

**CALL TO ORDER**

Mayor Luna called the meeting to order at 6:30 p.m. Deacon Alfonso Guilin from St. Sebastian Church offered the invocation, and Mayor Luna led the Pledge of Allegiance to the Flag. Deacon Guilin also invited the City Council to participate in the upcoming memorial service on September 11, 2002.

**ROLL CALL**

Councilmember Richard C. Cook, Councilmember Donald L. Johnson, Councilmember John T. Procter, 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. City Clerk Steven J. Salas was absent due to illness.

**PRESENTATION**

Ginger Gherardi, Bob Guillen, and Ed Barlow from the Ventura County Fair Board of Directors presented the City Council with the 2002 fair poster, and provided a presentation on Seaside Park and its many activities. They also invited the City Council and the public to participate in Seaside Park’s master plan process.

**PUBLIC COMMENT**

There was no Public Comment.

**CONSENT CALENDAR**

Councilmember Cook pulled Item C in order to abstain because he was not at the meeting. It was moved by Vice Mayor Espinosa, seconded by Councilmember Johnson, 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, all were in favor. The Consent Calendar was adopted.

A. Warrants and Certifications – Approved the Warrants and Certifications dated July 8, 2002. (88-2)

Wire Transfers	\$ 44,941.36
Salaries	\$ 295,895.31
Invoices	<u>\$ 953,247.41</u>
TOTAL	\$1,294,084.08

**B. Closed Session** – Approved a Closed Session to discuss: 1) Negotiations with Employee Organizations: Santa Paula Police Officers Association/IBPO, Santa Paula Police Officers Association (SPPOA) – Non-Safety Unit (CSO Unit), Santa Paula Police Officers Association/IBPO – Police Commanders Unit, Santa Paula Professional Firefighters Association (SPFFA), Ventura County Professional Firefighters Association – IAFF Local 164, Santa Paula Public Employees Association (SEIU), and unrepresentative employees (management, mid-management, confidential, part-time, temporary, and seasonal employees). Name of Negotiator: Melissa Grisales. Pursuant to *Government Code §54957.6* (118-2); 2) Public Employee Appointment or Employment. Positions to be filled: City Manager. Pursuant to *Government Code §54957* (118); and 3) Conference with Legal Counsel, Existing Litigation. Name of Case: Malvasio, et al, vs. City Council of the City of Santa Paula, et al. Ventura County Superior Court Case #CIV212758. Pursuant to *Government Code §54956.9(a)* (80).

**D. Minutes** – Adopted the Minutes of the Special City Council Meeting of June 24, 2002. (50-6)

**E. Rejection of Claim Filed by Edward Barron, et al** – Rejected the claim filed by Edward Barron, et al. Assistant to the City Manager Melissa Grisales' report dated July 3, 2002. (62)

**F. Alcohol Beverage Control Grant** – 1) Approved acceptance of the Alcohol Beverage Control Grant in the amount of \$43,931 and adopted Resolution No. 5517; and 2) established a budget under fund 304 and authorized staff to manager the grant under the provisions of the contract. **RESOLUTION NO. 5517**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ACCEPTING GRANT ASSISTANCE FROM THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL. Police Chief Robert S. Gonzales' report dated June 28, 2002. (124)

**G. Construction of a New 400 Zone/600 Zone #1 Booster Pump Station at Main Reservoir Site, Project No. 98.99.133 WTR** – Approved the plans and specifications and authorized the Public Works Director to invite bids for the proposed construction of a combine 400 Zone/600 Zone Booster Pump Station at Tenth and Terracina Street. Public Works Director/City Engineer Norman S. Wilkinson's report dated June 26, 2002.

**H. School Crossing Improvements, Project No. 00.01.212 SPC** – Approved the plans and specifications for the proposed lighted crosswalk markers and authorized the City Engineer to advertise and receive bids. Public Works Director/City Engineer Norman S. Wilkinson's report dated June 17, 2002.

**CONSENT CALENDAR - SEPARATE ACTION ITEMS**

C. Minutes – (50-6)

It was moved by Councilmember Johnson, seconded by Councilmember Procter, to adopt the Minutes of the Regular City Council Meeting of June 17, 2002.

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

**ORDER OF BUSINESS**

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 – (80)

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

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

It was moved by Councilmember Cook, seconded by Mayor Luna, that he write the argument in favor for the initiative.

A discussion ensued regarding concerns on the City Council taking a stand on this measure, and a suggestion that instead of having a Councilmember write the argument, that the proponents of the measure write the argument in favor and SOAR write the argument against. Another discussion ensued regarding the fact that Councilmembers will be writing the arguments in favor and against Council districting.

Under roll call vote, Councilmember Cook and Mayor Luna were in favor. Councilmember Procter and Vice Mayor Espinosa were opposed. It was a tie vote, and the motion failed.

A discussion ensued regarding the distinction between this measure and the City-initiated Council district measure which was placed on the ballot as a result of a lawsuit.

City Attorney Phillip H. Romney responded to a question regarding the impartial analysis by responding that he needs to be directed to prepare the impartial analysis otherwise, one is not done.

It was moved by Councilmember Procter that City Attorney Phillip H. Romney write the impartial analysis. Mayor Luna stated that this would need to be done on a new agenda item.

Councilmember Johnson returned to the dais.

B. Alcohol Sales Signage – (42-1)

Planning Director Thomas M. Bartlett provided a verbal report, and stated that eight businesses were identified as being in violation of the AB 2742 Lee Law sign guidelines. He further reported that six of the eight business have removed signs and are now in compliance. He responded to a question regarding whether he had contacted the high school students and El Concilio del Condado de Ventura, who brought this matter to the City's attention, by stating that he met with the group in June, but has not met with them since then. He further stated that he would be happy to meet with them to follow-up on the issue.

A discussion ensued regarding having staff contact the Alcohol Beverage Control Board about a business with mesh material covering the window.

C. Signs on Public Property for Private Parties – (122)

Planning Director Thomas M. Bartlett provided a verbal report regarding temporary banners placed outside the Community Center, and suggested installation of a message type sign on or near the building.

A discussion ensued regarding safety concerns for people hanging banners from the trees in front of the Community Center, regarding the established process for temporary signs, and having staff investigate alternatives for signs to advertise events at the Community Center.

It was moved by Councilmember Cook, seconded by Councilmember Johnson, for staff to bring back a report for a sign at the Community Center.

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

D. Synthetic Grass for Soccer Fields – (114)

Public Works Director/City Engineer Norman S. Wilkinson provided a verbal report on the new forms of synthetic turf and the cost of \$400,000 for installation at Teague and Las Piedras Parks. He further mentioned that the proposed impacts fees for parks would be

presented to the City Council next month, and that funds from these fees could be used towards this type of project.

A discussion ensued regarding the current condition of the parks and keeping installation of synthetic grass in mind when discussing the Park Master Plan.

E. Draft Inclusionary Housing Ordinance

Planning Director Thomas M. Bartlett provided a verbal report on the status of the draft inclusionary housing ordinance, and stated that he hopes to have the ordinance completed by the end of the year.

A discussion ensued regarding having Planning Director Thomas M. Bartlett provide a pass-through to the City Council with the time frame with specific months attached for the draft inclusionary housing ordinance.

F. Mill Street Closure – (143/162)

Public Works Director/City Engineer Norman S. Wilkinson provided a verbal report on the status of the Railroad Plaza Phase II project and an alternative for construction of a gazebo on an island in the center of Mill Street, which would allow traffic to flow on each side and which could be built at a savings of \$46,000 from the original plans. He stated that if the City Council wishes to pursue construction of a gazebo, the City Council would need to give direction to have the gazebo built and appropriate \$70,000, or keep the gazebo in mind to have it built in the future.

City Attorney Phillip H. Romney declared a conflict of interest and stepped down from the dais.

Fire Captain Glen Aronowitz responded to a question regarding the Fire Department's response route to the hospital by responding that normally the intersection at Santa Barbara and Mill Streets is not used, and that the usual route is Tenth Street.

Bill Glenn, 128 E. Santa Paula Street, spoke in favor of the new plan.

A discussion ensued regarding input received from the public in favor of closing Mill Street and concerns that this item was not agendaized to include options for the gazebo.

Public Works Director/City Engineer Norman S. Wilkinson responded to a question regarding how construction of the Railroad Plaza Phase II would be affected if options to proceed with the gazebo were delayed for two weeks by responding that this may affect the contractor's demolition schedule. He further responded to a question regarding the

cost for a change order by responding that the cost to build the new concept for the street instead of a closed street with a brick plaza would be a \$46,000 savings.

### **RECESS TO A BREAK**

Mayor Luna recessed the City Council to a Break at 7:35 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Luna reconvened the City Council at 7:45 p.m.

Rowena Mason, 226 N. Mill Street, representing the residents of the 200 block of Mill Street, spoke in favor of continuing with the original plan to close Mill Street.

Cari Leidig, 819 Pleasant Street, spoke in favor of the original plan to close Mill Street.

It was moved by Councilmember Johnson, seconded by Vice Mayor Espinosa, to bring back the closure of Mill Street at the next regularly scheduled City Council Meeting, and a discussion about funding the gazebo.

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

City Attorney Phillip H. Romney returned to the dais.

#### G. Policy and Guidelines for Teleconferencing – (50-6)

A discussion ensued regarding a City Council teleconference which took place in 1973 at the request of Councilmember Henry Vela, and addressing a policy on what the procedure would be, the decorum when teleconferencing occurs in a private home, concerns regarding conduct in a more relaxed setting, the ability for people to have input, and whether alcohol would be allowed.

It was moved by Vice Mayor Espinosa that staff be directed to come back with some of those types of guidelines that might assist the Council in future use of this kind of technology.

A discussion ensued regarding the law that allows teleconferencing as long as the requirements are met; concerns regarding posting requirements if a Councilmember requests teleconferencing from a hotel; questions regarding what circumstances would teleconferencing be accommodated such as for all requests or limited to illness; and exploring whether there could be any First Amendment issues.

Councilmember Johnson seconded the motion.

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

### **CITY COMMUNICATIONS**

Interim City Manager Paul L. Skeels introduced Fire Captain Glen Aronowitz, who filled in for Acting Fire Chief Richard Araiza this evening.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Cook, seconded by Councilmember Johnson, for a report on how the City can or will attempt to enforce CC&Rs on developments that have met all the City's rules and regulations and are not meeting them, what are the City's options to the developer or property owner, and what is the City's recourse if the developer or property owner refuses to enforce the CC&Rs. Under roll call vote, all were in favor, and the motion carried.

It was moved by Vice Mayor Espinosa, seconded by Councilmember Procter, to review the policy on fee waivers for late payments on utilities, and to have report on the possibility of a revision. Under roll call vote, all were in favor, and the motion carried.

It was moved by Mayor Luna, seconded by Councilmember Johnson, for a handicap parking space at Barbara Webster School, and a report giving that to the Traffic Safety Committee. Under roll call vote, all were in favor, and the motion carried.

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

Mayor Luna recessed the City Council to a Redevelopment Agency Meeting at 8:09 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Luna reconvened the City Council at 8:10 p.m.

### **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/IBPO, Santa Paula Police Officers Association (SPPOA) – Non-Safety Unit

(CSO Unit), Santa Paula Police Officers Association/IBPO – Police Commanders Unit, Santa Paula Professional Firefighters Association (SPFFA), Ventura County Professional Firefighters Association – IAFF Local 164, Santa Paula Public Employees Association (SEIU), and unrepresentative employees (management, mid-management, confidential, part-time, temporary, and seasonal employees). Name of Negotiator: Melissa Grisales. Pursuant to *Government Code §54957.6* (118-2); 2) Public Employee Appointment or Employment. Positions to be filled: City Manager. Pursuant to *Government Code §54957* (118); and 3) Conference with Legal Counsel, Existing Litigation. Name of Case: Malvasio, et al, vs. City Council of the City of Santa Paula, et al. Ventura County Superior Court Case #CIV212758. Pursuant to *Government Code §54956.9(a)* (80).

Mayor Luna recessed the City Council to a Closed Session at 8:10 p.m., and reconvened into Open Session at 9:45 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 9:45 p.m.

ATTEST:

Josephine G. Herrera  
Deputy City Clerk