

CALL TO ORDER

Vice Mayor Espinosa called the meeting to order at 6:32 p.m. Pastor Joseph E. Watkins, Jr., offered the invocation, and Vice Mayor Espinosa led the Pledge of Allegiance to the Flag.

ROLL CALL

Councilmember Donald L. Johnson, Councilmember John T. Procter, and Vice Mayor Laura Flores Espinosa, responded to roll call. Interim City Manager Paul L. Skeels, Acting City Attorney Karl H. Berger, City Clerk Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present. Councilmember Richard C. Cook was absent due to his being on vacation, and Mayor Ray C. Luna was absent due to illness.

PRESENTATION

Nancy Williams from Southern California Edison, spoke regarding recent efforts for energy conservation by their customers and the City, and presented a check to the City in the amount of \$19,800.

Marvin Fernandez from Southern California Edison, congratulated the City for participating in the LED program, and noted the City's energy conservation efforts.

Ben Lingo from Corporation for Better Housing, an affordable housing developer, distributed information on his company, and stated that he has been working with City staff to identify locations for redevelopment opportunities in the downtown and central business district. He further stated that the company develops affordable housing utilizing 9% tax credits, shared examples for upgraded building materials, and noted that amenities offered to residents include computer lab, English as a second language courses, and afterschool homework assistance. He further explained the 9% tax credit funding and the need to provide affordable rent due to the tax credit.

Vice Mayor Espinosa introduced Acting City Attorney Karl H. Berger.

Councilmember Procter presented proclamations recognizing Centennial Committee members Gabino Aguirre, Gabriella Araiza-Reeves, and Bill Glenn, for their outstanding efforts. Although not present at the meeting, Jim Garfield and Mike Kerr were also recognized.

PUBLIC COMMENT

Scott Anderson, 1206 E. Santa Paula Street, requested that Item 9B to consider placing the initiative measure amending the City Urban Restriction Boundary (CURB) Line to include a 32.5 acre parcel at the northwest corner of Peck/Foothill Roads be placed on the agenda for the Special City Council Meeting scheduled for June 24, 2002, due to the anticipated lack of quorum for this item during tonight's meeting. Councilmember Johnson responded to a question regarding whether he would be declaring a conflict of interest on this item by responding yes. Acting City Attorney Karl H. Berger advised that the item be pulled, and recommended that the item be placed on the agenda for June 24, 2002.

CONSENT CALENDAR

Councilmember Johnson pulled Items C, I, J, and K. Interim City Manager Paul L. Skeels pulled Items G and H. Vice Mayor Espinosa pulled Items F, and L. It was moved by Councilmember Johnson, seconded by Councilmember Procter, 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. Under roll call vote, Councilmember Johnson, Councilmember Procter, and Vice Mayor Espinosa were in favor. Councilmember Cook and Mayor Luna were absent. The Consent Calendar was adopted.

A. Warrants and Certifications - Approved the Warrants and Certifications dated June 10, 2002. (88-2)

Wire Transfers	\$189,929.77
Salaries	\$277,977.98
Invoices	<u>\$305,508.03</u>
TOTAL	\$773,415.78

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), and Santa Paula Public Employees Association (SEIU). Name of Negotiator: Melissa Grisales. Pursuant to *Government Code §54957.6*. (118-2); and 2) Public Employee Appointment or Employment. Positions to be filled: City Manager and Finance Director. Pursuant to *Government Code §54957*. (118)

D. Minutes - Adopted the Minutes of the Special City Council Meeting of June 3, 2002. (50-6)

E. Rejection of Claim Filed by Sandra Friedman, et al - Rejected the claim filed by Sandra Friedman, et al. Assistant to the City Manager Melissa Grisales' report dated June 5, 2002. (62)

M. Appropriations Limitation for Fiscal Year 2002-2003, Resolution No. 5501 - Adopted the attached Resolution No. 5501, which will establish the Appropriations Limit for Fiscal Year 2002-2003 for the City of Santa Paula at \$12,071,406. **RESOLUTION NO. 5501**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA SELECTING POPULATION AND INFLATION FACTORS FOR APPROPRIATIONS LIMITATION CALCULATION FOR FISCAL YEAR 2002-2003 AND ESTABLISHING THE APPROPRIATIONS LIMITATION FOR FISCAL YEAR 2002-2003. Finance Director Glenda D. Jay's report dated May 30, 2002. (88)

N. Fixed Asset Policy - Approved a Fixed Asset Policy effective for the Fiscal Year ending June 30, 2002. Finance Director Glenda D. Jay's report dated June 7, 2002. (88)

O. Monthly Report of Transactions - Reviewed and filed the attached monthly report of transactions. City Treasurer Sandra K. Easley's report dated June 7, 2002. (88-4)

P. Transfer to the Museum Fund - Authorized staff to transfer \$55,000 to the Museum Fund (204) and make the appropriate budget adjustments subject to the approval by the Redevelopment Agency of the payment to the General Fund. Finance Director Glenda D. Jay's report dated May 31, 2002. (108)

Q. Dispatch Services Agreement and Automatic Aid Agreement - Approved the attached Dispatch Services Agreement and Automatic Aid Agreement with Ventura County Fire Protection District subject to the final approval of the City Attorney. Acting Fire Chief Richard Araiza's report dated June 6, 2002. (90)

R. Fire Line for Wastewater Treatment Plant, Project No. 01.02.224 SWR, Project Acceptance, Notice of Completion - Accepted the project and authorized the Public Works Director/City Engineer to file a Notice of Completion for the Fire Line for Wastewater Treatment Plant, Project No. 01.02.224 SWR. Public Works Director/City Engineer Norman S. Wilkinson's report dated May 30, 2002. (136/156)

S. Street Sidewalk Replacement Project, Project No. 01.02.901 SPC, Award of Contract - 1) Awarded the contract for the Street Sidewalk Replacement Project, Project No. 01.02.901 SPC to Berry General Engineering in the amount of \$53,894; 2) approved the anticipated project expenditures limit; 3) authorized the City Manager, or his designee, to sign the contract documents on behalf of the City; and 4) approved the transfer of \$20,400 from 230.050.9097.8660 to 230.050.9094.8660. Public Works Director/City Engineer Norman S. Wilkinson's report dated June 10, 2002. (136/162)

T. Thomas Moore Field Lights Project, Project No. 01.02.219 SPC, Award of Contract - 1) Awarded the contract for the Thomas Moore Field Lights Project, Project No.

01.02.219 SPC to Big "O" Enterprises, Inc., in the amount of \$149,900; 2) approved the anticipated project expenditures limit; 3) authorized the City Manager, or his designee, to sign the contract documents on behalf of the City; and 4) approved a budget adjustment. Public Works Director/City Engineer Norman S. Wilkinson's report dated June 10, 2002. (114-4/136)

U. Amendment to AB 1913 Contract with the County of Ventura - Authorized the City Manager to sign the County of Ventura amended contract (subject to the City Attorney's approval) relating to the AB 1913 Grant, and approved the appropriate budget adjustments. Acting Police Chief Mark Hanson's report dated June 14, 2002.

CONSENT CALENDAR - SEPARATE ACTION ITEMS

C. Minutes - (50-6)

Councilmember Johnson pulled this item in order to abstain as he was absent from the Special City Council Meeting of May 23, 2002.

Due to a lack of quorum, this item was continued to the Regular City Council Meeting of July 1, 2002.

F. 2002 General Municipal Election - (80)

Interim City Manager Paul L. Skeels and City Clerk Steven J. Salas' report dated June 6, 2002.

A discussion ensued regarding amending Resolution No. 5504 to state that the City desires the County of Ventura to recruit and appoint *bilingual* election officers, and a discussion regarding the word count for candidates statements.

It was moved by Councilmember Johnson, seconded by Councilmember Procter, to adopt Resolution Numbers 5502, 5503, 5504, 5505, and 5506, with the addition of the word "bilingual" as discussed for Resolution No. 5504.

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

RESOLUTION NO. 5502

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA,
CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL
MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2002, FOR THE ELECTION

OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE
STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

RESOLUTION NO. 5503

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO
CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5,
2002, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE
PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

RESOLUTION NO. 5504

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO
PERMIT THE COUNTY CLERK OF SAID COUNTY TO RENDER SPECIFIED SERVICES
TO THE CITY OF SANTA PAULA RELATING TO THE CONDUCT OF A GENERAL
MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2002

RESOLUTION NO. 5505

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
AUTHORIZING AND REQUESTING THAT THE BOARD OF SUPERVISORS OF THE
COUNTY OF VENTURA AUTHORIZE THE COUNTY CLERK TO COUNT THE BALLOTS
AT A CENTRAL COUNTING PLACE AND CANVASS THE RETURNS OF SAID
ELECTION ON BEHALF OF THE CITY OF SANTA PAULA

RESOLUTION NO. 5506

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTING
REGULATIONS PERTAINING TO THE CANDIDATES STATEMENT FOR THE
NOVEMBER 5, 2002 GENERAL MUNICIPAL ELECTION

G. Resolution No. 5513 Calling and Giving Notice of the Holding of a General
Municipal Election to be Held on Tuesday, November 5, 2002, for the Submission to the
Voters a Question for the Voters to Decide Whether to Validate the Action of the City
Council in 1994 Increasing the Transient Occupancy Tax from 7% to 10% - (80)

Interim City Manager Paul L. Skeels and City Clerk Steven J. Salas' report dated June 10,
2002.

Interim City Manager Paul L. Skeels pulled this item to note an error in the Notice of Election which should read "A Measure to Validate the Action of the City Council in 1994 to Increase the Transient Occupancy Tax from 7% to 10%."

It was moved by Councilmember Johnson, seconded by Councilmember Procter, to adopt Resolution 5513 with the correction noted.

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

RESOLUTION NO. 5513

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2002, FOR THE SUBMISSION TO THE VOTERS A QUESTION FOR THE VOTERS TO DECIDE WHETHER TO VALIDATE THE ACTION OF THE CITY COUNCIL IN 1994 INCREASING THE TRANSIENT TAX FROM 7% TO 10%, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

H. Arguments and Rebuttals For and Against A Measure For the Voters to Decide Whether to Validate the Action of the City Council in 1994 Increasing the Transient Occupancy Tax from 7% to 10% - (80)

Interim City Manager Paul L. Skeels and City Clerk Steven J. Salas' report dated June 6, 2002.

Acting City Attorney Karl H. Berger responded to a question regarding staff's recommendation to select the City Manager and Finance Director to author the argument and rebuttal by explaining that the City is prohibited from using public resources to support or oppose any particular measure in an election, and that public resources include staff time and City funds. He suggested that either the City Council as a whole author an argument, or that the City Council select one of its members to author the argument. He further spoke regarding another alternative for a citizen to write an argument without the City Council's participation in that matter.

A discussion ensued regarding the deadline to submit the resolution for the argument and rebuttal, and a suggestion to adopt the resolution for an argument in favor and for a discussion to come back at a later City Council Meeting on who would author the argument.

It was moved by Councilmember Johnson, seconded by Councilmember Procter, to approve Resolution Numbers 5510 and 5511 with the necessary changes and direct the City Manager to place on the next available agenda a discussion about the ballot argument.

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

RESOLUTION NO. 5510

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

RESOLUTION NO. 5511

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

I. Certification of the Initiative to Change the City of Santa Paula's Urban Restriction Boundary (CURB) to Include Adams Canyon and an Access Corridor

Councilmember Johnson pulled this item in order to declare a conflict of interest. Due to a lack of quorum, this item was rescheduled to the next available agenda on June 24, 2002 **(see discussion on Page 256 of these Minutes)**.

J. Resolution No. 5512 Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2002, of the Submission to the Voters a Question to Whether or Not to Adopt an Ordinance to Change the City of Santa Paula's Urban Restriction Boundary (CURB) to Include Adams Canyon and an Access Corridor - (80)

Councilmember Johnson pulled this item in order to declare a conflict of interest. Due to a lack of quorum, this item was rescheduled to the next available agenda on June 24, 2002 **(see discussion on Page 256 of these Minutes)**.

K. Business License Processing Fees for Special Events - (40)

Community Services Director Brian J. Yanez's report dated June 6, 2002. He responded to a question regarding the term dates for the business license for special events by responding that the business license would be valid for one calendar year for other special events. He further responded to a question regarding special events by responding that these would include events sponsored by nonprofit groups and government, such as the Citrus Festival, Heritage Valley Festival, walk-a-thon, and church special events. He further responded to a question regarding which events would not apply by responding that those would include events sponsored by a commercial vendor.

A discussion ensued regarding setting guidelines and policies for waiving fees, and having the carnival vendors pay their fees directly to the City.

It was moved by Councilmember Johnson, seconded by Vice Mayor Espinosa, to send this back to staff for further review.

A discussion ensued regarding having staff bring back a report to define which types nonprofit organizations would receive a waiver of fees and bring back a policy for carnivals.

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

L. Mexican-American Chamber Commerce, Kiwanis, and Centennial Waiver of Fees - (86/86-1)

Community Services Director Brian J. Yanez' report dated June 6, 2002.

It was moved by Councilmember Johnson, seconded by Councilmember Procter, to grant the request of the Santa Paula Mexican-American Chamber of Commerce to reimburse all of their carnival fees from their annual carnival that was held on April 11 through April 14, 2002, that all of the Kiwanis carnival fees be waived for their upcoming Citrus Festival in July, and that the City Council receive and file the report concerning the Centennial fees that were waived and the attached financial summary.

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

PUBLIC HEARING

A. Railroad Plaza, Option for Mill Street Closure - (143-3/162)

Upon verification of proper notification and posting by the City Clerk, Vice Mayor Espinosa opened the Public Hearing at 7:38 p.m.

A discussion ensued regarding a communication received from Councilmember Cook, who had asked that the City Council pull this item and schedule it for the next City Council Meeting.

Acting City Attorney Karl H. Berger responded to a question regarding whether public comments must be taken for this Public Hearing by responding that the City Council may open the Public Hearing and continue to a subsequent date, and that further testimony may be taken before closing the Public Hearing. The City Council proceeded with the Public Hearing.

Public Works Director/City Engineer Norman S. Wilkinson's report dated June 6, 2002. Mike Miller, 226 N. Eighth Street, expressed his concern with the permanent closure of Mill Street, and spoke in favor of a temporary street closure. He further submitted a conceptual drawing by Mr. John Turturro as an alternative to the street closure. He further presented a petition with signatures opposed to the permanent street closure.

Mary Ann Krause, 154 Via Solana, expressed her concern with the economics of closing Mill Street, and spoke in favor of a convertible street. She responded to a question regarding the impact of splitting the site into two parks by stating that the site could function better as an everyday parkland, and suggested a floral theme for one park and an open space for the other.

Peter Wright, 801 McKeveitt Road, noted that there are only three streets that run north/south in this area, and that Mill Street is used as a route by the Fire Department.

Jerry Schmidt, 792 Manor Ridge, spoke against the closure of Mill Street due to it being the fastest route to the hospital, and spoke in favor of keeping the street closed except during special events.

Victor Salas, 1200 E. Santa Paula Street, representing the Mexican-American Chamber of Commerce, spoke against the closure of Mill Street, and noted that the Mexican-American Chamber of Commerce is willing to donate \$1,000 annually for a gazebo at Veterans Memorial Park.

Cheryl Baudizzon, 15202 Santa Paula Street, spoke in favor of the closure of Mill Street, and noted that many downtown merchants support its closure.

Robert Borrego, 524 Fourteenth Street, spoke against the closure of Mill Street, and suggested that a portable gazebo be considered.

Pete Mason, 226 N. Mill Street, spoke in favor of the closure of Mill Street and the gazebo.

RECESS TO A BREAK

Vice Mayor Espinosa recessed the City Council to a Break at 8:21 p.m.

RECONVENE TO REGULAR MEETING

Vice Mayor Espinosa reconvened the City Council at 8:35 p.m.

It was moved by Councilmember Johnson to continue the Public Hearing to the next Regular City Council Meeting of July 1, 2002 due to two Councilmembers being absent. The motion died for lack of a second.

Vice Mayor Espinosa closed the Public Hearing at 8:37 p.m.

Public Works Director/City Engineer Norman S. Wilkinson responded to a question regarding whether the railroad crossing arms were up to code by responding that he was not aware of any deficiencies, and that if the street were to remain open, the railroad crossing arms must remain in place.

It was moved by Vice Mayor Espinosa, seconded by Councilmember Procter, to approve the item with temporary closures.

Under roll call vote, Councilmember Procter and Vice Mayor Espinosa were in favor. Councilmember Johnson abstained. Councilmember Cook and Mayor Luna were absent.

Acting City Attorney Karl H. Berger advised that according to Rule 9.3 of the City Council's rules, the majority of the quorum decides, therefore, the motion carries.

ORDER OF BUSINESS

For Order of Business Items 9A and Consent Calendar Items 7I and 7J, Acting City Attorney Karl H. Berger noted that he had reviewed the California Elections Code during the break, and that these items must be placed during the Regular City Council Meeting for July 1, 2002, due to tonight's lack of quorum for these items.

A. Arguments and Rebuttals For and Against An Initiative to Change the City of Santa Paula's Urban Restriction Boundary (CURB) to Include Adams Canyon and an Access Corridor - Interim City Manager Paul L. Skeels and City Clerk Steven J. Salas' report

dated June 6, 2002. (80) **(Continued to Regular City Council Meeting of July 1, 2002.)**

B. Consider Placing the Initiative Measure Amending the City Urban Restriction Boundary (CURB) Line to Include a 32.5 Acre Parcel at the Northwest Corner of Peck/Foothill Roads on the November Ballot - (80) **(Continued to Regular City Council Meeting of June 24, 2002.)**

It was the consensus of the City Council to move Items 9C, D, and E to the Regular City Council Meeting of July 1, 2002.

C. Alcohol Sales Signage - (42-1)

D. Signs on Public Property for Private Parties - (122)

E. Synthetic Grass Soccer Fields - (114)

CITY COMMUNICATIONS

There were no City Communications.

FUTURE AGENDA ITEMS

There were no Future Agenda Items.

RECESS TO A REDEVELOPMENT AGENCY MEETING

Vice Mayor Espinosa recessed the City Council to a Redevelopment Agency Meeting at 8:45 p.m.

RECONVENE TO REGULAR MEETING

Vice Mayor Espinosa reconvened the City Council at 8:52 p.m.

CLOSED SESSION

The City Council recessed to a Closed Session to discuss: 1) Negotiations with Employee Organizations: Santa Paula Police Officers Association (SPPOA) - Non-Safety Unit (CSO Unit), and Santa Paula Public Employees Association (SEIU). Name of Negotiator: Melissa Grisales. Pursuant to *Government Code §54957.6*. (118-2); and 2)

Public Employee Appointment or Employment. Positions to be filled: City Manager and Finance Director. Pursuant to *Government Code §54957*. (118)

The City Council reconvened into Open Session at 9:43 p.m. No action was taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Vice Mayor Espinosa adjourned the meeting at 9:43 p.m.

ATTEST:

Steven J. Salas
City Clerk