

### **CALL TO ORDER**

Mayor Luna called the meeting to order at 6:30 p.m. Reverend Ron Dybvig offered the invocation, and Councilmember Aguirre led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Richard C. Cook, Councilmember John T. Procter, and Mayor Ray C. Luna responded to roll call. City Manager Wally Bobkiewicz, City Attorney Phillip H. Romney, City Clerk Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

### **INSTALLATION OF COUNCILMEMBER MARY ANN KRAUSE**

City Clerk Steven J. Salas administered the Oath of Office to newly elected Councilmember Mary Ann Krause. Councilmember Krause took her seat at the dais and spoke regarding her goals as a Councilmember. She mentioned that during her campaign, the public expressed their desire for new leadership, cease the backbiting and retaliation amongst Councilmembers, and fix downtown and surrounding areas. She asked the City Council to ask the City Manager to undertake an aggressive business retention and business expansion program, initially focused in the downtown. She further stated the need to pursue rehabilitating downtown storefronts, building housing in the downtown area, encouraging tourism, and supporting existing merchants. She added that there is a need for community vision to assist youth and their families, apply for grants, provide funding to rehabilitate rental housing, and incorporate affordable housing in new residential and commercial projects. She further encouraged leadership in the community to broaden citizen participation, and stated that she looks forward to deepening relationships with the community and fellow Councilmembers.

### **ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Richard C. Cook, Councilmember Mary Ann Krause, Councilmember John T. Procter, and Mayor Ray C. Luna responded to roll call.

### **PUBLIC COMMENT**

Jill Dolan, 100 E. Main Street, representing the Ventura County Museum of History and Art, thanked the residents of Santa Paula who have supported the museum, and noted that the museum received a grant from the Institute of Museum and Library Sciences in the amount of \$112,000. She further provided a history of the museum, noted the services it provides, and encouraged everyone to visit the museum.

Jess Victoria, representing Citizens for Accountable Government, congratulated the new Councilmembers for their hard effort, and congratulated Councilmember Cook on his reelection. He further welcomed City Manager Wally Bobkiewicz and Finance Director Alvertina Rivera to the City. He addressed his expectations for the City Council when making their upcoming decisions in order to have a productive City Council and a productive City.

### **ELECTION OF MAYOR AND VICE MAYOR**

#### A. Review the Procedure for Election of Mayor and Vice Mayor

City Clerk Steven J. Salas reviewed City Manager Wally Bobkiewicz's report dated November 27, 2002.

#### B. Selection Process for the Mayor of the City of Santa Paula

City Clerk Steven J. Salas opened the nominations for Mayor of the City of Santa Paula.

It was moved by Councilmember Cook to nominate John T. Procter as Mayor.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to close the nominations for Mayor. Under roll call vote, all were in favor, and the motion carried.

Under roll call vote to nominate John T. Procter as Mayor, all were in favor, and the motion carried.

Outgoing Mayor Luna presented the gavel to Mayor Procter.

#### C. Selection Process for the Vice Mayor

Mayor Procter opened the nominations for Vice Mayor of the City of Santa Paula.

It was moved by Councilmember Krause to nominate Gabino Aguirre as Vice Mayor.

It was moved by Councilmember Luna, seconded by Councilmember Krause, to close the nominations for Vice Mayor. Under roll call vote, all were in favor, and the motion carried.

Under roll call vote to nominate Gabino Aguirre as Vice Mayor, all were in favor, and the motion carried.

Mayor Procter welcomed and thanked the City Council, City Attorney Phillip H. Romney, City Clerk Steven J. Salas, and Deputy City Clerk Josie G. Herrera. He further introduced the new Councilmembers, Gabino Aguirre and Mary Ann Krause, and City Manager Wally Bobkiewicz.

Councilmember Cook gave a brief statement on his goals for the next four years.

Vice Mayor Aguirre commented that Santa Paula is faced with many challenges, which will create great opportunities, and that Santa Paula will be the shining example of what a well-planned City will be.

Councilmember Luna thanked Mayor Procter for his support, Councilmember Cook for his advice and direction, former Councilmembers Donald L. Johnson and Laura Flores Espinosa, City staff, City Manager Wally Bobkiewicz, and Deputy City Clerk Josie G. Herrera. He further thanked his family for their support during his term as Mayor.

Councilmember Krause stated that she is looking forward to working with the City Council, and that she believes the City has a great four years ahead.

Mayor Procter thanked his supporters and his family, and gave special thanks to his companion, Linda Livingston. He commented that he is looking forward to working with the new City Council, and that he sees his mayoral duty as being the gatekeeper for parliamentary procedures. He further stated that it is his intent that all Councilmembers and members of the public will be recognized fairly and equally, and requested that any concerns are brought to his attention.

### **RECESS TO A BREAK**

The City Council recessed to a break at 7:09 p.m.

### **RECONVENE TO REGULAR MEETING**

The City Council reconvened at 7:16 p.m.

City Clerk Steven J. Salas departed from the City Council Meeting due to illness.

### **PRESENTATIONS**

#### **A. Presentation of City tile to Assemblymember Tony Strickland**

Assemblymember Strickland was unable to attend the meeting, and the presentation of the City tile was postponed.

B. Recognition of Santa Paula Union High School Winners of the Geography Bowl

Councilmember Luna presented a proclamation to Don Thomas, Edward Robles, and Jackie Paredes in recognition of Santa Paula High School Winners of the GeoBowl. Mr. Thomas, an instructor at the high school, commented on the hard work and effort by the students in preparation for the GeoBowl.

C. Christmas Tree Recycling Program Poster Contest Winners

Public Works Superintendent Anthony Emmert announced the winners of the Christmas Tree Recycling Program Poster Contest: Jocelyn Sotelo, First Place from Santa Paula High School; Rosalinda Sanchez, Honorable Mention from Santa Paula High School; Katie Mensing, First Place from Isbell School; and Gena Finley, Honorable Mention from Isbell School. The students present were Rosalinda Sanchez, Katie Mensing, Gena Finley, and instructor Maryann Romero. The first place winners were awarded \$50 gift certificates, and the Honorable Mention winners were awarded \$25 gift certificates. Mr. Emmert noted that the winning posters would be displayed on the refuse vehicles to advertise the Christmas Tree Recycling Program.

D. Presentation of Award from the Pacific View Community Parade

City Manager Wally Bobkiewicz presented the First Place Award for Antique Automobiles from the Pacific View Community Parade. Museum Administrator Mike Nelson introduced Museum Docent Eric Noell, who drove and decorated the truck for the parade.

**CONSENT CALENDAR**

Vice Mayor Aguirre pulled Items D and E. Councilmember Cook pulled Item L. City Manager Wally Bobkiewicz pulled Items F and P. It was moved by Councilmember Cook, seconded by Vice Mayor Aguirre, to waive the reading of Ordinances and Resolutions appearing on the Consent Calendar; to waive the reading of all other Resolutions appearing on the Agenda; to read all other Ordinances appearing on the Agenda, in title only; and to adopt the Consent Calendar as presented. Under roll call vote, all were in favor. The Consent Calendar was adopted.

A. Warrants and Certifications – Approved the Warrants and Certifications dated November 25, 2002. (88-2)

Wire Transfers	\$ 50,108.10
Salaries	\$306,308.73

Invoices	<u>\$484,907.38</u>
TOTAL	\$841,308.60

B. Warrants and Certifications – Approved the Warrants and Certifications dated December 9, 2002. (88-2)

Wire Transfers	\$ 276,343.62
Salaries	\$ 336,308.73
Invoices	<u>\$ 684,780.85</u>
TOTAL	\$1,297,433.20

C. Closed Session – Approved a Closed Session to discuss: 1) Negotiations with Employee Organizations: Santa Paula Police Officers Association/IBPO - Police Commanders Unit. Name of Negotiator: Melissa Grisales. Pursuant to *Government Code § 54957.6*. (118-2); and 2) Conference with Legal Counsel, Anticipated Litigation. Number of Potential Cases: Unknown. Facts and Circumstances, if known to potential plaintiffs: Administrative remedies. Identification of claims, if any: Proceedings, recordation, and foreclosure of lien on property located at 244 Craig Drive. Identification of public threat of litigation, if any: Judgment on personal obligation. Potential parties: El Rancho Properties and David Mathias Development Company. Pursuant to *Government Code §54956.9 (b)*.

G. Rejection of Claim Filed by Mary Horner - Rejected the claim filed by Mary Horner. Assistant to the City Manager Melissa Grisales' report dated November 27, 2002.

H. Resolution No. 5542, Transfer of Ward LaFrance Fire Engine - Adopted **RESOLUTION NO. 5542**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA TO DONATE CITY PROPERTY TO THE CITY OF TOMATLAN, JALISCO, MEXICO. City Attorney Phillip H. Romney's report dated November 25, 2002.

I. Resolution No. 5543, Amending Resolution No. 5394 - Adopted **RESOLUTION NO. 5543**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AMENDING RESOLUTION NO. 5394, pertaining to the City's purchasing system. City Attorney Phillip H. Romney's report dated December 10, 2002.

J. Resolution No. 5521 Adopting the 2002 City of Santa Paula Emergency Operations Plan - Adopted **RESOLUTION NO. 5521**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTING THE 2002 CITY OF SANTA PAULA EMERGENCY OPERATIONS PLAN, as accepted by the State Governor's Office of Emergency Services per their letter dated November 14, 2002. Building and Safety Director Stephen R. Stuart's report dated November 19, 2002.

**K.** Seismic Retrofit Redevelopment/City Owned Buildings, Project No. 02.03.243 SPC, Approval of Plans and Specifications - Approved the construction plans and specifications for the Seismic Retrofit Redevelopment/City Owned Buildings, Project No. 02.03.243 SPC, and authorized the Building and Safety Director to advertise for bids. Building and Safety Director Stephen R. Stuart's report dated December 4, 2002.

**M.** Council Expense and City Manager Travel Monthly Report of Transactions - Reviewed and filed the attached monthly transactions report. Finance Director Alvertina Rivera's report dated December 4, 2002. (88-4)

**N.** November Monthly Report of Transactions - Reviewed and filed the attached monthly transactions report. City Treasurer Sandra K. Easley's report dated December 4, 2002. (88-4)

**O.** Investment Report for the Quarter Ending September 30, 2002 - Received and filed the Investment Report for the quarter ending September 30, 2002. City Treasurer Sandra K. Easley's report dated December 4, 2002. (88-4)

**Q.** Tenant Prepaid Special Refuse Pickup - Approved the procedural change in allowing tenants who have no established refuse account to request an annual special pickup with advance payment conditions. Finance Director Alvertina Rivera's report dated December 5, 2002.

#### **CONSENT CALENDAR - SEPARATE ACTION ITEMS**

D. Minutes - (50-6) **and**

E. Minutes - (50-6)

Vice Mayor Aguirre pulled these items in order to abstain as he was not on the City Council. Councilmember Krause also abstained from this item.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to adopt the Minutes of the Regular City Council Meeting of November 18, 2002, and the Minutes of the Special City Council Meeting of November 20, 2002.

Under roll call vote, Councilmember Cook, Councilmember Luna, and Mayor Procter were in favor. The motion carried.

F. Biennial Review of Conflict of Interest Code - (50-6)

City Clerk Steven J. Salas' report dated November 27, 2002.

City Manager Wally Bobkiewicz pulled this item to note a typographical error on Page 2 of the Resolution, Section 7, which should reflect *Calendar Year 2003*.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to approve the revised Resolution No. 5538.

Under roll call vote, all were in favor, and the motion carried.

**RESOLUTION NO. 5538**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA  
RESCINDING PREVIOUS CONFLICT OF INTEREST CODE RESOLUTIONS, AND  
ADOPTING A CONFLICT OF INTEREST CODE FOR THE CITY OF SANTA PAULA

L. Appropriate Budget for New City Councilmembers - (50-6)

Finance Director Alvertina Rivera's report dated December 2, 2002.

A discussion ensued regarding having staff come back with a report on making expenditures more wisely and keeping the City Council better informed on the cost of expenditures.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to approve the item as it stands, and have a report come back to let the Council know how the Council can go about using their money more wisely due to the fact of the times the City is going to be coming up against.

Under roll call vote, all were in favor, and the motion carried.

P. Purchase of Computers 2002/03

Finance Director Alvertina Rivera's report dated December 9, 2002.

City Manager Wally Bobkiewicz clarified for the record that the funds were originally allocated in the previous fiscal year 2002/03; however, staff was unable to move forward with the purchase of computers in the previous fiscal year.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to approve the cooperative purchase of personal computers utilizing the State of California's CMAS contract in the amount of \$32,010.91, and authorize the Purchasing Division to issue a purchase order on behalf of the City using the FY 2002/03 MIS budget.

Under roll call vote, all were in favor, and the motion carried.

**ORDER OF BUSINESS**

A. Appoint a Councilmember on Joint Wastewater Treatment Plant Project Committee with the City of Fillmore

It was moved by Councilmember Cook, seconded by Councilmember Luna, to appoint Councilmember Krause on the Joint Wastewater Treatment Plant Project Committee with the City of Fillmore.

Under roll call vote, all were in favor, and the motion carried.

B. Overview and Proposed Adoption Schedule - Land Development Impact Fees (Informational Item, no action required)

Interim Public Works Director/City Engineer Joseph R. Lopez's report dated December 3, 2002.

A discussion ensued regarding holding a public meeting in the month of January regarding the proposed land development impacts fees, and having staff bring back a report with the comments received at the forum to the City Council for their consideration.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to receive and file the report.

Under roll call vote, all were in favor, and the motion carried.

C. Schedule a Goal Setting Session for Remainder of Fiscal Year 2002/2003

City Manager Wally Bobkiewicz's report dated December 10, 2002.

A discussion ensued regarding available dates, time, location, whether to arrange for a facilitator or have staff act as the facilitator, and whether the new Councilmembers were interested in completing a personality assessment.

It was moved by Councilmember Cook, seconded by Vice Mayor Aguirre, to meet on January 25, 2003, from 9:00 a.m. to 3:00 p.m., without having a paid facilitator.

Under roll call vote, all were in favor, and the motion carried.

**CITY COMMUNICATIONS**

City Manager Wally Bobkiewicz addressed the measures that staff is taking to keep flooding at a minimum, which includes procedures for providing sand and sandbags. Fire Chief Paul L. Skeels provided the procedures of supplying a limited supply of sandbags at Fire Station No. 1 for emergency use, and noted that sand and sandbags are available through local merchants.

Mayor Procter thanked Fire Chief Paul L. Skeels for his diligence and assistance during his term as Interim City Manager.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Cook, seconded by Councilmember Luna, for a report to find out when we can close Teague and Las Piedras Parks, the sooner the better to close them to get them fixed, and how soon we can get them closed. Councilmember Cook clarified that his motion was for a temporary closure for renovation. Under roll call vote, all were in favor, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Krause, for a report from the City Manager regarding his Economic Development Plan, and to have the report back sometime in January. Under roll call vote, all were in favor, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Cook, to have a report on how we can have the City Council actually become the Housing Authority instead of the Housing Authority. City Attorney Phillip H. Romney responded to a request to comment on the motion by stating that Councilmember Luna is asking for the procedures in order for the City Council to act as the Housing Authority instead of the current Housing Authority. Under roll call vote, all were in favor, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Krause, for a closed session to evaluate the City Attorney and the City Manager. City Attorney Phillip H. Romney responded to a question regarding the process for the evaluations by stating that an evaluation format is circulated to the City Council to complete and return to the City Manager and the City Attorney. The responses are collated and a Closed Session is held to discuss the responses. City Manager Wally Bobkiewicz added that the process could be discussed further in a Closed Session. Councilmember Luna amended his motion to have the closed session on January 6, 2003. Under roll call vote, Councilmember Luna, Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were in favor. Councilmember Cook was opposed. The motion carried.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Cook, to explore the possibility of changing the times of Closed Sessions from after the Regular Meeting to before the Regular Meeting. Under roll call vote, all were in favor, and the motion carried.

It was moved by Vice Mayor Aguirre, to bring the Housing Element up for discussion at a future meeting to look at the proportionality of the housing that is called for in that element. City Manager Wally Bobkiewicz suggested that the motion could be to have an open discussion of the Housing Element. Vice Mayor Aguirre amended his motion to have a discussion of the Housing Element. Councilmember Krause seconded the motion. Under roll call vote, all were in favor, and the motion carried.

It was moved by Councilmember Krause, seconded by Councilmember Luna, for a report from the City Manager on any strategies for improving customer service. Councilmember Krause responded to a request for clarification on whether her motion would be for customer service throughout the City by responding that it would include City Hall, the City Yard, and any city employee who has contact with the community. Under roll call vote, all were in favor, and the motion carried.

It was moved by Councilmember Krause, seconded by Councilmember Luna, for a briefing on the Governor's proposed budget cuts and what impacts they might have on us. City Manager Wally Bobkiewicz noted that the Governor's state of the state address would occur on January 6, 2003, and suggested that the item be brought at the January 21, 2003 Council Meeting. Councilmember Krause modified her motion to have the item come back January 21, 2003. Under roll call vote, all were in favor, and the motion carried.

It was moved by Mayor Procter, seconded by Councilmember Krause, to examine Resolution No. 5321, the Council's procedural rules, in terms of making some changes to the structure of agenda and other items. Mayor Procter clarified his motion that it be to examine Resolution No. 5321, the procedural rules, and have Councilmembers make comments on changes. Under roll call vote, all were in favor, and the motion carried.

### **RECESS TO A REDEVELOPMENT AGENCY MEETING**

Mayor Procter recessed the City Council to a Redevelopment Agency Meeting at 8:28 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Procter reconvened the City Council at 9:10 p.m.

City Attorney Phillip H. Romney announced that the purpose of the Closed Session was to discuss: 1) Negotiations with Employee Organizations: Santa Paula Police Officers Association/IBPO - Police Commanders Unit. Name of Negotiator: Melissa Grisales. Pursuant to *Government Code* § 54957.6. (118-2); and 2) Conference with Legal Counsel, Anticipated Litigation. Number of Potential Cases: Unknown. Facts and Circumstances, if known to potential plaintiffs: Administrative remedies. Identification of

claims, if any: Proceedings, recordation, and foreclosure of lien on property located at 244 Craig Drive. Identification of public threat of litigation, if any: Judgment on personal obligation. Potential parties: El Rancho Properties and David Mathias Development Company. Pursuant to *Government Code §54956.9 (b)*.

Mayor Procter recessed the City Council to a Closed Session at 9:10 p.m. and reconvened into Open Session at 10:15 p.m.

No action was taken during the Closed Session.

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Procter adjourned the meeting at 10:15 p.m.

ATTEST:

Steven J. Salas  
City Clerk