

CALL TO ORDER

Mayor Procter called the meeting to order at 6:31 p.m. Pastor Ron Dybvig offered the invocation, and Councilmember Luna led the Pledge of Allegiance to the Flag.

ROLL CALL

Councilmember Mary Ann Krause, Councilmember Ray C. Luna, Vice Mayor Gabino Aguirre, and Mayor John T. Procter responded to roll call. City Manager Wally Bobkiewicz, Interim City Attorney Karl H. Berger, and Deputy City Clerk Josephine G. Herrera were also present. Councilmember Richard C. Cook and City Clerk Steven J. Salas were absent due to illness.

PRESENTATION

A. Proclamation Recognizing "Public Works Week"

Vice Mayor Aguirre presented a proclamation to Public Works Director/City Engineer Clifford G. Finley recognizing "Public Works Week." Public Works Director/City Engineer Clifford G. Finley introduced Public Works employees Anthony Scott, Trini Bonilla, Manuel Ruiz, and Teresa Young. City Manager Wally Bobkiewicz and Public Works Director/City Engineer Clifford G. Finley presented a poster to the City Council recognizing "Public Works Week", and noted that it would be hung in the City Hall lobby.

B. Presentation on the Ventura County Regional Alliance Report

Cathy Kemp, representing the Regional Civic Alliance, provided a summary of the alliance and provided a copy of their report.

C. Presentation on the Weed and Seed Program

Martin Hernandez, representing County Supervisor Kathy Long, conveyed Supervisor Long's strong support for the Weed and Seed Strategy, and spoke in favor of the adoption of the resolution in support of the Weed and Seed Strategy.

Anna Manzano, 133 S. Fourth Street, provided a summary of the Weed and Seed Strategy activities, and encouraged the City Council to participate in the program.

D. Presentation by Aviation Museum of Santa Paula

Mike Dewey, 15711 W. Telegraph Road, Director of the Aviation Museum, along with by Bruce Dickensen, Janet Dickensen, and Bob Phelps, provided a brief history of the Santa Paula Airport, and spoke regarding plans to build 35 hangars with the profits to be used towards the construction of an aviation museum. He noted that the hangars

would be sold, and the hangar owners would rent the grounds from the Aviation Museum. Mr. Dewey responded to a question regarding whether the flight path would remain clear by stating that the museum and hangars would be south of the runway. Mr. Dickensen added that there are restrictions on how high and how close buildings may be near the clear zone.

PUBLIC COMMENT

Laurie Lambeth, representing the American Cancer Society, spoke regarding the Second Annual *Relay for Life* to be held on August 16 and 17, 2003, at Santa Paula High School. She noted that the event is an overnight, community-based fundraiser to fight cancer. She also noted that the kick-off event would be held on June 7, 2003, at 11:00 a.m., at the gazebo.

CITY COUNCIL, STAFF COMMUNICATIONS

Police Chief Robert S. Gonzales stated that it was a pleasure to attend the League of California Cities Legislative Action Days in Sacramento, and commended Mayor Procter and Councilmember Krause for representing Santa Paula at this meeting.

Councilmember Krause noted that she and Mayor Procter met Assemblymember Tony Strickland, Senator Pete Knight, and Tim Hurt of the *Ventura County Star* Sacramento Bureau during the Legislative Action Days, and that they planted a seed for future discussion and consideration.

APPROVAL OF FINAL AGENDA

There were no changes to the agenda.

CONSENT CALENDAR

City Manager Wally Bobkiewicz pulled Items 9C and 9E, Minutes, to be brought back on the next agenda. Vice Mayor Aguirre pulled Item 9L. It was moved by Councilmember Luna, seconded by Councilmember Krause, 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. There was no opposition. The Consent Calendar was adopted.

- A. Waiver of Reading of Ordinances and Resolutions – Approved waiver of the reading of Ordinances and Resolutions appearing on the Consent Calendar; waiver of the reading of all other Resolutions appearing on the Agenda; and reading all other Ordinances appearing on the Agenda, in title only.

- B. Warrants and Certifications – Approved the Warrants and Certifications dated May 12, 2003. (88-2)

Wire Transfers	\$ 69,144.15
Salaries	\$317,524.76
Invoices	<u>\$332,926.29</u>
TOTAL	\$719,595.20

- D. Minutes – Adopted the Minutes of the Special City Council Meeting of May 5, 2003.
- F. Legal Opinion on Councilmembers' Conflicts of Interests Regarding Fagan Canyon – Directed the Interim City Attorney to prepare a confidential legal opinion on Councilmembers' conflicts of interests regarding Fagan Canyon, and that the opinion be as inclusive as possible. City Manager Wally Bobkiewicz's report dated May 12, 2003.
- G. 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 May 13, 2003.
- H. Monthly Report of Transactions – Reviewed and filed the attached monthly report of transactions. City Treasurer Sandra K. Easley's report dated May 5, 2003.
- I. Investment Report for the Quarter Ending December 31, 2002 – Received and filed the Investment Report for the Quarter Ending December 31, 2002. City Treasurer Sandra K. Easley's report dated May 14, 2003.
- J. Investment Report for the Quarter Ending March 31, 2003 – Received and filed the Investment Report for the Quarter Ending March 31, 2003. City Treasurer Sandra K. Easley's report dated May 14, 2003.
- K. Oil Spill Cleanup – 1) Allocated \$55,000 of Local Transportation (LTF) funds to pay for the costs of cleaning up the oil spill on March 15, 2003; and 2) approved the work performed and confirmed payment to Lindsey Excavating. Finance Director Alvertina Rivera and Public Works Director/City Engineer Clifford G. Finley's report dated May 13, 2003.
- M. Juvenile Accountability Incentive Block Grant (JAIBG) Waivers – Authorized the City Manager to sign the waiver of direct subgrant award from Unit of Local Government supporting the Juvenile Drug Court. Police Chief Robert S. Gonzales' report dated May 8, 2003.

- N. Out of State Travel – Authorized Police Chief Robert S. Gonzales to attend the National Weed and Seed Conference in Albuquerque, New Mexico, May 26 – 27, 2003, at the expense of the United States Department of Justice. Acting Police Chief Mark Hanson's report dated May 13, 2003.
- O. Weed and Seed Grant Resolution. Adopted **RESOLUTION NO. 5583**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA IN SUPPORT OF THE WEED AND SEED STRATEGY. Police Chief Robert S. Gonzales' report dated May 13, 2003.
- P. Las Piedras Park Restrooms Upgrade, Project 02.03.239 BAG, Award of Contract – Awarded the contract for the Las Piedras Park Restrooms Upgrade, Project No. 03.03.239 BAG, to T J Construction in the amount of \$72,057.00. Approved the attached **RESOLUTION NO. 5581**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AWARDING CONSTRUCTION CONTRACT OF LAS PIEDRAS PARK RESTROOMS UPGRADE. Public Works Director/City Engineer Clifford G. Finley's report dated May 12, 2003.

CONSENT CALENDAR – SEPARATE ACTION ITEMS

- L. Social Services Program for Fiscal Year 2003/2004

Finance Director Alvertina Rivera's report dated April 29, 2003.

A discussion ensued regarding concerns that other organizations may not be aware of this program, and having staff look into procedures for soliciting other organizations who may be interested in participating this program.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to move forward with staff's recommendation to: 1) authorize the Social Services Program for Fiscal Year 2003/2004; 2) distribute funds for 2003/2004 based on prior years allocations; and 3) to bring up the issue later on in the year in order to look at the process for next year. There was no opposition, and the motion carried.

PUBLIC HEARING

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

City Manager Wally Bobkiewicz recused himself from this item because he owns property in the Hillsborough Open Space District; noted that Public Works Director/City Engineer Clifford G. Finley would be the Acting City Manager for this item; and stepped down from the dais.

Mayor Procter opened the Public Hearing at 7:16 p.m.

Public Works Director/City Engineer Clifford G. Finley's report dated May 6, 2003. He responded to questions regarding the annual assessment, which is used to maintain the open space as specified in the Development Agreement.

Mayor Procter closed the Public Hearing at 7:19 p.m.

It was moved by Vice Mayor Aguirre to read Resolution No. 5575 in title only and to approve the attached resolution placing a \$100 per parcel special assessment onto the December 2003 tax roll for the Hillsborough Open Space Maintenance District.

Interim City Attorney Karl H. Berger read Resolution No. 5575 in title only.

RESOLUTION NO. 5575

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA PLACING
A \$100 SPECIAL ASSESSMENT ON THE TAX ROLL FOR DECEMBER 2003 FOR
ALL 71 PARCELS IN THE HILLSBOROUGH OPEN SPACE MAINTENANCE
DISTRICT

Councilmember Krause seconded the motion. There was no opposition, and the motion carried.

City Manager Wally Bobkiewicz returned to the dais

B. Request for Zone Change for 416 Ojai Road, Project No. 2003-CDP-01

Mayor Procter opened the Public Hearing at 7:20 p.m.

Planning Director Thomas M. Bartlett's report dated May 9, 2003.

Lauro Recendez, representing R & L Design, spoke on behalf of the property owners, and gave a brief description of the project. He responded to questions regarding landscaping, sound separation, and making the front doors more prominent by stating that he would address all of the concerns and issues.

Mayor Procter closed the Public Hearing at 7:31 p.m.

It was moved by Councilmember, seconded by Vice Mayor Aguirre, to introduce Ordinance No. 1067 amending the City's Zoning Map to change the zoning designation for Assessor's Parcel Number 100-0-181-045 located at 416 Ojai Road from R-2(D)PD (Low Density Multiple Family-Duplex, Planned Development) to R-2 PD (Low Density Multiple Family, PD) and to read the ordinance in title only. There was no opposition, and the motion carried.

Interim City Attorney Karl H. Berger read Ordinance No. 1067 in title only.

ORDINANCE NO. 1067

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ZONING CERTAIN PROPERTY LOCATED AT 416 OJAI ROAD, APPLICANT: ROBERT BURCIAGA, PROJECT NO. 2003-CDP-01

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to adopt Resolution No. 5582 approving one Growth Management Allocation, Design Review, and a Planned Development Permit to construct three dwelling units, with both actions in accordance with the project plans submitted and subject to the Conditions of Approval identified in the Ordinance and Resolution of approval. There was no opposition, and the motion carried.

RESOLUTION NO. 5582

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING ONE GROWTH MANAGEMENT ALLOCATION, DESIGN REVIEW, AND A PLANNED DEVELOPMENT PERMIT FOR DEVELOPMENT OF THREE DWELLING UNITS ON PROPERTY LOCATED AT 416 OJAI ROAD, APPLICANT: ROBERT BURCIAGA, PROJECT NO. 2003-CDP-01

ORDER OF BUSINESS

- A. Santa Paula Branch Line Bike Trail Project, Project No. 98.99.159 SPC, Request for Project Abeyance

Public Works Director/City Engineer Clifford G. Finley's report dated May 12, 2003. He responded to a question regarding whether the release of CMAQ funds would require a resolution by responding no. He further responded to a question regarding the location of the project area by stating that it runs from Peck Road to Santa Paula Creek, with a bike path running along the railroad corridor.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to: 1) authorize staff to proceed with selecting a consultant for design services for the Bike Trail (Project No. 98.99.159 SPC, Line 42 of the Approved Budget for Fiscal Year); 2) reschedule the construction phase of the project in order to prevent CMAQ funds programmed for construction from lapsing; 3) unappropriate \$175,000 of the State Local Transportation Funds (LTF) appropriated for the Bike Trail Project by the City Council so that the funds can be used for other street improvement projects as approved by the City Council; and 4) direct staff to return to the City Council with estimated maintenance

and construction costs for the project at the conclusion of the design phase. There was no opposition, and the motion carried.

B. School Crossing Improvements, Project No. 00.02.212 SPC, Award of Contract

Public Works Director/City Engineer Clifford G. Finley's report dated May 12, 2003.

A discussion ensued regarding seeking grant funding in order to install lighted crosswalks at other locations, keeping the lighted crosswalk on Ojai Road and Oakdale Place as part of this project, and seeking funds to include the crosswalk at Tenth Street and Ventura Street.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Luna, to accept staff's recommendation to: 1) award the contract for the School Crossing Improvements Project, Project No. 00.01.212 SPC to Metro Parking & Traffic Systems, Inc., in the amount of \$255,393; 2) appropriate an additional \$50,000 from the Local Transportation Fund to Account No. 231.050.9081.8630 for this project; 3) approve the anticipated project expenditure limit in the amount of \$280,164 (including 10% contingency); 4) authorize the City Manager, or his designee, to sign the contract documents on behalf of the City; 5) direct staff to add a lighted crosswalk on Tenth Street at Ventura Street, and direct staff to seek funds within the project for this crosswalk and not delete any of the other project intersections; and 6) adopt Resolution No. 5584.

David Medina, Principal of Grace Thille School, asked the people in the audience representing Grace Thille School to stand in support of this item, and thanked the City Council and staff for their consideration of this issue.

There was no opposition, and the motion carried.

RESOLUTION NO. 5584

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
AWARDING CONSTRUCTION CONTRACT OF SCHOOL CROSSING
IMPROVEMENTS PROJECT

RECESS TO A HEALTH AND SAFETY BREAK

Mayor Procter recessed the City Council to a Health and Safety Break at 7:50 p.m.

RECESS TO REGULAR MEETING

Mayor Procter reconvened the City Council at 8:00 p.m.

C. Las Piedras Park Neighborhood Improvement Plan

City Manager Wally Bobkiewicz's report dated May 14, 2003.

A discussion ensued regarding developing a plan for the park after September 1; holding a community fair in the Fall; receiving input from the community on their wants and needs for the park; and integrating the community visioning process and keeping timelines in mind.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to have staff return on September 2, 2003, with a plan that would outline a planning process that would take approximately three months, and come back with milestones with that planning process. There was no opposition, and the motion carried.

D. California Oil Museum Financing Plan

Community Services Director Brian J. Yanez's report dated May 7, 2003.

A discussion ensued regarding the City's lease of the California Oil Museum building, consideration of adding the Union 76 gas station property to the lease for possible redevelopment, and the amount of revenue generated by museum.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to approve the proposed California Oil Museum revenue and funding plan for FY 2003/04 through FY 2006/07. There was no opposition, and the motion carried.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to approve that all Museum revenues will accrue in Museum Fund 204. There was no opposition, and the motion carried.

E. Special Event Insurance Support

Community Services Director Brian J. Yanez's report dated February 28, 2003.

Interim City Attorney Karl H. Berger responded to a question regarding waiving fees by stating that the City Council may categorize types of businesses such as non-profits, for-profits, residents, and non-residents for waiving fees; however, in the absence of such categorization and the adoption of a legislative act with regards to those types of categories, this may cause a problem with gift of public funds for different events. He recommended that direction be given to staff in terms of establishing general categories and adopting an ordinance or resolution which sets forth those categories that would establish legalities for waiving fees and speed up the process for the permitting.

It was moved by Councilmember Krause, seconded by Councilmember Luna, to continue to allow special event organizers to purchase insurance through the City's insurance binder. There was no opposition, and the motion carried.

It was moved by Councilmember Krause, seconded by Mayor Procter, to direct staff to return in the Fall with an ordinance which would address policy issues of charging fees for special events to cover staff time and address the issues of different categories of resident, non-resident, profit, non-profit, and any others that may be appropriate for Council consideration.

A discussion ensued regarding staff bringing back a draft resolution for Council's consideration and to include youth groups in the draft resolution.

There was no opposition, and the motion carried.

F. Adoption of Proposed FY 2003/04 City Council Goals and Priority Projects

City Manager Wally Bobkiewicz's report dated May 14, 2003.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to hold over this item to next week's meeting to allow Councilmember Cook to participate in the decision.

A discussion ensued regarding changing "Community Work Day" to "Community Work Days" under *Maintain and Enhance Quality of Life*.

There was no opposition and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz mentioned that a Special City Council Meeting would be held on May 27, 2003, at 6:30 p.m., to review and approve the joint wastewater treatment plant project. He also reminded the City Council of the budget workshops scheduled for the first, second, and third weeks of June.

Mayor Procter mentioned the upcoming League of California Cities Channel Counties Division Meeting on May 23, 2003, at Fillmore City Hall.

Councilmember Luna commended the Planning Department staff for their work on the 416 Ojai Road project.

FUTURE AGENDA ITEMS

It was moved by Councilmember Luna, seconded by Mayor Procter, for a letter to be sent to Supervisor Kathy Long for financial assistance in regards to lighted crosswalks from CDBG funding that she might have. There was no opposition, and the motion carried.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Luna, for a land use workshop. City Manager Wally Bobkiewicz suggested that staff could be directed to come up with ideas for the workshop with proposed dates in July or August, and bring back a recommendation in June. Vice Mayor Aguirre amended his motion as suggested by City Manager Wally Bobkiewicz, and Councilmember Krause seconded the amended motion. There was no opposition, and the motion carried.

It was moved by Mayor Procter, seconded by Councilmember Luna, for a Closed Session on the next available agenda for evaluation of City Manager. There was no opposition, and the motion carried.

RECESS TO REDEVELOPMENT AGENCY MEETING

Mayor Procter recessed the City Council to a Redevelopment Agency Meeting at 8:48 p.m.

RECONVENE TO REGULAR MEETING

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

ADJOURNMENT

There being no further business to come before the City Council, Mayor Procter adjourned the meeting at 8:52 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk