

**CALL TO ORDER**

Mayor/Chair Procter called the meeting to order at 6:35 p.m. Building and Safety Director Stephen R. Stuart offered the invocation, and Councilmember/Director Luna led the Pledge of Allegiance to the Flag.

**ROLL CALL**

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

City Manager Wally Bobkiewicz noted that City Clerk Steven J. Salas was absent because as part of his private security business, he was meeting with his client, Auto Racing Products (ARP), who recently had a burglary. He also mentioned that he and Interim Economic Development Director Charmaine Stouder also met with the owners of ARP to discuss their concern. He also mentioned that tonight's meeting and the meeting scheduled for July 23 are scheduled as joint City Council/Redevelopment Agency Meetings in order to conduct business more efficiently.

**PRESENTATION**

A. Presentation by El Concilio del Condado de Ventura and Isbell Middle School on Tobacco Litter Pickup

Ricardo Bautista, Jose Estevez, Diana Ursua, Heledoro Bautista, Gerardo Viramontes, Josephine Martinez, and Maria Viramontes, students from Isbell Middle School, spoke regarding the Anti-Tobacco Litter Pickup Program and the Tot Lot Law, which prohibits smoking within 25 feet of a playground. The students also mentioned that the Tot Lot Law allows local governments to adopt or enforce ordinances that are stricter than State law.

Christina Flores, representing El Concilio del Condado de Ventura, spoke regarding the project undertaken by students of Isbell Middle School in which they visited local parks and picked up cigarette butts from play areas. She also spoke regarding the Tot Lot Law, which allows local governments to enforce stricter laws, post signs, and issue fines up to \$250. She further commended the students for their excellent work.

B. Presentation on the Community Celebration Scheduled for Saturday, June 21, 2003, Celebrating 100 Years of the City's Fire Department

Community Services Director Brian J. Yanez spoke regarding the activities planned for the Community Celebration scheduled for June 21, 2003, at the Gazebo.

### **PUBLIC COMMENT**

There was no Public Comment.

### **CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS**

Mayor Procter announced that the dedication of the Latino mural on the Gonzales Furniture building would take place on June 21, 2003, at 11:00 a.m.

Councilmember Cook mentioned that the Group Against Graffiti's rummage sale would take place on June 21, 2003, at the corner of Eighth and Main Streets.

Interim City Attorney Karl H. Berger reported that during the Closed Session held at 6:00 p.m., the City Council authorized the City Manager to direct outside counsel to include the City in a potential lawsuit against the Environmental Protection Agency with regard to chloride total maximum daily allowance levels (TMDL).

### **APPROVAL OF FINAL AGENDA**

City Manager Wally Bobkiewicz suggested that Item 10B be considered first during Order of Business. There was no opposition.

### **CONSENT CALENDAR**

It was moved by Councilmember/Director Krause, seconded by Vice Mayor/Vice Chair Aguirre, 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 presented. 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 June 9, 2003. (88-2)

Regular Joint City Council/Redevelopment Agency Meeting  
Monday, June 16, 2003  
City Hall Council Chambers

Wire Transfers	\$ 174,599.14
Salaries	\$ 313,000.11
Invoices	<u>\$ 790,180.62</u>
TOTAL	<u>\$1,277,779.87</u>

- C. Closed Session – Approved a Closed Session to discuss: Public Employee Appointment or Employment. Position to be filled: City Attorney. Pursuant to Government Code §54957.
- D. Adoption of a Resolution Reciting the Fact of a Special Municipal Election and Declaring the Results Thereof – Adopted **RESOLUTION NO. 5592**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD IN SANTA PAULA ON JUNE 3, 2003, DECLARING THE RESULTS THEREOF AND SUCH OTHER MATTERS AS PROVIDED BY LAW. City Clerk Steven J. Salas' report dated June 9, 2003.
- E. Designation of Blanchard Community Library to Receive Local Appointments List – Adopted **RESOLUTION NO. 5590**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA DESIGNATING BLANCHARD COMMUNITY LIBRARY TO RECEIVE THE LOCAL APPOINTMENTS LIST FOR ALL REGULAR AND ONGOING BOARDS, COMMISSIONS, AND COMMITTEES APPOINTED BY THE CITY COUNCIL. Deputy City Clerk Josie G. Herrera's report dated June 3, 2003.
- F. Increase the Membership of the Economic Development Committee and Approve the Appointments to the Economic Development Committee – 1) Adopted Resolution No. 5593 increasing the membership of the Economic Development Committee; and 2) appointed Luis A. Diaz, Anna Marie Manzano, Jeffrey W. Novak, Kay Wilson-Bolton, and Peter O. Wright to the Economic Development Committee for two-year terms. **RESOLUTION NO. 5593**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AMENDING RESOLUTION NO. 5573, ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT COMMITTEE. City Manager Wally Bobkiewicz's report dated June 9, 2003.
- G. Appoint a Representative and Alternate to the Ventura County Area Agency on Aging – Adopted **RESOLUTION NO. 5591**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE VENTURA AREA AGENCY ON AGING. Recreation Supervisor Ed Mount's report dated June 3, 2003.

- H. 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 June 10, 2003.
- I. Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report. Finance Director Alvertina Rivera’s report dated June 10, 2003.
- J. Award of Contract for Santa Barbara Street Water Mainline Replacement Project No. 02.03.246 WTR – 1) Awarded the contract for the Santa Barbara Street Water Mainline Replacement Project No. 02.03.246 WTR to J & H Engineering General Contractors, Inc., in the amount of \$158,535; 2) appropriated an additional \$39,000 from the Water Enterprise Fund (Account No. 620.050.9108.8660) for this project; 3) approved the anticipated project expenditures limit; and 4) authorized the City Manager, or his designee, to sign the contract documents on behalf of and the City. Public Works Director/City Engineer Clifford G. Finley’s report dated June 9, 2003.
- K. Traffic Safety Items – Approved the recommendations of the Traffic Safety Committee, including: 1) reject the speed hump request at 314 Acacia Road; 2) reject the speed hump request at 351 Princeton Street; and 3) install two 15-minute parking stalls in front of the Santa Clara Valley Bank building for bank customers. Public Works Director/City Engineer Clifford G. Finley’s report dated June 3, 2003.
- L. Redevelopment Agency Minutes – Adopted the Minutes of the Redevelopment Agency Meeting of May 19, 2003.
- M. Redevelopment Agency Budget Allocation for Economic Development Consultant – a) Authorized staff to amend the current contract with Charmaine Stouder, Pathways to Communities (PTC) in support of Economic Development services, and b) allocated \$17,500 from the Redevelopment Agency fund balance. Authorization will allow for an additional 15 weeks of service through August 2003 at 20 hours per week. Executive Director Wally Bobkiewicz’s report dated June 10, 2003.

**ORDER OF BUSINESS**

- B. Options to Support Santa Paula Memorial Hospital

Rodney Fernandez, 537 Glade Drive, Member of the Santa Paula Memorial Hospital Board of Directors, provided an update of the negotiations with the County of Ventura. He asked the City Council to consider sending a follow-up letter encouraging the County Board of Supervisors to move forward with the negotiations and to provide interim

measures to ensure that the level of care at the hospital remains at a high level. He responded to a question regarding who are the members on the negotiating team by responding that they are Dr. Pierre Durand, Carol Burhoe, Dr. Logan Bundy, and himself.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to direct a follow-up letter to the Board of Supervisors requesting that they consider immediate interim support for the hospital in order to maintain an adequate level of service for the Santa Clara Valley Community. There was no opposition, and the motion carried.

A discussion ensued regarding encouraging the community to continue to support Santa Paula Memorial Hospital by accessing its services, encouraging physicians to refer patients to the hospital, using newspapers to inform the community, enclosing notices in the utility billing, and sending a letter to the editor.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to provide the City Council's letter to the Board of Supervisors to the newspapers as a letter to the editor in order to better inform the community. There was no opposition, and the motion carried.

It was moved by Mayor Procter, seconded by Vice Mayor Chair Aguirre, to lay over this item to the July 21, 2003 City Council Meeting. A discussion ensued regarding bringing this item back to the July 7, 2003 City Council Meeting to ensure that the negotiations are progressing. Mayor Procter amended his motion to bring this item back to the July 7, 2003 City Council Meeting. Vice Mayor Aguirre seconded the amended motion. There was no opposition, and the motion carried.

**A. Appointments to Planning Commission**

City Manager Wally Bobkiewicz's report dated June 10, 2003.

It was moved by Councilmember Krause, seconded Vice Mayor Aguirre, to nominate John A. Turturro for Planning Commission. Under roll call vote, Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were in favor. Councilmember Cook and Councilmember Luna were opposed. The motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Cook, to nominate Alfonso Ramirez to the Planning Commission. Under roll call vote, Councilmember Luna was in favor. Councilmember Krause, Councilmember Cook, Vice Mayor Aguirre, and Mayor Procter were opposed. The motion failed.

It was moved by Vice Mayor Aguirre to nominate Jesse Ornelas to the Planning Commission. Interim City Attorney Karl H. Berger responded to a question regarding whether a second to the motion was required by stating no. Under roll call vote, Vice

Mayor Aguirre and Mayor Procter were in favor. Councilmember Krause, Councilmember Cook, and Councilmember Luna were opposed. The motion failed.

It was moved by Councilmember Cook to nominate Gerald W. Schmidt to the Planning Commission. Under roll call vote, Councilmember Luna and Councilmember Cook were in favor. Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were opposed. The motion failed.

It was moved by Councilmember Cook to nominate David Johnson to the Planning Commission. Under roll call vote, Councilmember Luna and Councilmember Cook were in favor. Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were opposed. The motion failed.

It was moved by Councilmember Luna, seconded by Councilmember Krause, to reopen the process for applications for Planning Commission to fill the last position. A discussion ensued regarding the policy that until the position is filled, Commissioners would stay in their seat, and regarding whose seat would be replaced by the individual appointed this evening.

City Manager Wally Bobkiewicz suggested that the City Council table this item until later in the evening to allow the Deputy City Clerk and Interim City Attorney to review the Municipal Code and Council's rules.

All were in favor of the motion.

C. Response to Final Report - Citizens Customer Service Task Force

City Manager Wally Bobkiewicz's report dated June 11, 2003, and Planning Director Thomas M. Bartlett and Building and Safety Director Stephen R. Stuart's report.

City Manager Wally Bobkiewicz responded to a question regarding the implementation of the Ombudsman Program by explaining the Ombudsman's role, who will bring the various City departments together on a regular basis and who will reach out to the community.

Planning Director Thomas M. Bartlett responded to a question regarding the review and revision of codes by stating that staff will review the codes for format and content.

The response to the Final Report of the Customer Service Citizens Task Force was received.

**RECESS TO A HEALTH AND SAFETY BREAK**

Mayor/Chair Procter recessed the City Council/Redevelopment Agency to a Health and Safety Break at 7:44 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor/Chair Procter reconvened the City Council/Redevelopment Agency at 7:53 p.m.

A. Appointments to Planning Commission (continued)

Interim City Attorney Karl H. Berger noted that Municipal Code Section 32.80(b) states that members of the Planning Commission will serve four-year terms at the pleasure of the Council, or until the successor has duly qualified and been appointed. He stated that because one individual was appointed to the Planning Commission that he would recommend that the City Council declare the other position vacant at the end of the term until such time as it is filled, and that the individual appointed tonight could take the other position. Further, the Planning Commission would operate as a six-person commission until the new member is determined.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to thank Commissioners Johnson and Schmidt for their service, prepare resolutions in their honor, and declare those two positions vacant at the end of this month. There was no opposition, and the motion carried.

D. Redevelopment Agency Proposed FY 2003/04 Redevelopment Agency Budget

Executive Director Wally Bobkiewicz and Interim Economic Development Director Charmaine Stouder's report. Ms. Stouder responded to a question regarding the term "branding" by stating that this would be the image or identity for Santa Paula, which is the "Citrus Capital of the World."

A discussion ensued regarding the allocation from the housing set-aside fund for personnel and overhead costs, and the amount received annually from property taxes.

E. Continuation of Discussion of Proposed FY 2003/04 Operating Budget and Presentation of Proposed FY 2003/04 Capital Budget

Public Works Director/City Engineer Clifford G. Finley provided an overview of the Proposed Capital Budget.

City Manager Wally Bobkiewicz responded to a question regarding the elimination of Line 23, Local Job Plan, by stating that this item was listed twice in the budget under the

General Fund and Redevelopment Agency, and that it was staff's recommendation to eliminate this from the General Fund.

Fire Chief Paul L. Skeels responded to concerns regarding the phasing-in of full-time staff at Fire Station 2 by stating that although it would be better to have full-time staff, the plan proposes to staff two new full-time positions effective January 1, 2004, due to the availability of financial resources.

The City Council discussed their concern with the number of calls received from the west end of town, and seeking revenue to open Fire Station 2 on a full-time basis. City Manager Wally Bobkiewicz responded to the concerns by stating that the City Council has directed him to develop a City financing plan, and he recommended that the City Council move forward with Phase 2 beginning January 1 and explore the possibility of an assessment district, consolidation with another department, or joining the Ventura County Fire Protection District.

A discussion ensued regarding seeking Proposition 172 funds and exploring the cost to contract with the Ventura County Fire Protection District.

F. Middle Road Mutual Water Company System Purchase Project Status

Public Works Director/City Engineer Clifford G. Finley's report dated June 2, 2003.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to receive the report on the status of the acquisition of the Middle Road Mutual Water Company.

A discussion ensued regarding the possibility of asking the Middle Road Mutual Water Company to pay for an update of the valuation report and for an evaluation of the system after January 2004.

Councilmember Cook amended his motion that after January 1, 2004, if still interested, to have Kennedy/Jenks look at valuation and evaluation. Councilmember Krause seconded the amended motion. There was no opposition, and the motion carried.

G. Consider Holding a Council Meeting at Las Piedras Park Neighborhood

After a brief discussion, it was moved by Councilmember Cook, Vice Mayor Aguirre, to have a Special City Council Meeting at Barbara Webster School at 6:30 p.m. on September 29, 2003, and at the meeting have a reception, discuss any capital improvements, and put together an agenda of issues specific to the area. There was no opposition, and the motion carried.

H. Approval of Revised Order of Agenda and Approval of Resolution No. 5569 Establishing Procedural Rules for the Conduct City Council Meetings

City Manager Wally Bobkiewicz's report dated June 10, 2003.

It was moved by Mayor Procter, seconded by Vice Mayor Aguirre, to approve making the changes to reorder the agenda permanent, and adopt Resolution No. 5569 establishing procedural rules for the conduct of City Council Meetings. There was no opposition, and the motion carried.

### **RESOLUTION NO. 5569**

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ESTABLISHING RULES FOR CONDUCTING OF CITY COUNCIL MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE § 3681

##### I. Options for Holding City Council Land Use Workshop

City Manager Wally Bobkiewicz and Planning Director Thomas M. Bartlett's report dated June 10, 2003.

A discussion ensued regarding the workshop scheduled for July 12, 2003, with topics to include: general overview of land use approvals; maps; overview of the Government Code; land acquisition; eminent domain; planning and zoning law; CEQA; subdivision map act; permit streamlining act; local plans and ordinances; General Plan; General Plan Environmental Impact Report; Housing Element; Growth Management Ordinance; Zoning Ordinance; Subdivision Ordinance; Sign Ordinance; Density Bonus Ordinance; Countywide Airport Land Use Plan; LAFCO annexation; Cortese-Knox; and greenbelts. The City Council also discussed having staff invite the Planning Commissioners to this workshop.

### **CITY COMMUNICATIONS**

City Manager Wally Bobkiewicz mentioned that a Special City Council Meeting would be held on Tuesday, June 17, 2003, at 6:30 p.m., to discuss impact fees and review a joint City Council/Redevelopment Agency resolution on housing goals and housing element priority projects.

Mayor Procter congratulated Planning Director Thomas M. Bartlett on his recent marriage.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Cook, seconded by Councilmember Krause, to research how to implement an ordinance for parks and playgrounds to prohibit smoking within 25 feet, and to have this item come back before school starts. There was no opposition, and the motion carried.

**CLOSED SESSION**

Interim City Attorney Karl H. Berger announced that the Closed Session would be to discuss: Public Employee Appointment or Employment. Position to be filled: City Attorney. Pursuant to Government Code §54957.

Mayor Procter recessed the City Council to a Closed Session at 9:29 p.m., and reconvened into Open Session at 9:49 p.m.

No action was taken during the Closed Session.

**ADJOURNMENT**

There being no further business to come before the City Council/Redevelopment Agency, Mayor/Chair Procter adjourned the meeting at 9:49 p.m.

ATTEST:

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Josephine G. Herrera  
Deputy City Clerk