Present: Council Members/Director Litster, Luevanos, Judge, Mayor Pro Tem/Vice Chair Cavanaugh and Mayor/Chair Mashburn

Remote: None

Absent: None

a. **PUBLIC STATEMENTS: Having no public statements, the City Council adjourned to Closed Session at 6:01 p.m.**

b. **CLOSED SESSION:**

(1) **Conference with Labor Negotiator (CC)
Pursuant to Government Code Section 54957.6(a)**

City's Designated Representative: Samantha Argabrite, Deputy City Manager

Employee Organization: Simi Valley Police Managers Association

CALLED TO ORDER: 6:30 p.m. (OPEN SESSION)

CLOSED SESSION REPORTS: Interim City Attorney Caceres stated there was no reportable action as a result of the Closed Session meeting held on September 27, 2021 at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Led by Sean Gibson

ROLL CALL: Present: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice Chair Cavanaugh and Mayor/Chair Mashburn

Remote: None

Absent: 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
IDA – Industrial Development Authority
PFFA – Simi Valley Public Facilities Financing Authority**

**PFA – Public Financing Authority
SA – Successor Agency
LB – Simi Valley Library Board of Trustees**

Materials related to an item on this Agenda submitted to the CC, WWD, IDA, PFFA, PFA, SA, and/or LB after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 2929 Tapo Canyon Road, Simi Valley, CA during normal business hours.

1. AGENDA REVIEW: City Manager Gabler stated that there is a Supplemental for Agenda Item 7C.

1A. ACTION: Council Member/Director Litster moved that all resolutions and ordinances presented tonight be read in title only and all further reading be waived. Council Member/Director Luevanos seconded the motion. (CC/WWD)

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice-Chair Pro Tem Cavanaugh and Mayor/Chair Mashburn

NAYS: None

ABSENT: None

ABSTAIN: None

1B. It is the policy of the City Council that upon reaching 11:30 p.m., the City Council will not address any new agenda items. Should the City Council continue to address an in-progress agenda item past 12:00 midnight, the following motion is in order.

MOTION: Move that the City Council meeting tonight may extend beyond the midnight deadline to conclude the agenda (Section 2-1.106 SVMC).

1C. DECLARATION OF CONFLICT: None

1D. CERTIFICATES/HONORARY RESOLUTIONS/PROCLAMATIONS:

(1) A proclamation declaring the month of October 2021 as Stop Bullying Month (CC)

Community Services Coordinator Kristin Tignac read the proclamation declaring the month of October 2021 as Stop Bullying Month.

2. PUBLIC STATEMENTS ON APPOINTMENTS, SPECIAL PRESENTATIONS AND INFORMATIONAL REPORTS: None

3. APPOINTMENTS/SPECIAL PRESENTATIONS AND INFORMATIONAL REPORTS:

3A. APPOINTMENTS:

(1) Appointment of two Youth Council members (CC)

ACTION: Council Member/Director Luevanos moved to approve, and the Mayor appoint, Michelle Sanchez and Gracie Kim to the Simi Valley Youth Council as the Apollo High School and Hillside Middle School representatives to serve the remainder

of the unexpired one-year term on the Simi Valley Youth Council, commencing on September 28, 2021, and concluding on June 30, 2022. Mayor Pro Tem/Vice-Chair Cavanaugh seconded the motion.

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice-Chair Cavanaugh and Mayor/Chair Mashburn
NAYS: None
ABSENT: None
ABSTAIN: None

3B. SPECIAL PRESENTATIONS: None

3C. INFORMATIONAL REPORTS:

(1) Youth Council informational report (CC)

Rahul Naveen provided an informational report on behalf of the Youth Council.

4. PUBLIC HEARINGS:

6:50 P.M. TIME SPECIFIC AGENDA ITEM 4A (Per Election Code Section 21627.1)

4A. First public hearing on the redistricting process and to receive input from the public for the redrawing of election district boundaries (Blanco/Caceres) (CC)

Mayor Mashburn opened the public hearing at 6:50 p.m. There being no public testimony Mayor Mashburn closed the public hearing at 7:18 p.m.

ACTION: It was by consensus of the City Council to receive and file the report.

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice-Chair Cavanaugh and Mayor/Chair Mashburn
NAYS: None
ABSENT: None
ABSTAIN: None

- 4B. A public hearing to consider City-initiated Simi Valley Municipal Code amendments (Z-S-2021-0006) to revise portions of Title 9 to establish regulations for outdoor dining standards for restaurants pertaining to setbacks, landscaping and parking requirements, a determination that the amendments are exempt from the California Environmental Quality Act; introduction of an ordinance, and adoption of a resolution (Perros) (CC)

Ordinance No. 1327 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY FOR Z-S-2021-0006 AMENDING PORTIONS OF TITLE 9 OF THE SIMI VALLEY MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR OUTDOOR DINING STANDARDS FOR RESTAURANTS, AND A DETERMINATION THAT THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Resolution No. – 2021-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY APPROVING THE OUTDOOR DINING DESIGN GUIDELINES

Mayor Mashburn opened the public hearing at 7:22 p.m. There being no public testimony Mayor Mashburn closed the public hearing at 7:49 p.m.

ACTION: Mayor Pro Tem/Vice-Chair Cavanaugh moved to introduce Ordinance No. 1327 approving Zone Text Amendment Z-S-2021-0006 to amend portions of Title 9 of the Simi Valley Municipal Code related to regulations for outdoor dining standards for restaurants, a determination that the amendments are exempt from the California Environmental Quality Act; and adopt Resolution No. 2021-36 regarding the Outdoor Dining Design Guidelines, as amended, correcting Exhibit 1, Part 5, Zone Clearance from 250 feet to 50 ft. Council Member/Director Luevanos seconded the motion.

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice-Chair Cavanaugh and Mayor/Chair Mashburn
NAYS: None
ABSENT: None
ABSTAIN: None

- 4C. A public hearing to consider City-initiated Simi Valley Municipal Code amendments (Z-S-745) to revise portions of Title 9, amendments to the West End Specific Plan [SP-S-7, Amendment No. 29 (SP-S-2021-0001)], and Brandeis-Bardin Institute Specific Plan [SP-S-9, Amendment No. 7 (SP-S-2021-0002)], to modify regulations for operating alcoholic beverage manufacturing facilities (breweries, microbreweries, wineries, and distilleries); a determination that the amendments are exempt from the California Environmental Quality Act (CEQA), and introduction of an ordinance (Perros) (CC)

Ordinance No. 1328 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY FOR Z-S-745, AMENDING PORTIONS OF TITLE 9 OF THE SIMI VALLEY MUNICIPAL CODE; AND AMENDMENTS TO THE WEST END SPECIFIC PLAN [SP-S-7, AMENDMENT NO. 29 (SP-S-2021-0001)] AND BRANDEIS-BARDIN INSTITUTE SPECIFIC PLAN [SP-S-9, AMENDMENT NO. 7 (SP-S-2021-0002)], TO MODIFY REGULATIONS FOR OPERATING ALCOHOLIC BEVERAGE MANUFACTURING FACILITIES (BREWERIES, MICROBREWERIES, WINERIES, AND DISTILLERIES) AND TO PROVIDE OPTIONS FOR ON-SITE TASTING AND RETAIL SALES; AND A DETERMINATION THAT THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Mayor Mashburn opened the public hearing at 7:52 p.m. There being no public testimony Mayor Mashburn closed the public hearing at 8:35 p.m.

ACTION: Council Member/Director Luevanos moved to introduce Ordinance No. 1328 approving Zone Text Amendment Z-S-750 to amend portions of Title 9 of the Simi Valley Municipal Code and amendments to the West End Specific Plan [SP-S-7, Amendment No. 29 (SP-S-2021-0001)] and the Brandies-Bardin Institute Specific Plan [SP-S-9, Amendment No. 7 (SP-S2021-0002)], to modify regulations for operating alcoholic beverage manufacturing facilities (breweries, microbreweries, wineries, and distilleries), with a modified parking requirement to not require additional parking if the outdoor tasting/eating area for alcoholic beverage manufacturing facilities does not exceed 50 percent of the gross floor area of the tasting area, and determining that the amendments are exempt from the California Environmental Quality Act, and as amended to remove the required license types from the State Alcoholic Beverage Control from the definition for Drinking Places. Council Member/Director Judge seconded the motion.

ROLL CALL

AYES: Council Members/Directors Luevanos, Judge, Mayor Pro Tem/Vice-Chair Cavanaugh and Mayor/Chair Mashburn

NAYS: Council Member/Director Litster

ABSENT: None

ABSTAIN: None

5. PUBLIC STATEMENTS ON ALL ITEMS OTHER THAN PUBLIC HEARINGS, APPOINTMENTS AND INFORMATIONAL REPORTS:

Public statements by Zoom speakers:

1. Suzanne Thuotte, Simi Valley, CA, spoke in support of Items 7A, 7B, & 7C.
2. Rocky Rhodes, Simi Valley, CA, spoke in support of Item 7B.
3. Evelyn Gatewood, Simi Valley, CA, spoke in support of Items 7A, 7B & 7C.
4. Mo Saleem, Simi Valley, CA, had questions regarding the MOA for Item 7B.

5A. CITY COUNCIL/BOARD MEMBER/SPECIAL DISTRICT COMMENTS REGARDING PUBLIC STATEMENTS:

Council Member Luevanos thanked all the residents who spoke this evening and she expressed her appreciation to the residents who spoke out on valuing all the City's employees equally.

Mayor Mashburn thanked the speakers and appreciated their comments.

Council Member Litster thanked the speakers and appreciated their participation.

6. CONSENT CALENDAR:

Council Member pulled Consent Item 2 for questions.

- (1) Approval of the Monthly Investment Report for the month ended August 31, 2021 (Toney) (CC)

ACTION: Received and filed.

- (2) Authorize acceptance of \$116,350.45 in supplemental funding with an amended project period from the U.S. Small Business Administration's Office of Disaster Assistance Shuttered Venues Operators Grant Program for the Cultural Arts Center; authorize the City Manager or designee to sign all grant related documents; and approve a Supplemental Budget Request of \$116,350.45 in Fund 295 (Swan) (CC)

ACTION: Approved request.

- (3) Award of contract to Vulcan Materials Company for the purchase of hot asphalt and asphalt products (Fuchiwaki) (CC/WWD)

ACTION: Awarded contract to Vulcan Materials Company.

ACTION: Mayor Pro Tem/Vice-Chair Cavanaugh moved to approve Consent Calendar Items 1 through 3. Council Member/Director Judge seconded the motion.

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice-Chair, and Mayor/Chair

NAYS: None

ABSENT: None

ABSTAIN: None

7. CONTINUED BUSINESS:

7A. Approval the Memorandum of Agreement with the Service Employees International Union (SEIU), Local 721 and adoption of a resolution (Argabrite0 (CC)

Resolution No. 2021.37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY AMENDING AND RESTATING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF SIMI VALLEY AND THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721, AND RESCINDING RESOLUTION 2019-44, AND ALL PREVIOUS RESOLUTIONS TO THE EXTENT THAT THEY ARE IN CONFLICT HEREWITH

ACTION: Council Member/Director Judge moved to adopt Resolution No. 2021-37 approving the Memorandum of Agreement (MOA) with General Unit employees represented by the Service Employees International Union, Local 721 (SEIU, Local 721) as presented. Council Member/Director Luevanos seconded the motion:

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice Chair Cavanaugh and Mayor/Chair Mashburn
NAYS: None
ABSENT: None
ABSTAIN: None

7B. Approval of the Memorandum of Understanding with the Simi Valley Police Officer's Association and adoption of a resolution (Argabrite) (CC)

Resolution No. 2021-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SIMI VALLEY AND THE SIMI VALLEY POLICE OFFICERS' ASSOCIATION AND RESCINDING RESOLUTION 2017-35, AND ALL PREVIOUS RESOLUTIONS TO THE EXTENT THAT THEY ARE IN CONFLICT HEREWITH

ACTION: Council Member/Director Litster moved to adopt Resolution No. 2021-38 approving revisions to the current Memorandum of Understanding (MOU) with the Simi Valley Police Officers' Association (SVPOA) employees. Council Member/Director Judge seconded the motion:

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice Chair Cavanaugh and Mayor/Chair Mashburn
NAYS: None
ABSENT: None
ABSTAIN: None

7C. Adoption of a resolution revising the terms and conditions of employment for Management-designated employees (Argabrite) (CC)

Resolution No. 2021-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR MANAGEMENT-DESIGNATED EMPLOYEES, AND REPEALING RESOLUTION NO. 2020-46 AND PREVIOUS RESOLUTIONS TO THE EXTENT THAT THEY ARE IN CONFLICT HEREWITH

ACTION: Mayor Pro Tem/Vice-Chair Cavanaugh moved to adopt Resolution No. 2021-39 approving revisions to the terms and conditions of employment for Management-designated employees. Mayor/Vice-Chair Mashburn seconded the motion:

ROLL CALL

AYES: Council Members/Directors Litster, Luevanos, Judge, Mayor Pro Tem/Vice Chair Cavanaugh and Mayor/Chair Mashburn
NAYS: None
ABSENT: None
ABSTAIN: None

8. NEW BUSINESS: None

9. REPORTS:

9A. City Council/Board Member/Trustees/Special District Member Reports:

Council Member Luevanos stated she was not able to attend events and meetings due to scheduling conflicts.

Council Member Litster reported she attended the Economic Development Committee (EDC), the Simi Valley Arts Commission meeting, and Neighborhood Council #3 meeting. She also stated she attended the Personal Protective Equipment drive –thru that was supported by the Chamber of Commerce and other partners. Council Member Litster participated in Neighborhood Council's #1 and #3 interviews, she

attended the Youth Council meeting, and stopped by the Wellness Expo held outside of City Hall. She noted she appreciated attending the Soroptimist fund raiser and participated in the Area Housing Authority (AHA) interviews.

Council Member Judge mentioned he attended the Council on Aging (COA) meeting. He reported his attendance at several ad-hoc meetings for Ventura County Transportation Commission (VCTC) to select a new General Manager. He participated in the Soroptimist fund raiser and the Area Housing Authority (AHA) interviews.

Mayor Pro Tem Cavanaugh reported she led the Mental Health Forum that the City held and attended the Economic Development Committee Board meeting. She also mentioned that she was on a Zoom call with Sarah King of The Kingdom Rescue Inc. She attended the Economic Development Collaborative (EDC) and the Neighborhood Council's #1 and #3 interviews. She reported she was the speaker at Women In Networking (WIN) luncheon, and attended the Soroptimist fund raiser. Mayor Pro Tem Cavanaugh also mentioned that she was contacted by a local high school student regarding possible grants for a food bank.

Mayor Mashburn spoke about the Toys for Tots event taking place on December 11, 2021. He stated he has met with several businesses in the area.

9B. City Council/Board Member/Special District Member Requests for Future City Council Agenda Items:

Council Member Luevanos requested that the Council consider a discussion regarding removal of office or censuring Council Members with more than three unexcused absences. Council Member Litster seconded the motion.

Council Member Litster requested that City staff write a letter to Golden State Water asking that they use the 2019 levels as their base point for water conservation measurement. Council Member Luevanos seconded the motion. City Manager Gabler stated that a discussion on water issues will be on the agenda for the next City Council Meeting of October 11, 2021.

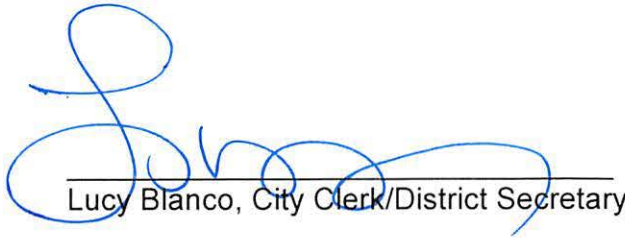
Council Member Litster asked for a follow up on reviewing the City Code that states that no more than five employees are allowed when food production is performed in commercial spaces. City Manager Gabler stated the City will review the matter.

Council Member Litster requested an item to discuss changing the limit of industrial retail sales from 20% to 40% for other businesses as well as microbreweries. Council Member Luevanos seconded the motion.

ADJOURNMENT: Mayor/Chair Mashburn adjourned the meeting at 9:43 p.m. in the memory of Ari Larson, Council Member City of Fillmore and Carrol Hoiness, Ventura County Fire Department, to the meeting of October 11, 2021 at 6:30 p.m. There being no objections, the motion carried through acclamation.



Keith L. Mashburn, Mayor of the City of Simi Valley, California, Chair of the Ventura County Waterworks District No. 8,



Lucy Blanco, City Clerk/District Secretary