

CALL TO ORDER

Mayor Luna called the meeting to order at 6:30 p.m. Pastor Mark Fisk offered the invocation, and Mayor Luna led the Pledge of Allegiance to the Flag.

ROLL CALL

Councilmember Richard C. Cook, Councilmember Donald L. Johnson, Vice Mayor Laura Flores Espinosa, and Mayor Ray C. Luna responded to roll call. Interim City Manager Paul L. Skeels, City Attorney Phillip H. Romney, and Deputy City Clerk Josephine G. Herrera were also present. Councilmember John T. Procter was absent due to his being out of town. City Clerk Steven J. Salas was absent due to family obligations.

PUBLIC COMMENT

Laura Phillips, 621 E. Pleasant Street, representing Santa Paula Association of Skaters, spoke regarding her concerns with the delay in finalizing the contract with Perkiss Rose for the design of the skate park, and her concerns with the park bond funding.

City Attorney Phillip H. Romney responded to a question regarding the contract by responding that he has had several conversations with Perkiss Rose regarding the indemnification provision of the contract and that he would follow-up.

Community Services Director Brian J. Yanez responded to a question regarding whether the park bond funds have an expiration date by responding that the bond allows for seven years to complete the project beginning with the award of the project, and that the project has now been turned over to Public Works.

Kay Wilson-Bolton, 123 N. Tenth Street, representing the Chamber of Commerce, requested that the City Council consider partnering with the Chamber of Commerce for an exhibit at the Ventura County Fair to promote the City, and requested that the City Council consider a contribution up to \$2,000.

CONSENT CALENDAR

Vice Mayor Espinosa pulled Items Q, R, and S. It was moved by Councilmember Cook, seconded by Mayor Luna, 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 amended. Councilmember Cook, Vice Mayor Espinosa, and Mayor Luna were in favor. Councilmember Johnson abstained from Item D, and was in

favor of the remainder. Councilmember Procter was absent. The Consent Calendar was adopted.

A. Warrants and Certifications - Approved the Warrants and Certifications dated May 13, 2002. (88-2)

Wire Transfers	\$ 83,438.73
Salaries	\$ 575,868.05
Invoices	<u>\$ 408,669.25</u>
TOTAL	\$1,067,976.03

B. Closed Session - Approved a Closed Session to discuss: 1) Negotiations with Employee Organizations: Santa Paula Police Officers Association (SPPOA) - Non-Safety Unit (CSO Unit), Santa Paula Professional Fire Fighters Association (SPPFFA), 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); and 2) Public Employee Appointment or Employment. Position: Interim City Manager. Pursuant to *Government Code* §54957. (118)

C. Minutes - Adopted the Minutes of the Special City Council Meeting of April 29, 2002. (50-6)

D. Minutes - Adopted the Minutes of the Special City Council Meeting of May 6, 2002. (50-6)

E. Minutes - Adopted the Minutes of the Regular City Council Meeting of May 6, 2002. (50-6)

F. Proposed Appointment for Mayor's Standing Committee - Ventura County Air Pollution Control District Advisory Committee - Approved the appointment of Councilmember John T. Procter for Member and Mayor Ray C. Luna for Alternate on the Mayor's Standing Committee - Ventura County Air Pollution Control District Advisory Committee. Interim City Manager Paul L. Skeels' report dated May 7, 2002. (32/182-2)

G. Resolution in Support of the American Lung Association's Clean Vehicle Resolution - Adopted **RESOLUTION NO. 5495**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA IN SUPPORT OF THE AMERICAN LUNG ASSOCIATION OF CALIFORNIA CLEAN VEHICLE RESOLUTION. Interim City Manager Paul L. Skeels' report dated May 14, 2002. (110-3)

- H. Schedule Budget Study Session - Scheduled a special budget study session for Monday, June 10, 2002, at 6:30 p.m. Interim City Manager Paul L. Skeels' report dated May 14, 2002. (34)
- I. Support for Removal of Matilija Dam - Adopted **RESOLUTION NO. 5496**, A RESOLUTION OF THE CITY OF SANTA PAULA SUPPORTING THE REMOVAL OF MATILIJA DAM. Interim City Manager Paul L. Skeels' report dated May 14, 2002. (182-9)
- J. Rejection of Claim Filed by Maria Mendoza - Rejected the claim filed by Maria Mendoza. Assistant to the City Manager Melissa M. Macias' report dated May 2, 2002. (62)
- K. Rejection of Claim Filed by Eduardo Morales - Rejected the claim filed by Eduardo Morales. Assistant to the City Manager Melissa M. Macias' report dated May 13, 2002. (62)
- L. Rejection of Claim Filed by Samuel Novoa - Rejected the claim filed by Samuel Novoa. Assistant to the City Manager Melissa M. Macias' report dated May 6, 2002. (62)
- M. Investment Report for the Quarter Ending March 31, 2002 - Received and filed the Investment Report for the Quarter Ending March 31, 2002. City Treasurer Sandra K. Easley's report dated May 8, 2002. (88-4)
- N. Monthly Report of Transactions - Reviewed and filed the attached monthly transactions report. City Treasurer Sandra K. Easley's report dated May 6, 2002. (88-4)
- O. Fire Safety Inspections Child Care Facilities - Approved the attached **RESOLUTION NO. 5489**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ORDERING THE CHARGES FOR FIRE SAFETY INSPECTIONS UPON COMMUNITY CARE LICENSED FACILITIES COMMONLY KNOWN AS CHILD CARE FACILITIES, authorizing the Santa Paula Fire Department to amend the fee ordinance to include cost recovery for fire safety inspections of community care licensed facilities. Acting Fire Chief Richard Araiza's report dated May 9, 2002. (90)
- P. Award of Contract and Appropriation for the Feasibility Study for Beneficial Reuse of Reclaimed Water - Approved a contract amendment with Kennedy/Jenks consultants in the amount of \$82,000 to perform a feasibility study for beneficial reuse of reclaimed water, and appropriated \$90,000 from the Water Enterprise Fund for the project. Public Works Director/City Engineer Norman S. Wilkinson's report dated May 9, 2002. (136/187)

CONSENT CALENDAR - SEPARATE ACTION ITEMS

Q. Award of Water Storage Tanks Seismic Evaluation Study - (136/187)

Public Works Superintendent Anthony Emmert presented Public Works Director/City Engineer Norman S. Wilkinson's report dated May 9, 2002.

Public Works Superintendent Anthony Emmert responded to a question regarding whether the study would be for a seismic evaluation or an erosion evaluation by responding that the study would be for an overall evaluation of the tanks of the water system.

It was moved by Vice Mayor Espinosa, seconded by Councilmember Johnson, to award the Water Storage Tanks Seismic Evaluation Study contract to Harper & Associates Engineering, Inc., in the amount of \$36,253; and authorize the City Manager to sign the contract subject to approval by the City Attorney.

Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, and Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

R. Community Center Roof Replacement Approval of Plans, Authorize to Bid and
S. Senior Center Kitchen Improvements Approval of Plans, Authorize to Bid

Public Works Superintendent Anthony Emmert presented Public Works Director/City Engineer Norman S. Wilkinson's reports dated May 5, 2002. (136/132-10)

Public Works Superintendent Anthony Emmert responded to a question regarding the use of the annual Senior Citizens County Grant for these projects by responding that grants have been considered for past kitchen remodel projects, however, building maintenance is the City's responsibility.

Community Services Director Brian J. Yanez responded that grants for senior citizen projects have a short turnaround for submitting invoices. Additionally, grant funding can be used for equipment, however, it cannot be used for capital projects. Lastly, each year the City requests \$30,000 in grant funding and receives between \$4,000 to \$6,000.

It was moved by Vice Mayor Espinosa, seconded by Councilmember Johnson, to 1) approve the plans for the replacement of the Community Center roof, authorize staff to obtain bids for the project, and approve the budget adjustments; and 2) approve the plans for the rehabilitation of the Senior Center Kitchen, authorize staff to obtain bids for the project, and approve the budget adjustments.

Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, and Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

PUBLIC HEARING

A. Public Hearing for the Hillsborough Open Space Maintenance District - (28)

Mayor Luna opened the Public Hearing at 6:52 p.m.

Public Works Superintendent Anthony Emmert presented Public Works Director/City Engineer Norman S. Wilkinson's report dated May 7, 2002.

Public Works Superintendent Anthony Emmert responded to a question regarding the legal notice requirement by stating that hearings for an assessment that is ongoing and unchanged must have a legal notice published in the newspaper ten days prior to the Public Hearing, and that as a courtesy, staff sent individual letters to the property owners.

City Attorney Phillip H. Romney responded to a question regarding whether the legal notice was legal and adequate by responding yes.

As there were no Public Comments cards received, Mayor Luna closed the Public Hearing at 6:55 p.m.

It was moved by Councilmember Johnson, seconded by Councilmember Cook, to approve the attached resolution placing a \$100 per parcel special assessment onto the December 2002 tax roll for the Hillsborough Open Space Maintenance District.

Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, and Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

RESOLUTION NO. 5494

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
PLACING A \$100 SPECIAL ASSESSMENT ON THE TAX ROLL FOR
DECEMBER 2002 FOR ALL 71 PARCELS IN THE
HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT

ORDER OF BUSINESS

A. City Participation in Proposed Santa Paula Collection Foundation - (50-5)

Councilmember Johnson declared a conflict of interest and stepped down from the dais.

Interim City Manager Paul L. Skeels' report dated May 14, 2002.

A discussion ensued regarding the benefit of this endeavor to the city.

City Attorney Phillip H. Romney responded to a question regarding whether the City could create its own nonprofit foundation and receive the Santa Barbara Bank and Trust building by responding that he was not aware of any city that has done this, however, he did not see any reason why the City could not pursue this.

It was moved by Vice Mayor Espinosa, seconded by Councilmember Cook, for approval of a concept of this, and ask the City Manager to participate until we come to some point where there might need some more substance from the Council level.

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

Councilmember Johnson returned to the dais.

B. Acknowledgment Plaque for Mel Howery - (132-10)

Community Services Director Brian J. Yanez' report dated May 9, 2002.

It was moved by Mayor Luna, seconded by Councilmember Johnson, to select the plaque with the engraved picture.

Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, and Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

C. Railroad Plaza, Phase II (96.97.035 SPC), Award of Contract and Additional Appropriation - (136/140)

Interim City Manager Paul L. Skeels noted that staff received communication regarding this matter, which was distributed to the City Council.

Public Works Superintendent Anthony Emmert presented Public Works Director/City Engineer Norman S. Wilkinson's report dated May 13, 2002, and stated that after staff and the City Attorney reviewed G-2000's good faith efforts submitted after distribution of the

staff report, they recommend rejection of G-2000's bid. He further noted that both of the bids received were over the project budget.

Yaffa Jacobsohn, 28306 Driver Avenue, Agoura Hills, representing G-2000, distributed a packet of information to the City Council, spoke regarding G-2000's good faith efforts, and noted clerical errors in their bid package which she asked to be overlooked. She further addressed Mendez Concrete's listing of DBE subcontractors and the listing of the percentage of work to be done by them.

Mary Ann Krause, 154 Via Solana, spoke regarding her concerns with the additional appropriation of \$256,000 for the project, and spoke against the closure of Mill Street.

A discussion ensued regarding the City Council's previous action to close Mill Street, which was to be under consideration for the City Council to readdress.

It was moved by Vice Mayor Espinosa to delete the gazebo and the monument at this time, and that the City Council ask that the design of the closure of Mill Street that would have included the gazebo be reworked so that the City Council could discuss this further, and move acceptance of the bid from Mendez Concrete.

City Attorney Phillip H. Romney responded to a Point of Order regarding whether it would be appropriate to change the plans of the project on this agenda item by stating that it would be appropriate to have it come back as a change order for the City Council's consideration.

A discussion ensued regarding concerns on loss of grant money, the option to include the gazebo and the monument as alternative bid items, and the closure of Mill Street to ensure pedestrian safety for the park which will run from Tenth Street to the County Agriculture Building.

City Attorney Phillip H. Romney responded to a question regarding whether Mendez Concrete meets the DBE requirements by responding that Mendez Concrete is a DBE (Disadvantage Business Enterprise), and that Mendez Concrete will be doing 75 percent of the work.

Public Works Superintendent Anthony Emmert responded to a question regarding whether Mendez Concrete's bid complies with all requirements by stating that although Mendez Concrete's bid had clerical errors, the recommendation was not based on paperwork errors. Additionally, Mendez Concrete has included themselves as the subcontractor.

Mayor Luna seconded the motion.

Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, and Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

RECESS TO A BREAK

Mayor Luna recessed the City Council to a Break at 7:52 p.m.

RECONVENE TO REGULAR MEETING

Mayor Luna reconvened the City Council at 8:01 p.m.

D. City Building Farmworker Housing - (143-1)

Economic Development Director Kenneth R. Cott provided a verbal report and distributed a packet of information. He further noted different approaches taken on by various jurisdictions.

A discussion ensued regarding the local Housing Authority and city-owned, affordable housing in Port Hueneme.

CITY COMMUNICATIONS

Interim City Manager Paul L. Skeels mentioned that he attended the City/County Managers meeting where he was presented with a plaque from the City of Moorpark in recognition of the City's 100th birthday.

Mayor Luna mentioned that he attended Fillmore's Orange Festival last weekend.

Councilmember Cook mentioned that he had gone to the City of Orange and noted that their Police Department assists renters to maintain their housing.

FUTURE AGENDA ITEMS

It was moved by Councilmember Cook, seconded by Councilmember Johnson, for a verbal report from the Police Chief to contact the City of Orange Chief of Police and ask how they enforce or work their NET Program. Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

Vice Mayor Espinosa mentioned that Santa Paula does not have a plaque representing itself at the office of the Ventura Regional Sanitation District. Interim City Manager Paul L. Skeels stated he would follow-up.

It was moved by Councilmember Johnson, seconded by Councilmember Cook, to have on the agenda the discussion that Kay Wilson-Bolton brought up, to partner with the Chamber of Commerce with an exhibit at the Ventura County Fair. Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

It was moved by Mayor Luna, seconded by Councilmember Johnson, for a report on the status of the skate park. Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

It was moved by Mayor Luna, to have Mr. Jay Ramsey from the Housing Authority give a report on what he knows about city-owned low-income housing.

A discussion ensued regarding inviting Mr. Ramsey Jay to a City Council Meeting, and to discuss a broader issue about affordable housing in general.

Vice Mayor Espinosa seconded the motion.

Under roll call vote, Councilmember Cook, Councilmember Johnson, Vice Mayor Espinosa, Mayor Luna were in favor. Councilmember Procter was absent. The motion carried.

RECESS TO A REDEVELOPMENT AGENCY MEETING

Mayor Luna recessed the City Council to a Redevelopment Agency Meeting at 8:15 p.m.

RECONVENE TO REGULAR MEETING

Mayor Luna reconvened the City Council at 8:26 p.m.

CLOSED SESSION

City Attorney Phillip H. Romney announced that the Closed Session was to discuss: Negotiations with Employee Organizations: Santa Paula Police Officers Association (SPPOA) - Non-Safety Unit (CSO Unit), Santa Paula Professional Fire Fighters Association (SPPFFA), 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); and 2) Public Employee Appointment or Employment. Position: Interim City Manager. Pursuant to Government Code §54957. (118)

Mayor Luna recessed the City Council to a Closed Session at 8:26 p.m., and reconvened into Open Session at 8:35 p.m.

No action was taken regarding Negotiations with Employee Organizations.

It was moved by Councilmember Johnson, seconded by Vice Mayor Espinosa, to approve an amendment to the Interim City Manager's Contract extending the term for up to three months.

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

ADJOURNMENT

There being no further business to come before the City Council, Mayor Luna adjourned the meeting at 8:35 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk