

CALL TO ORDER

Mayor/President Procter called the meeting to order at 7:04 p.m. Reverend Mark Eaton from Baha'i Faith offered the invocation, and Mayor/President Procter led the Pledge of Allegiance to the Flag.

ROLL CALL

Councilmember/Member Richard C. Cook, Councilmember/Member Ray C. Luna, Councilmember/Member Mary Ann Krause, Vice Mayor/Vice President Gabino Aguirre, and Mayor/President John T. Procter responded to roll call. City Manager/Chief Administrative Officer Wally Bobkiewicz, Interim City/Authority Attorney Karl H. Berger, City Clerk/Authority Secretary Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

PRESENTATION

- A. Certificate of Appreciation to the Santa Paula Blue Devils Youth Basketball Team for Their \$1,000 Donation to the City's Youth Basketball Program

Councilmember Luna, along with Recreation Supervisor Ed Mount, presented the Santa Paula Blue Devils Youth Basketball Team with a Certificate of Appreciation for their \$1,000 donation to the City's Youth Basketball Program. Team members included David Casas, Daniel Kolbeck, Scott Pacheco, Alex Guilin, Dustin Casas, Travis Marella, Nick Pulido, and Brandon Rodriguez. Councilmember Luna further acknowledged Coaches Steve Marella, Ralph Pacheco, and Michelle Kolbeck.

- B. Chamber of Commerce Presentation of Fundraiser Proceeds to the Santa Paula Fire Department

Jeanette Maland and Anna Marie Manzano from the Chamber of Commerce presented fundraiser proceeds in the amount of \$5,673.25 to the Santa Paula Fire Department, which will be used for the purchase of a breathing apparatus.

PUBLIC COMMENT

Bill Mensing, 545 Foothill Road, President of the Kiwanis Club, acknowledged City staff for their hard work during the Citrus Festival. He also acknowledged the hard work done by City Manager Wally Bobkiewicz, and noted his entertaining abilities.

Jess Victoria, 134 Moultrie, expressed his concern that only six out of 16 polling places were open for the June 3, 2003 Special Election, and requested that all polling places be available for every election. He further mentioned that polling places are changed

and people do not know the location of their polling place. City Manager Wally Bobkiewicz responded to Mr. Victoria's concerns by stating that the County Elections Division has difficulty with locating poll workers and that the City does not select polling places. He also stated that he would send a memorandum to the County Elections Divisions regarding Mr. Victoria's concerns.

CITY COUNCIL, STAFF COMMUNICATIONS

Vice Mayor Aguirre concurred with Mr. Mensing's previous comments regarding City Manager Wally Bobkiewicz's hard work, and also mentioned that he recently attended the California Joint Powers Authority meeting in Los Angeles.

Councilmember Luna commended City Manager Wally Bobkiewicz and Community Services Director Brian J. Yanez on their hard work at the Citrus Festival.

Mayor Procter commended City Manager Wally Bobkiewicz. He also mentioned that the First Sunday at the Airport was recently held in celebration of the first year of flight, and that the event was attended by Supervisor Kathy Long and Senator Pete Knight. He commended Lori Hinchcliff and the Aviation Museum for their work on this event.

City Manager Wally Bobkiewicz noted that the Public Financing Authority is a joint powers agency created for the purchase of the Santa Paula Water Works, and noted that the agenda item will allow for the refinancing of the water bonds.

APPROVAL OF FINAL AGENDA

Vice Mayor Aguirre asked that Item 11G be considered once Mr. Xavier Montes arrives.

CONSENT CALENDAR

Councilmember Luna pulled Item 9F and 9M. Councilmember Krause pulled Item 9M. City Manager Wally Bobkiewicz asked that Items 9D and 9F be removed from the agenda for corrections, and pulled Item 9L for discussion. It was moved by Vice Mayor Aguirre, 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. Closed Session – Approved a Closed Session to discuss: Public Employee Appointment or Employment. Position to be filled: City Attorney. Pursuant to Government Code §54957.
- C. Warrants and Certifications – Approved the Warrants and Certifications dated July 28, 2003. (88-2)

Wire Transfers	\$ 44,253.80
Salaries	\$ 316,616.08
Invoices	<u>\$ 836,720.76</u>
TOTAL	\$1,197,590.64

- F. Minutes – Adopted the Minutes of the Regular City Council Meeting of July 7, 2003.
- G. Minutes – Adopted the Minutes of the Public Financing Authority of May 5, 2003.
- H. Second Reading of Ordinance No. 1072 to Amend Chapter 94 of the Santa Paula Municipal Code, Public Nuisance – Adopted Ordinance No. 1072 amending Chapter 94 of the Santa Paula Municipal Code regarding Public Nuisances. **ORDINANCE NO. 1072**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AMENDING CHAPTER 94 OF THE SANTA PAULA MUNICIPAL CODE REGULATING PUBLIC NUISANCES INCLUDING GRAFFITI. Interim City Attorney Karl H. Berger's report dated July 22, 2003.
- I. Declare Surplus Property – Vehicles – 1) Declared the attached list of unusable vehicles, goods, and/or equipment as surplus property authorizing the immediate sale using Ken Port Auction company via the cooperative purchasing agreement with the County of Ventura; and 2) approved Resolution No. 6005 declaring certain property to be surplus and authorizing its sale by allowing the City Manager or his designee to enter into agreements for the disposal of such surplus property through negotiated sale, sealed bid, and/or contracted auction. **RESOLUTION NO. 6005**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA DECLARING CERTAIN VEHICLES TO BE SURPLUS AND AUTHORIZING THE SALE OF SUCH SURPLUS PROPERTY. Finance Director Alvertina Rivera's report dated July 17, 2003.
- J. Investment Report for the Quarter Ending June 30, 2003 – Received and filed the Investment Report for the Quarter Ending June 30, 2003. City Treasurer Sandra K. Easley's report dated July 28, 2003.
- K. Assistance to Firefighters Grant – Adopted Resolution No. 6009 authorizing the City Manager or his designee(s) to execute all documents concerning the FY 2003 Assistance to Firefighters grant, directing staff to procure the equipment

described in the grant application, and appropriating the grant proceeds of \$129,870 to Account No. 407.025.7502.74271 to be disbursed from Account Numbers 407.025.2504.8100, 8179, 8209,8600, and 8610. **RESOLUTION NO. 6009**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING PARTICIPATION IN THE FEMA FY/03 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM. Fire Chief Paul L. Skeels' report dated July 28, 2003.

- N. Bus Shelter for VISTA Bus Station, Project No. 01.02.222 SPC, Award of Contract – 1) Awarded the contract for the Bus Shelter for VISTA Bus Station at Veterans Memorial Park to Union Engineering company, Inc. for \$72,390; 2) awarded a contract to Clear Channel Outdoor Company to relocate the existing shelter at Veterans Memorial Park to K-Mart and add two additional same style non-advertisement shelters to the K-Mart site sidewalk for \$10,000, and authorize City Manager to sign both Contract Documents. Public Works Director/City Engineer Clifford G. Finley's report dated July 28, 2003.

CONSENT CALENDAR, SEPARATE ACTION ITEMS

- L. City Main Water Reservoir Roof Repair, Project No. 02.03.258 BAG

Public Works Director/City Engineer Clifford G. Finley's report dated July 17, 2003. He addressed a concern regarding glare coming off of the roof by sharing a sample of the roofing material, which will provide the least amount of reflection.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to approve the Contract Documents and adopt Resolution No. 6010 to authorize the Public Works Director/City Engineer to invite bids for the City Main Water Reservoir Roof Repair Project. There was no opposition, and the motion carried.

RESOLUTION NO. 6010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CITY MAIN RESERVOIR ROOF REPAIR PURSUANT TO GOVERNMENT CODE SECTION 830.6

- M. Arterial Street Repaving, Project No. 01.02.217 STR

Public Works Director/City Engineer Clifford G. Finley's report dated July 28, 2003. He responded to a request for the locations of this project by stating that the area includes Santa Barbara Street between Seventh and Twelfth; Twelfth Street from Main to Santa Paula Streets; Palm Avenue from the freeway to Santa Paula Street; and Eighth Street from Harvard Boulevard to Santa Paula Street. Additionally, there will be some isolated

repairs on Peck Road between Santa Barbara and Foothill; Santa Paula Street between Cemetery Road to Peck Road; and some repair work on Steckel Drive.

A discussion ensued regarding providing a map of the streets involved in the project to the community.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding the timeline for the project by stating that the project would go out to bid for 30 days, then returned to the City Council for award of the project by early October, and that construction should take 30 days.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to approve the Contract Documents and adopt Resolution No. 6008 to authorize the Public Works Director to invite bids for the Arterial Overlay Project. There was no opposition, and the motioned carried.

RESOLUTION NO. 6008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF THE
ARTERIAL OVERLAY PROJECT PURSUANT TO GOVERNMENT CODE SECTION
830.06

PUBLIC HEARING

- A. CDP 2002-29, Appeal of the Planning Commission's Denial of a Request for a Zone Change, 28 Growth Management Allocations, Tentative Parcel Map, Conditional Use Permit, Planned Development Permit, and Design Review on a 1.02-acre Parcel to Permit the Construction of a Mixed Use Project Comprised of 28 Apartment Units and 10 Commercial/Retail Units (Thompson Project – 611 E. Harvard Boulevard) (continued)

Planning Director Thomas M. Bartlett and Planning Consultant Kathleen M. Mallory's report dated July 17, 2003.

City Manager Wally Bobkiewicz explained that staff was directed to meet with representatives from the Santa Paula Elementary School District to discuss their concerns; however, the discussion has been delayed due to the representative's illness. Additionally, staff contacted the applicant to request an extension to continue the item to the September 2, 2003 City Council Meeting. Interim City Attorney Karl H. Berger noted that he received confirmation this evening that the applicant has waived the time limits that are imposed in the Municipal Code for the City Council to come to a decision within 40 days after the initial public hearing.

It was moved by Councilmember Krause, seconded by Councilmember Luna, to continue the item for CDP No. 2002-29 to the September 2, 2003 Council Meeting. There was no opposition, and the motion carried.

B. Appeal of Planning Commission Decision on 2003 CUP-03, A Request to Allow for the Off-sale of Beer and Wine at Sam's Market

Upon verification of proper notification and posting by the City Clerk, Mayor Procter opened the Public Hearing at 7:47 p.m.

Interim City Attorney Karl H. Berger reviewed the rules and procedures adopted by the City Council regarding public hearings, and noted that the City Council must disclose any contacts with third parties or ex parte contacts. He further noted that Municipal Code Section 156.850 requires a de novo hearing for these types of appeals; that the City Council need not rely on the evidence presented to the Planning Commission; and that the City Council is free to gather its own evidence and make its own decision. He also noted that in order for the City Council to approve or modify this project, the City Council must make a number of decisions: 1) environmental review, 2) whether to grant a conditional use permit for off-sale beer and wine sales, and 3) if the conditional use permit is granted, what types of conditions are appropriate for the proposed project.

Planning Director Thomas M. Bartlett's report dated July 28, 2003. He responded to a question regarding the Alcohol Beverage Control (ABC) Board's moratorium on liquor licenses in the City by stating that ABC has found that Santa Paula has more licenses than ABC finds to be appropriate, and that ABC has established a moratorium for issuances of licenses in the City. However, ABC grants exceptions based on the City Council or Planning Commission granting such exceptions. ABC would issue a letter of convenience when they are notified that the City Council or Planning Commission wishes to except itself on the moratorium.

Sam Sunner, 974 E. Main Street, stated that he owns 15 grocery stores in Ventura County and that he purchased this property 10 years ago. He mentioned that he applied for a beer and wine license in 1995; however, his request was denied. He also mentioned that in the past three years the City has issued three licenses: one for Mobil, one for Chevron, and one for Longs' Drugs. After meeting with the City Manager, he was advised to appeal to the City Council for consideration of off-sale of beer and wine.

Al Urias, 1106 Fuchsia, spoke in support of allowing the sale of beer and wine at Sam's Market.

Gloria Hanson, 529 N. Mill Street, spoke in support of allowing the sale of beer and wine at Sam's Market.

Mr. Sunner responded to a question regarding whether sales of groceries would increase should the City Council approve his request by stating that although his sales will increase, his request is for the convenience of his customers. He further responded to a question regarding whether he would be willing to have his request approved on a one-year probation period by stating that he would abide by any decision or condition made by the City Council. He further responded to a question regarding his relationship with Los Arcos Restaurant and what responsibilities he has regarding this business by stating that he owns the property which is rented by the owner of Los Arcos Restaurant, and that he was unaware of the problem concerning the tenant's violation of the conditional use permit for alcohol sales.

Mathias Escobedo expressed his concern with people riding bicycles on the sidewalks downtown, and noted that he had spoken with City Manager Wally Bobkiewicz about his concerns. Mr. Escobedo was advised that this item dealt with a public hearing for a beer and wine license, and was asked to come to another Council meeting to provide his Public Comment.

Police Chief Robert S. Gonzales stated that in 1999 he took a position as the Police Chief to limit the number of locations that sell alcohol, although he has relaxed his position and has implemented a program where there are conditions placed on the conditional use permit to allow the City more authority. He noted that the conditional use permit was granted to the Mobil gas station before the conditions were placed. He further noted that his concern is not against Mr. Sunner, but with the availability of alcohol outlets in the City and the amount of alcohol-related crimes. He also provided data regarding calls for service at Los Arcos Restaurant, and noted that this is Mr. Sunner's responsibility because it involves his liquor license. He responded to a question regarding whether Los Arcos Restaurant has been cited by stating that actions have been taken, and a letter is pending to ABC. Further, the conditional use permit violation will be presented to Planning Commission at an upcoming meeting.

Planning Director Thomas M. Bartlett responded to a question regarding how many establishments sell alcohol in this area by stating that the data shown in the staff report indicates 13 establishments selling alcohol within 1000 feet of applicant. He further responded to a question regarding the conditional use permit granted to Longs' Drugs by stating that the conditional use permit involves an enforcement agreement and that Longs' Drugs secure an existing liquor license from a licensed holder in the City. He further responded to a question regarding whether enforcement agreements are standard for conditional use permits for liquor sales by stating that they are a standard item for anything that is presented to the Planning Commission or the City Council.

Interim City Attorney Karl H. Berger responded to a question regarding the requirements for conditional use permits for the sale of beer and wine by stating that it has been a requirement prior to the City's 1981 Municipal Code. He further responded to a question regarding whether enforcement agreements are a supplement to State law by

stating that sales are regulated by the State and that the City further regulates by implementation of an enforcement agreement.

It was moved by Councilmember Krause, seconded by Councilmember Cook, to approve Resolution No. 6003 upholding the Planning Commission's denial of a conditional use permit to allow for the off-sale of beer and wine at Sam's Market at 974 E. Main Street in the Central Business District (CBD) zone. Under roll call vote, Councilmember Cook, Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were in favor. Councilmember Luna was opposed. The motion carried.

RESOLUTION NO. 6003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA DENYING
A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 974 EAST MAIN
STREET (APN 103-0-113-085)

Mayor Procter closed the Public Hearing at 9:10 p.m.

RECESS TO A HEALTH AND SAFETY BREAK

Mayor Procter recessed the City Council to a Health and Safety Break at 9:10 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 9:23 p.m.

- C. Project No. 2003-ZC-01, A Request for a Zone Change from M-1 to R-4 and Design Review to Allow an Addition onto an Existing Multiple Family Residence Located at 134 N. Fourth Street (APN 103-0-081-055)

Mayor Procter opened the Public Hearing at 9:23 p.m.

Councilmember Cook declared a conflict of interest, and noted that he has used the same engineering firm as used by the applicant. He stepped down from the dais, and also mentioned that he would present a Public Comment on this issue. City Attorney Karl H. Berger responded to a question regarding Councilmember Cook's ability to make a Public Comment by stating that by declaring a conflict of interest does not preclude him from Public Comment.

Planning Director Thomas M. Bartlett and Associate Planning Heather Davis' report dated July 24, 2003.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 9:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Mayor Procter, seconded by Vice Mayor Aguirre, to extend the meeting for one hour. There was no opposition, and the motion carried.

It was moved by Vice Mayor Aguirre to adopt Resolution No. 6007 approving Design Review to allow a 340 square foot addition onto an existing multiple family residence in accordance with the project plans submitted and subject to the Conditions of Approval identified in the Ordinance and Resolution of approval, and subject to zone change to R-4 (Multiple Family Zone), and introduce by reading in title only Ordinance No. 1073 amending the City's Zoning Map to change the zoning designation for property identified by Assessor's Parcel Number 103-0-081-055 and located at 134 N. Fourth Street from M-1 (Manufacturing Zone) to R-4 (Multiple Family Zone).

Rick Cook, 1018 Beech Drive, spoke in support of the project.

City Attorney Karl H. Berger noted a clerical error on the title of Resolution No. 6007 and a replacement Ordinance No. 1073, which was distributed to the City Council prior to the meeting.

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

RESOLUTION NO. 6007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
APPROVING DESIGN REVIEW TO ALLOW AN ADDITION ONTO AN EXISTING
MULTIPLE FAMILY RESIDENCE, SUBJECT TO A ZONE CHANGE FROM M-1
MANUFACTURING ZONE TO R-4 MULTIPLE FAMILY FOR THE PROJECT
LOCATED AT 134 N. FOURTH STREET, APN 103-0-081-055
(PROJECT NO. 03-ZC-01)

ORDINANCE NO. 1073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ZONING
CERTAIN PROPERTY LOCATED AT 134 N. FOURTH STREET, APN 103-0-081-055
PROJECT NO. 2003-CDP-01

Mayor Procter closed the Public Hearing at 9:32 p.m. Councilmember Cook returned to the dais.

D. **Issuance of Water Revenue Bonds**

Mayor/President Procter opened the Public Hearing at 9:32 p.m.

Finance Director Alvertina Rivera's report dated July 23, 2003. She introduced Scott Ferguson, special legal counsel from Jones Hall, and Steve Haney representing Stone and Youngberg.

Mr. Ferguson responded to a question regarding the establishment of a rate stabilization fund by stating that this is a fund that acts as a buffer against the need to increase rates from year to year. City Manager Wally Bobkiewicz added that staff would report to the City Council in late 2003 or early 2004 to discuss rate increases.

Finance Director Alvertina Rivera responded to a question regarding whether anything would affect the ability of the City to pay due to the State budget by stating that the State's financial situation has no impact on the Water Enterprise.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to adopt Resolution No. 6006. There was no opposition, and the motion carried.

RESOLUTION NO. 6006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
APPROVING, AUTHORIZING, AND DIRECTING EXECUTION OF CERTAIN
FINANCING DOCUMENTS AND DIRECTING CERTAIN RELATED ACTIONS IN
CONNECTION WITH FINANCING AND REFINANCING THE CITY'S WATER SYSTEM
AND CERTAIN IMPROVEMENTS THERETO

It was moved by Member Krause, seconded by Vice President Aguirre, to adopt Resolution No. 2003-02(F). There was no opposition, and the motion carried.

RESOLUTION NO. 2003-02(F)

A RESOLUTION OF THE PUBLIC FINANCING AUTHORITY OF THE CITY OF SANTA
PAULA AUTHORIZING THE ISSUANCE OF THE WATER REVENUE BONDS IN THE
INITIAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$34,000,000 IN
CONNECTION WITH FINANCING AND REFINANCING THE CITY'S WATER SYSTEM
AND CERTAIN IMPROVEMENTS THERETO, AUTHORIZING AND DIRECTING
EXECUTION OF AN INDENTURE OF TRUST, AN INSTALLMENT SALE
AGREEMENT AND CERTAIN OTHER DOCUMENTS, AUTHORIZING THE
NEGOTIATION OF THE SALE OF BONDS, APPROVING AND OFFICIAL
STATEMENT, AND AUTHORIZING OTHER RELATED ACTIONS

Mayor/President Procter closed the Public Hearing at 9:47 p.m.

ORDER OF BUSINESS

A. Update on Impacts of State Budget to City of Santa Paula

City Manager Wally Bobkiewicz provided an update on the impacts of the State budget to the City, and noted the serious issues with vehicle license fees (VLF) and Redevelopment Agency financing. He explained that the State has chosen to keep the VLF gap and not pass it along to cities, which means \$345,293 less revenue for Santa Paula. Options include using a portion of the City's reserve fund and using \$100,000 from left over funds from the close of books for fiscal year ending June 30. Other options include debt financing or borrowing from a City fund. He also reported that bills have been passed to reduce Redevelopment Agency funding. The Senate Bill reduces Redevelopment Agency funding \$136,916. The State Assembly reduces Redevelopment Agency funding \$73,935. Options include borrowing half of the amount from Housing Set Aside Fund, or is having the City General Fund pay the entire amount. Lastly, the Redevelopment Agency could delay the repayment of \$1 million to the City's Wastewater Fund.

A discussion ensued regarding the option to borrow half from the Housing Set Aside Fund, waiting to hear other options from the League of California Cities and the State, and waiting until the Senate has taken action and have staff report back in September.

B. Status Report and Consideration of Options for Construction of Santa Paula Skate Park

City Manager Wally Bobkiewicz presented the staff report dated July 30, 2003. He noted that staff is researching whether CDBG funds may be used once the HUD category of need designation has been changed. He recommended that the City not move forward with borrowing funds for the construction of the skate park due to the City's current financial situation.

Misha Chapman, representing Santa Paula Association of Skaters (SPAS), reported that fundraising efforts continue, and noted SPAS's appreciation for the City Council's support.

Marisue Eastlake, 1216 Laurel Road, distributed brochures and provided an update on SPAS's fundraising efforts. She mentioned that the brochure is in both English and Spanish, and could be inserted in the City's utility bills. She responded to a question regarding the status of donations by stating that some donations have been received due to the advertising in the City's Leisure Guide. She further responded to a question regarding grant funding by stating that she is working on applying for the Tony Hawk Foundation grant in the amount of \$25,000, and noted that Santa Paula qualifies because of low-income areas, no existing skate park, and at-risk youth. Lastly, she asked the City Council for approval for the use of the Community Center free of charge for a rock concert to be held August 22, 2003, which will raise funds for the skate park.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Luna, to approve the support of the August 22, 2003 concert at the Community Center and waive the rental fees. There was no opposition, and the motion carried.

Ms. Eastlake responded to a question regarding corporate sponsorships by stating that she is seeking sponsorship from Chevron, and asked the audience for assistance in seeking a sponsorship from Weyerhaeuser.

Interim City Attorney Karl H. Berger noted that the bids for this project expire this evening, and that if the contract is not awarded, the project would need to be re-bid.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to reject all bids for the Skate Park project, and direct staff to work with SPAS on raising needed additional funds for the project and to bring back an update at the October 20, 2003 City Council Meeting. There was no opposition, and the motion carried.

G. Fandango Beer Garden and Request for City Services

Community Services Director Brian J. Yanez's report dated July 30, 2003.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Mayor Procter, seconded by Vice Mayor Aguirre, to extend the meeting for one-half hour. There was no opposition, and the motion carried.

Carmen Guerrero, representing De Colores Art Group, responded to a question regarding whether there would be increased security should the City Council approve the request by stating that they have made arrangements for increased security.

Community Services Director Brian J. Yanez responded to a question regarding the tasks which would be done by additional staff by stating that it would include setting up bleachers and tables, providing electrical services and restroom supplies, and patrolling the area for cleanliness.

It was moved by Vice Mayor Aguirre, seconded by Mayor Procter, to approve a Beer Garden for the Fandango on September 21, 2003, and approve the installation of a banner/flags and request for additional staff during event. There was no opposition, and the motion carried.

C. Adelphia Franchise Update

Community Services Director Brian J. Yanez's report dated July 30, 2003.

Due to the lateness of the hour, City Manager Wally Bobkiewicz suggested that this item be laid over to the Special City Council Meeting on August 11, 2003.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to lay over this item to the Special City Council Meeting on August 11, 2003. There was no opposition, and the motion carried.

Mayor Procter suggested that Item 11F be considered at this time to accommodate the public speaker.

- F. Ordinance No. 1074, Introduction and First Reading (in Title Only) of an Ordinance to Change the Zoning on the Subject Property from the General Commercial (C-2) Zone to the General Commercial with Planned Development Additive (C-2-PD) Zone for Development of a Mixed-use Project Consisting of Thirty-five (35) Multi-family Apartment Units with 2,708 Square Feet of Commercial Space on a Flat, Vacant, 1.26-acre Parcel, in Accordance with Resolution No. 5594 which Approved Project No. CDP No. 2002-34. The Subject Property is Located at 234 W. Harvard Boulevard, West of Craig Drive (APN 105-0-110-213)

City Manager Wally Bobkiewicz presented Planning Director Thomas M. Bartlett's report dated July 30, 2003.

Mark Judson, 3911 N. Ventura Avenue, Ventura, commended the Planning Department staff for their assistance.

Interim City Attorney Karl H. Berger read Ordinance No. 1074 in title only.

ORDINANCE NO. 1074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
IMPLEMENTING A ZONE CHANGE FROM GENERAL COMMERCIAL (C-2) TO
GENERAL COMMERCIAL WITH PLANNED DEVELOPMENT ADDITIVE (C-2-PD)
FOR PROPERTY LOCATED AT 234 WEST HARVARD BOULEVARD

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to introduce and read in title only Ordinance No. 1074 to change the zoning on the subject property from the General Commercial (C-2) zone to the General Commercial with Planned Development Additive (C-2-PD) zone for development of a mixed-use project consisting of thirty-five (35) multi-family apartments units with 2,708 square feet of commercial space on a flat, vacant, 1.26-acre parcel, in accordance with Resolution No. 5594 which

approved Project No. CDP 2002-34. Councilmember Luna, Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were in favor. Councilmember Cook was opposed. The motion carried.

Due to the lateness of the hour, City Manager Wally Bobkiewicz suggested that Items 11D and 11E be brought back at a future meeting. It was the consensus of the City Council to bring back Item 11D at the next Regular City Council Meeting, and Item 11E at an appropriate time.

- D. Truck Route and Parking Restrictions of Vehicles Over Seven Feet High – Public Works Director/City Engineer Clifford G. Finley's report dated July 28, 2003.
- E. Ordinance No. 1063 Amending Chapter 96 of the Santa Paula Municipal Code to Impose Limits on Issuing Encroachment Permits for Street Excavations – Public Works Director/City Engineer Clifford G. Finley's report dated July 14, 2003.

CITY/AGENCY COMMUNICATIONS

City Manager Wally Bobkiewicz stated that staff had worked on locating extension microphones for the Council dais, and that staff would be experimenting with different types of microphones for the Council's use. He also mentioned the following upcoming meetings: a Special City Council Meeting on August 11, 2003; the Council Subcommittee Meeting with the Santa Paula Elementary School District on August 7, 2003; and the Citywide Visioning Steering Committee Meeting on August 5, 2003.

Councilmember Cook mentioned that he attended the City employee barbecue held at Steckel Park this past weekend, which was enjoyed by all employees who attended.

Mayor Procter also noted his enjoyment in attending the City employee barbecue.

FUTURE AGENDA ITEMS

It was moved by Councilmember Cook, seconded by Councilmember Luna, for a report on behalf of the Downtown Merchants Association for a moratorium on downtown development until a site specific plan is in place. There was no opposition, and the motion carried.

It was moved by Councilmember Cook, seconded by Mayor Procter, to investigate Community Development Fund (CDF) Assessment on a future agenda. There was no opposition, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Cook, for a report on the success of Cruise Night. There was no opposition, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Cook, for a report on the recent housing development in The Oaks, the responsibility for road repair for the exportation of material, and how to avoid these problems in the future. There was no opposition, and the motion carried.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Cook, for a discussion relating to polling places before the October Special Election. There was no opposition and the motion carried.

It was moved by Mayor Procter, seconded by Vice Mayor Aguirre, to consider having conditional use permits for alcohol sales come directly to the City Council rather than to the Planning Commission. There was no opposition, and the motion carried.

CLOSED SESSION

City Manager Wally Bobkiewicz 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 10:55 p.m. in the City Hall Administration Conference Room, and reconvened into Open Session at 11:30 p.m. No action was taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council/Public Financing Authority, Mayor/President Procter adjourned the meeting at 11:30 p.m.

ATTEST:

Steven J. Salas
City Clerk