



## CITY OF OJAI

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December 3, 2012

Ronald L. Cameron  
Grand Jury Review Committee  
800 S. Victoria Avenue  
Ventura, CA 93009

Dear Mr. Cameron,

Per your request, the City of Ojai's response, which we previously transmitted on March 20, 2012, to the Grand Jury report entitled Vehicle Impound Fees in Ventura County are in closed.

Sincerely,

Robert Clark  
City Manager

RECEIVED

DEC 6 - 2012

VENTURA COUNTY  
GRAND JURY

Response to Grand Jury Report Form

Report Title: Vehicle Impound Fees

Report Date: 3/16/12

Response by: Robert Clark Title: Ojai City Manager

FINDINGS

- I (we) agree with the findings numbered: all findings
- I (we) disagree wholly or partially with the findings numbered: \_\_\_\_\_  
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered 01, 02, 04, 05, 06 have been implemented.  
(Attach a summary describing the implemented actions.) *These recommendations are beyond the control of the City of Ojai*
- Recommendations numbered 03 have not yet been implemented, but will be implemented in the future.  
(Attach a timeframe for the implementation.) *Ojai will implement this when recommendation 02 is implemented.*
- Recommendations numbered \_\_\_\_\_ require further analysis.  
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Attach an explanation.)

Date: 3/20/12 Signed: 

Number of pages attached 0

**MINUTES  
OJAI CITY COUNCIL  
APRIL 24, 2012**

Mayor pro tem Blatz called the regular meeting of the Ojai City Council to order on Tuesday, April 24, 2012 at 7:00 p.m. in the Council Chambers of Ojai City Hall, 401 S. Ventura St., Ojai, California.

**ROLL CALL**

On the call of the roll the following Council Members reported present: Paul Blatz, Sue Horgan, Carol Smith and Carlon Strobel. Also present were: City Manager Robert Clark, Assistant City Attorney Scott Howard, Ojai Police Chief Dave Kenney, City Engineer/Public Works Director Greg Grant, Community Development Director Rob Mullane, Finance Director Susie Mears and City Clerk Rhonda Basore.

**ABSENCES** – Excused Absence: Mayor Betsy Clapp

**PLEDGE OF ALLEGIANCE** – Council Member Smith led the pledge.

**PRESENTATIONS** - None

**PUBLIC COMMUNICATIONS**

Lucas Thayer, Occupy Ojai, voiced his opinions on Human Rights.

Julie Tumamait-Stenslie, Ojai, asked for a Temporary Use Permit fee waiver for a Spiritual Collective Art Festival to be held on July 21 in Ojai.

Suza Francina and Gayle Bertsch, Ojai, voiced their opinions on the dog shooting in Meiner Oaks.

Audra Lucas, Occupy Ventura, thanked the City Council for adopting the Corporate Personhood Resolution.

Kitty Winn, Ojai, stated she did not like the complaint process to report a code enforcement issue. She felt it was unfair to pit neighbor against neighbor.

Dale Hanson, Ojai, asked the City Council to consider passing an ordinance making it mandatory that all pit bull dogs need to be spayed or neutered.

**ACTION:**

**A majority of the City Council directed staff to prepare an ordinance making it mandatory that all pit bull dogs need to be spayed or neutered for review at a future meeting date.**

**CONSENT CALENDAR (Items 1a –1g)**

1. a) Warrants for March 29 – April 12, 2012 in the amount of \$209,723.76.  
ACTION: Authorized payment.

- b) Treasurer's Monthly Report of Investments for the City of Ojai and the Redevelopment Successor Agency.  
ACTION: Received and filed.
- c) Minutes of the Special City Council and Planning Commission Joint Meeting of April 3, 2012.  
ACTION: Approved as submitted.
- d) Minutes of the Regular City Council Meeting of April 10, 2012.  
ACTION: Approved as submitted.
- e) 2011 Annual Audited Financial Statements, Management Report and Auditor's Communication Letter for the City of Ojai  
ACTION: Received and filed the 2011 Annual Audited Financial Statements for the City of Ojai and the Management Report and Auditor's Communication Letter for the City of Ojai.
- f) Award Audit Contract for the Fiscal Year 2011-12 with the option of auditing two (2) subsequent years thereafter  
ACTIONS:
  - 1) Awarded the audit contract for the Fiscal Year 2011-12 with the option of auditing two (2) subsequent years thereafter to Moss, Levy & Hartzheim, Certified Public Accountants; and
  - 2) Authorized the City Manager to execute the Consulting Service Agreement between the City of Ojai and Moss, Levy & Hartzheim, Certified Public Accountants.
- g) Grand Jury Report  
ACTION: Confirmed the City Manager's response to the Grand Jury regarding vehicle impound fees in Ventura County.
- h) Receive Former Ojai Redevelopment Agency Assets  
ACTION: Adopted Resolution No. 12-14 to receive the former Redevelopment Agency (RDA) assets from the Successor Agency.

**MOTION:**

It was moved by Council Member Horgan, seconded by Council Member Smith to approve Consent Calendar Items 1a through 1h as submitted. On roll call the vote was:

AYES: Blatz, Horgan, Smith, Strobel  
NOES: None  
ABSENT: Clapp  
ABSTAIN: None

**PUBLIC HEARINGS**

- 2. Design Review Permit (DRP 11-10), Tentative Tract Map (TTM 11-01) and Tree Permit (T 11-30) for a 30-Unit Condominium Project at 412 Mallory Way

Council Member Horgan indicated she would be recusing herself due to a conflict of interest and left the room.

Community Development Director Robert Mullane presented the administrative report.

Mayor pro tem Blatz declared the public hearing open.

Sheri Ann Cate, Ojai, voiced her concerns regarding the number of parking spaces for the development, increased traffic flow, the existing streets potholes and no bike lanes.

Julie Tumamait-Stenslie, Ojai, asked if staff had reviewed the archaeological survey that was done for the area.

Suza Francina, Ojai, stated the area has a lot of ecological habitats that need to be preserved when developing.

Community Development Director Robert Mullane said an Environmental Impact Report has been prepared and he will provide more information at the May 22 public hearing meeting.

**MOTION:**

**It was moved by Council Member Smith, seconded by Council Member Strobel to continue the public hearing to May 22, 2012. On roll call the vote was:**

**AYES: Blatz, Smith, Strobel**

**NOES: None**

**ABSENT: Clapp**

**ABSTAIN: Horgan (recused)**

Council Member Horgan returned to the meeting and was again present.

**INFORMATIONAL ITEMS**

**3. Workplan Status Report**

City Manager Robert Clark presented the administrative report.

There was no one wishing to speak on this item.

**Mayor pro tem Blatz indicated this item was informational only and no action was required.**

**DISCUSSION ITEMS**

**4. Smart Meters Installation Survey**

City Manager Robert Clark presented the administrative report.

The following speakers voiced their opinion on the Smart Meters and asked the City Council to place an immediate ban or moratorium on the installation and use of Smart Meters.

James Joseph  
Nancy Greenfield  
Bruce Garber  
Patty Pagaling  
Sholom Joshua  
Eva Haller

Nilufer Torun  
Rae Amey  
Geoff Wardle  
Barbara Bowman  
Julie Tumamait-Stenslie  
Vicki Cohen

Cassandra Pierson  
Marleen Luckman  
Mary Jo Healy  
Valerie Mintz  
Sasma Leiterman  
Kathy Speer

Sue Williamson  
Catherine Comp

Kevin Schmidt  
Nylan Partorier

Joseph Gilbert  
Jeff Wordell

Council Member Smith said the ultimate goal of the electric company is to make money for its share holders. She supported passing an ordinance but encouraged the residents to take a stand and participate in protests against Smart Meter installations.

Council Member Strobel asked how many rate payers there were in Ojai and the percentage that have requested to be put on the delay list. She encouraged the residents to contact the Governor and to file a Notice of No Consent to Trespass and Surveillance/Notice of Liability with Southern California Edison.

Mayor pro tem Blatz said it is the duty of the City to protect the health and safety of its residents. He supported directing staff to prepare an ordinance for review but also encouraged residents to do their part by getting on the delay list, participating in protests and/or contacting their legislators.

Council Member Horgan commented she did not see any advantages to having a Smart Meter installed. She felt people should have a choice as to whether or not they wanted a Smart Meter before the meters are automatically installed. She supported directing staff to prepare an ordinance for the City Council's review.

**ACTION:**

**The City Council directed staff to prepare an ordinance for review. The ordinance should have language that permanently bans the installation of Smart Meters. They asked staff to find out how many Smart Meters have been installed and whether or not they are operating.**

**5. Arcade Plaza Maintenance Assessment District Engineer's Report for FY 2012/13**

Public Works Director/City Engineer Greg Grant presented the administrative report. He indicated the resolution in the packet had the wrong public hearing date listed. He stated the public hearing date is June 12, 2012.

There was no one wishing to speak on this item.

**MOTION:**

**It was moved by Council Member Horgan, seconded by Council Member Smith to adopted Resolution No. 12-15, approving the Engineer's Report for the Plaza Maintenance District; 2) declared Council's intent to levy and collect assessments for the Plaza Maintenance Assessment District for FY 2012/13 with an increase; and 3) setting June 12, 2012 at 7 p.m. for a Public Hearing to receive ballots and public comment relative to the setting of assessments. On roll call the vote was:**

**AYES: Blatz, Horgan, Smith, Strobel**

**NOES: None**

**ABSENT: Clapp**

**ABSTAIN: None**

The regular meeting of the City Council recessed at 9:46 p.m. and the regular Ojai Redevelopment Successor Agency meeting convened.

**OJAI REDEVELOPMENT AGENCY SUCCESSOR AGENCY (RDSA)**

**CONSENT CALENDAR (Items 6a – 6c)**

6. a) Warrants for March 29 through April 12, 2012 in the amount of \$3,723.05.  
ACTION: Authorized payment.
- b) Minutes of the RDSA regular meeting of April 10, 2012.  
ACTION: Approved as submitted.
- c) Transfer of Former Ojai Redevelopment Agency Assets to the City of Ojai  
ACTION: Adopted Resolution No. RDSA 12-06 as revised to transfer the former Redevelopment Agency (RDA) assets from the Agency. (Executive Director Robert Clark stated a new resolution had been placed before the Board for adoption. The resolution in the packet had the word "receive" instead of "transfer".)

**MOTION:**

**It was moved by Board Member Horgan, seconded by Board Member Strobel to approve Consent Calendar Items 6a and 6b as submitted and 6c as revised. On roll call the vote was:**

**AYES: Blatz, Horgan, Smith, Strobel**  
**NOES: None**  
**ABSENT: Clapp**  
**ABSTAIN: None**

The regular meeting of the RDSA adjourned at 9:47 p.m. and the regular City Council meeting re-convened.

**REPORTS FROM COUNCIL MEMBERS**

Council Member Smith announced the Methodist Church will be having a "Midnight in Paris" event on May 5 and 6.

Council Member Horgan announced the 112<sup>th</sup> annual tennis tournament will be April 26 through April 29.

Council Member Strobel stated the City Clerk will have an example of the Notice of No Consent to Trespass and Surveillance letter for those wishing to send one to Southern California Edison, refusing them entry onto their property. She asked about the construction of the bus shelter at the "Y".

Mayor pro tem Blatz reported he attended the Board of Supervisors meeting where he accepted the Climate Change award and presented a proclamation at the Ojai Rotary meeting to "Living Treasures".

**ORAL REPORT(S) FROM CITY MANAGER**

City Manager Robert Clark reported he attended the Southern California Association of Governments meeting to discuss the RHNA numbers.

Public Works Director/City Engineer Greg Grant reported more grant money has been received which will allow the construction of two bus shelters at the Y intersection. The review process is underway. He also stated there is going to be a community meeting regarding the extended

routes of Gold Coast Transit on April 25 at 4:00 p.m. at city hall.

Police Chief Kenney reported on the Citizens Academy graduation and Emergency Operations Center table top exercise held this week.

**CLOSED SESSION**

Conference with Legal Counsel - Potential Litigation (Per Government Code Section 54967(c) – Two (2) Potential Cases to be discussed.

Conference with Legal Counsel - Anticipated Litigation (Per Government Code Section 54956.9(c) - One (1) Case to be discussed.

**Mayor pro tem Blatz left the meeting at 10:35 p.m.**

**After meeting in Closed Session, Council Member Smith announced no action was taken.**

**ADJOURNMENT**

The meeting adjourned at 10:48 p.m.

Respectfully submitted:



Rhonda K. Basore, City Clerk

Approved by:



Paul Blatz, Mayor pro tem