

CALL TO ORDER

Mayor Luna called the meeting to order at 6:30 p.m.

ROLL CALL

Councilmember Richard C. Cook, Councilmember Donald L. Johnson, Councilmember John T. Procter, and Mayor Ray C. Luna responded to roll call. Interim City Manager Paul L. Skeels, Special Counsel Mary R. Gayle, and Deputy City Clerk Josephine G. Herrera were also present. Vice Mayor Laura Flores Espinosa arrived at 6:32 p.m. City Clerk Steven J. Salas was absent from the meeting; however, he had informed the Deputy City Clerk that he had to work that evening.

PUBLIC COMMENT

There was no Public Comment.

CONSENT CALENDAR

It was moved by Councilmember Johnson, seconded by Councilmember Procter, to adopt the Consent Calendar as presented. Under roll call vote, all were in favor. The Consent Calendar was adopted.

Closed Session - Approved a Closed Session to discuss: Negotiations with Employee Organizations: Santa Paula Police Officers Association (SPPOA) - Non-Safety Unit (CSO Unit), Santa Paula Police Officers Association/IBPO - Police Commanders Unit, Santa Paula Public Employees Association (SEIU), and unrepresented employees (management, mid-management, confidential, part-time, temporary, and seasonal employees). Name of Negotiator: Melissa Macias. Pursuant to Government Code §54957.6. (118-2)

ORDER OF BUSINESS

SCAG Council Representative - (110-2)

A discussion ensued regarding whether any of the Councilmembers were interested in serving on the SCAG Council as the District 47 Council Representative. Since Mayor Luna expressed his interest in entering into the election on the SCAG Council, it was the consensus of the City Council to submit Mayor Luna's name to the SCAG liaison.

B. Discussion of Revised Draft Housing Element, In Response to Comments from the California Department of Housing and Community Development - (122-6)

Planning Director Thomas M. Bartlett's report dated October 26, 2001.

Lourdes Campbell arrived at 6:39 p.m. to provide Spanish translation.

Karen Warner, representing Cotton, Bridges, and Associates, highlighted the changes made to the Revised Draft Housing Element.

Karen Warner responded to a question regarding the basis for the Redevelopment Agency's goal to allocate housing set-aside resources (40% for housing production, 40% for housing preservation, and 20% for homeownership assistance) by stating that a certain percentage of set-aside funds needed to be designated towards programs to facilitate affordable construction, and that housing preservation was kept at the same level. Additionally, homeownership assistance was kept at a lower level due to the City's participation in the County's program.

Ellen Brokaw, 3430 Ojai Road, expressed her long term interest in farmworker housing, and applauded the work involved in the Draft Housing Element.

Jesse Ornelas, Project Manager for Cabrillo Economic Development Corporation, stated his preference to speak after the Peppertree Mobilehome Park residents.

Macrina Hinojosa, 135 N. Thirteenth Street, Space 36, a 16-year resident of the Peppertree Mobilehome Park, thanked the City Council for their effort on the Housing Element and for considering a relocation ordinance, and expressed her appreciation for the City Council's assistance to the Peppertree residents to either purchase the mobilehome park or build a new park.

Ernesto Elizarraraz, 135 N. Thirteenth Street, Space 38, a 13-year resident of the Peppertree Mobilehome Park, stated that the park is one of the few affordable areas in which to live; spoke regarding the changes made in 1998 to the General Plan Land Use Element which he claimed he received no notice regarding the change; and expressed his appreciation for any help that the City Council could offer.

Allen Abby, 11 Sunset Lane, spoke in favor of a relocation ordinance for mobilehome parks, and asked for the City Council's assistance to locate suitable, alternate sites.

Jesse Ornelas, 11011 Azahar Street, representing Cabrillo Economic Development Corporation, stated that he and Eileen McCarthy from the California Rural Legal Assistance are working to assist the Peppertree Mobilehome Park residents who wish to purchase the park; saluted the City's effort for considering a relocation ordinance; noted that there is underutilized and M-1 zone land available; and expressed his appreciation to the City Council and staff.

Eileen McCarthy, 338 S. A Street, Oxnard, staff attorney with California Rural Legal Assistance, submitted her written comments for the record.

Planning Director Thomas M. Bartlett responded to a request to address the vacant land issue by stating that Planning Department staff has reviewed the vacant and underutilized land inventory, and that he has invited Mr. Jesse Ornelas and Ms. Eileen McCarthy to visit the sites shown on the map. Further, the City is constrained with City boundaries and the SOAR measure that prohibit the City's ability to expand.

Karen Warner responded to a question regarding which legal documents were used for the undercount of migrant workers by stating that there were no precise numbers, and that the information on farmworkers was augmented to reference the study that was brought forward by Ms. Eileen McCarthy and testimonials to indicate that the City does not have precise numbers. She further addressed vacant site concerns by stating that the Revised Draft Housing Element provides additional information on the City's predominantly vacant sites and development trends on non-vacant parcels. Further, information regarding the Infill Housing Incentives Program was significantly augmented.

The City Council offered the following comments:

- The need for a relocation ordinance for all residents.

- The need to complete the development code.

- The need for staff to complete the draft inclusionary ordinance.

- The need to update the General Plan to be consistent with Measure I once the Housing Element is adopted.

- The need for a correction regarding senior housing. The Planning Commission conditioned the Santa Paula on the Green project to remain market rate. The Housing Element needs to be corrected because this project is no longer in the low, very low, or moderate income category.

- A discussion ensued regarding the first sentence on Page 5-22, and whether it would be considered use by right, which would not require a conditional use permit (CUP), and the need to have adequate sites available for "immediate development."

- A discussion regarding Government Code Section 65913.1, which requires communities to adopt zoning that makes development of housing affordable to low-income families.

- A discussion regarding changing housing production goals to increase housing production to 60%, decrease housing preservation to 20%, and maintain housing assistance at 20%.

- A discussion regarding an application for a HOME funds grant, and a request to have staff present the application for the City Council's direction on how to proceed.

- A discussion regarding Government Code Section 65583(a3), which indicates that the City must have an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and whether this distinction was clearly made in the Revised Draft Housing Element.

- A discussion regarding whether numbers for various categories for special needs could be attached due to AB 438.

Planning Director Thomas M. Bartlett addressed a question regarding the City amending

the Development Code to permit migrant farm labor camps/housing in the M-1 zone subject to a CUP by stating that the approval process is required to ensure that the project will not be situated in a location that is hazardous to future residences, and that it is not an artificial barrier to make development impossible. He further responded to a question regarding whether the M-1 zoning includes a provision for a CUP by responding yes. He further responded to a question regarding whether it would include farm labor camps by responding no, and that a change would need to be made once the Housing Element is adopted. Special Counsel Mary R. Gayle added that if the current code does not permit this development, the M-1 zoning code would need to be amended to include this type of housing, and that the amendment would be subject to a CUP to ensure consistency with surrounding zoning and other regulations.

A discussion ensued regarding the language “immediate development”, which is cited in appellate court case *Hoffmaster v. City of Santa Diego*, and whether Fagan and Adams Canyon could be considered as areas for immediate development. Karen Warner responded to the discussion by stating that Fagan Canyon was removed from the sites inventory because it was not certain whether sphere of influence areas could be considered immediate development as they are not served by infrastructure.

A discussion ensued regarding Page 4-4, sentence reading, “A total of 161 new housing units can be accommodated on predominantly sites” which should be changed to “predominantly vacant sites.” Another discussion ensued regarding ensuring the correct spelling of Las Posadas subdivision, and ensuring the correct development date throughout the document.

Karen Warner responded to a question regarding whether there is a requirement to name special housing as farm labor housing by stating that the Housing Element requires the need to address farmworkers as one of the five special needs, and that the programmatic response describes that much of the farm laborers are permanent residents who need affordable housing. However, the migrant farmworker population requires a different type of housing, and State law says that sites must be provided for migrant farmworker population. She further responded to a question regarding whether there would be any restrictions for a non-farmworker to obtain farm labor housing by stating that it would depend whether an affordable housing project, which uses funding for farmworkers, would have deed restrictions that the occupants be farmworkers. She further responded to a question regarding what the County is doing regarding farm labor housing by stating that the County has set up a task force to study this topic.

MOTION: It was moved by Councilmember Procter, seconded by Vice Mayor Espinosa, to split housing set-aside funds to 60/20/20.

Planning Director Thomas M. Bartlett responded to a question regarding what this split would do to the existing programs by stating that the bigger factor would be what would generate the most number of habitable, quality units. Economic Development Director Kenneth R. Cott added that the impact of the 60/20/20 split would provide less funds for the Housing Preservation Program, and that the City does not have an adequate supply of

public funding to assist low-income homeowners to rehabilitate their homes to meet minimum health and safety standards.

A discussion ensued regarding the Housing Preservation Program and the City Council's desire to shift priorities in the use of housing set-aside funds. Another discussion ensued regarding the proposed increase of the percentage in housing production.

Vice Mayor Espinosa called for the question.

ROLL CALL on motion. Councilmember Procter and Vice Mayor Espinosa were in favor. Councilmember Cook, Councilmember Johnson, and Mayor Luna were opposed. The motion failed.

It was moved by Mayor Luna, seconded by Vice Mayor Espinosa, to increase housing production to 50%, housing preservation to 25%, and homeowner assistance to 25%.

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

A discussion ensued regarding Page 5-17, last sentence in the first paragraph, and a request to amend the sentence because it was felt that the language limited the use of the redevelopment set-aside fund. Special Counsel Mary R. Gayle responded to a question regarding the language in the sentence by stating that the language could place limitations on housing set-aside funds, and she offered to provide alternate language. City staff suggested, "If such be the case, the agency would review the financial terms of the transaction and within legal limits that may apply work to provide such financial commitments." The City Council concurred with this change of language.

Planning Director Thomas M. Bartlett responded to a question regarding whether senior residents were represented as part of the 53% of lower income households noted on Page 5-16 by stating that the percentage was an overall percentage of low-income households.

Karen Warner responded to a question regarding a distinction of redevelopment areas on vacant sites by stating that any underutilized sites would be considered redevelopment sites.

It was moved by Vice Mayor Espinosa, seconded by Councilmember Johnson, to submit this plan with the changes noted in the City Council's discussions to HCD; however, the City Council should have opportunity to view the changes before they are submitted.

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

RECESS TO A HEALTH AND SAFETY BREAK

Mayor Luna recessed the City Council to a Health and Safety Break at 8:15 p.m.

RECONVENE TO REGULAR MEETING

Mayor Luna reconvened the City Council at 8:22 p.m.

CITY COMMUNICATIONS

Interim City Manager Paul L. Skeels reminded the City Councilmembers to submit the name of their nominees for the CDBG Advisory Committee by early next week.

Mayor Luna commended the City Council for their professionalism during the work involved in the Draft Housing Element.

Councilmember Procter favorably commented on the recent Joint City Council/Centennial Committee meeting.

FUTURE AGENDA ITEMS

It was moved by Vice Mayor Espinosa, seconded by Councilmember Procter, for a verbal report regarding the HOME fund grant application and to receive a copy of the application. Under roll call vote, all were in favor, and the motion carried.

It was moved by Mayor Luna for an update on the Water Department on the level of service that the City is now providing compared to what was provided when the City bought the Water Department. Also, the status of employee positions that have been lost, and a report on what is being done to replace them and how we could possibly expedite that. Councilmember Cook clarified the motion as wanting to know the status quo on employees on the department to find out where we are now versus when it was bought, and why it has taken so long to replace people that have left and people that are working out of classification. Vice Mayor Espinosa seconded the motion. Under roll call vote, all were in favor, and the motion carried.

CLOSED SESSION

City Attorney Phillip H. Romney announced that the Closed Session was to discuss: 1) Negotiations with Employee Organizations: Santa Paula Police Officers Association (SPPOA) - Non-Safety Unit (CSO Unit), Santa Paula Police Officers Association/IBPO - Police Commanders Unit, Santa Paula Public Employees Association (SEIU), and unrepresented employees (management, mid-management, confidential, part-time, temporary, and seasonal employees). Name of Negotiator: Melissa Macias. Pursuant to Government Code §54957.6. (118-2)

Mayor Luna recessed the City Council to a Closed Session at 8:30 p.m., and reconvened into Open Session at 9:02 p.m.

No action was taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Luna adjourned the meeting at 9:02 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk
Special City Council Meeting

City Hall Council Chambers

Monday, January 14, 2002

Special City Council Meeting Minutes

Monday, January 14, 2002

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