

PRESENTATION

City Manager Wally Bobkiewicz introduced Steve Coyle from LCA Town Planners, who provided a presentation on the Fagan Canyon Design Charrette. The City Council was not present during the presentation.

CALL TO ORDER

Mayor Procter called the meeting to order at 7:01 p.m. Councilmember Luna led the Pledge of Allegiance to the Flag.

ROLL CALL

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

PRESENTATION

A. Report on 2003 Cruise Nights

Police Chief Robert S. Gonzales reported that Sergeant Cordero and Senior Officer Aguilar have headed this program, which is in its fourth year and which brings over 1,000 people to Santa Paula to view classic cars, motorcycles, and speedboats. The City Council commended the Santa Paula Police Officers Association for the success of Cruise Night. Police Chief Robert S. Gonzales also acknowledged the Citizens Patrol, who provides security during the events.

PUBLIC COMMENT

Bob Orlando, 933 E. Pleasant Street, spoke regarding his concerns with graffiti, debris, and substandard condition of a rental unit near his property, and stated that although he and his neighbors have sought help from the City, there are many limitations and restrictions that prohibits City staff to act in the best interest of the community. He asked the City Council to assist the Planning, Building and Safety, and Police Departments by untying their hands and giving them the tools they need so that Santa Paula may be a positive and acclaimed city in the community.

Bill Mensing, 545 Foothill Road, spoke regarding his concerns with skateboarders riding on the sidewalks, and noted that he was nearly hit by a skateboarder while he was exiting a building downtown. He urged the City Council to enforce its laws prohibiting

skateboard and bicycle riding on sidewalks. City Manager Wally Bobkiewicz responded to a question regarding City regulations concerning skateboards by stating that there is a City ordinance prohibiting riding skateboards and bicycles on sidewalks.

Will Salao, representing the State of California Alcohol Beverage Control Board (ABC), presented a Certificate of Appreciation to Police Officer Michael DeDecker and a plaque to Police Chief Robert S. Gonzales for meeting and exceeding the goals of the ABC Grant Assistance Program.

CITY COUNCIL, STAFF COMMUNICATIONS

Mayor Procter acknowledged Fire Chief Paul L. Skeels and his daughter, Angela, for providing musical entertainment during the Relay for Life event.

APPROVAL OF FINAL AGENDA

Councilmember Cook stated that he was asked by the Downtown Merchants Association to move up Item 12I on the agenda.

CONSENT CALENDAR

City Manager Wally Bobkiewicz asked that Item 10O be removed from the Consent Calendar, that Item 10I be removed to be brought back at a future meeting, and that Item 10C be pulled for discussion. Councilmember Luna pulled Item 10P. Vice Mayor Aguirre pulled item 10Q. Councilmember Cook pulled Item 10N. It was moved by Councilmember Krause, seconded by Vice Mayor 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 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: Conference with Legal Counsel, Anticipated Litigation. Significant exposure to litigation. Pursuant to Government Code *Section 54956.9 (b)(3)(A)*. Number of cases: one.
- D. Minutes – Adopted the Minutes of the Special City Council Meeting of July 12, 2003.

- E. Minutes – Adopted the Minutes of the Special City Council Meeting of July 21, 2003.
- F. Minutes – Adopted the Minutes of the Regular City Council Meeting of July 21, 2003.
- G. Minutes – Adopted the Minutes of the Special City Council Meeting of July 24, 2003.
- H. Ordinance No. 1072 Regulating Public Nuisances – Introduced Ordinance No. 1072 regulating public nuisances, and conducted first reading by title only. Waived the second reading for adoption by Consent Calendar at the Regular City Council Meeting of September 16, 2003. **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. Deputy City Clerk Josephine G. Herrera’s report dated August 12, 2003.
- J. City Council Expenses and City Manager Travel Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report. Finance Director Alvertina Rivera’s report dated August 26, 2003.
- K. Second Reading, Ordinance No. 1074, Rezoning Certain Property Located at 234 W. Harvard Boulevard from General Commercial (C-2) to General Commercial with Planned Development Additive (C-2-PD) (APN 105-0-110-315) (Project No. 2002-34) – Adopted **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. Planning Director Thomas M. Bartlett’s report dated August 26, 2003.
- L. Second Reading of Ordinance No. 1073, Rezoning Certain Property from M-1 to R-4 at 134 N. 4th Street, APN 103-0-081-044 (Project No. 2003-ZC-01) – Adopted **ORDINANCE NO. 1073**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA IMPLEMENTING A ZONE CHANGE FROM MANUFACTURING (M-1) TO HIGH DENSITY MULTIPLE FAMILY (R04) FOR PROPERTY LOCATED AT 134 N. FOURTH STREET (APN 103-0-081-055). Planning Director Thomas M. Bartlett’s report dated August 7, 2003.
- M. Construction of a New 400 Zone #2/600 Zone #1 Booster Pump Station, Project No. 98.99.133 WTR – Adopted Resolution No. 6012 approving the Contract Documents and authorizing the Public Works Director to invite bids for the proposed construction of a combined 400 Zone #2/600 Zone #1 Booster Pump

Station at Tenth Street and Terracina Drive. **RESOLUTION NO. 6012**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF A NEW 400 ZONE #2/600 ZONE #1 BOOSTER PUMP STATION AT MAIN RESERVOIR SITE PURSUANT TO GOVERNMENT CODE SECTION 830.6. Public Works Director/City Engineer Clifford G. Finley's report dated August 8, 2003.

CONSENT CALENDAR, SEPARATE ACTION ITEMS

C. Warrants and Certifications

Finance Director Alvertina Rivera's report dated August 22, 2003.

City Manager Wally Bobkiewicz pulled this item to note the new format for this report.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to review, approve, and file the attached warrants and certifications; and approve the procedural changes as outlined in the General Discussion section. There was no opposition, and the motion carried.

Invoices 07/31/03 – 08/08/03	\$ 365,719.33
Wire Transfers 07/31/03 – 08/06/03	\$ 58,439.19
Invoices 08/14/03 – 08/22/03	\$ 473,602.80
Wire Transfers 08/14/03 – 08/20/03	\$ 49,360.65
Salaries 08/01/03 – 08/15/03	<u>\$ 614,189.29</u>
TOTAL	\$1,561,311.26

N. Harvard Boulevard and Palm Avenue Street Tree Project, Project No. 02.03.250 STR

Public Works Director/City Engineer Clifford G. Finley's report dated August 19, 2003. City Manager Wally Bobkiewicz responded to a question regarding whether this item is for the Harvard Boulevard Plan by stating that it is, and that this project is funded by the Ventura County Transportation Commission for the installation of Queen Palms.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to adopt Resolution No. 6013 approving the plans and specifications for the Harvard Boulevard and Palm Avenue Tree Project, and authorize staff to invite bids for the project. There was no opposition, and the motion carried.

RESOLUTION NO. 6013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
APPROVING THE DESIGN AND PLANS FOR THE STREET TREE PROGRAM
PURSUANT TO GOVERNMENT CODE SECTION 830.6

P. Rejection of Claim Filed by Miguel Gonzalez

Assistant to the City Manager Melissa Grisales' report dated August 27, 2003.

Councilmember Luna pulled this item to request that more detailed information be given to the City Council in the future regarding rejection of claims.

It was moved by Councilmember Luna, seconded by Councilmember Krause, to reject the claim filed by Miguel Gonzalez. There was no opposition, and the motion carried.

Q. Designation of National Hispanic Heritage Month

Deputy City Clerk Josephine G. Herrera's report dated August 27, 2003.

Vice Mayor Aguirre pulled this item so that the entire resolution could be read to the audience. City Manager Wally Bobkiewicz read the resolution. The community was invited to celebrate National Hispanic Heritage Month by attending the Knights of Columbus reception for Muralist Mr. Eloy Torres on September 14, 2003, and by attending the De Colores Fandango on September 21, 2003.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to adopt Resolution No. 6014. There was no opposition, and the motion carried.

RESOLUTION NO. 6014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
DESIGNATING SEPTEMBER 2, 2003 THROUGH OCTOBER 15, 2003 AS NATIONAL
HISPANIC HERITAGE MONTH

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)

Upon verification of proper notification and posting by the Deputy City Clerk, Mayor Procter opened the Continued Public Hearing at 7:30 p.m.

Mayor Procter disclosed an ex parte contact with an employee of the architectural firm who inquired where to deliver the revised plans. Councilmember Krause disclosed an ex parte contact prior to the previous hearing with the architect.

Planning Director Thomas M. Bartlett and Planning Consultant Kathleen Mallory's report dated August 27, 2003.

A discussion ensued regarding outreaching efforts with the Santa Paula Elementary School District; requiring sidewalk or alternative safe path for students during construction; importing of gravel instead of soil; requiring a full block wall instead of a masonry zone wall with wood fencing; and having an on-site construction superintendent during construction.

Mark Pettit, 300 Montgomery Avenue, Oxnard, Managing Architect with Lauterbach & Associates, stated that concerns regarding parking requirements, landscaping, and on-site construction management have been addressed. He further stated that the owner would agree to have on-site management. He also noted that safe access for students would be provided during construction, and further addressed concerns regarding the import of material. He responded to a question regarding noise mitigation by stating that most noise will occur during grading, and that they will perform grading during after school hours.

The City Council discussed adding conditions for an on-site manager, block wall with vines on both sides, and on-site superintendent during construction. Concerns were also expressed regarding the project's high density, proximity to the school, and traffic.

City Attorney Karl H. Berger responded to a question regarding adding conditions to the Conditions of Approval by stating that Resolution No. 5600 could be amended to add conditions for on-site management, block wall, and on-site construction superintendent as Condition Nos. I19, I20, and I21.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to adopt Resolution No. 5599, to have introduction and first reading of Ordinance No. 1070 with adoption to occur at a subsequent meeting, and further adopt Resolution No. 5600 as amended to add Conditions Nos. I19, I20, and I21 for a block wall as specified in the City's Municipal Code, an on-site management company, and on-site management/superintendent during construction. Councilmember Luna, Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were in favor. Councilmember Cook was opposed. The motion carried.

Mayor Procter closed the Public Hearing at 8:26 p.m.

RECESS TO A BREAK

Mayor Procter recessed the City Council to a Break at 8:26 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 8:38 p.m.

ORDER OF BUSINESS

I. **Adoption of an Urgency Ordinance Imposing a Moratorium on Downtown Mixed-Use Developments**

City Attorney Karl H. Berger's report dated August 27, 2003.

A discussion ensued regarding the Downtown Merchants Association's request for a moratorium on new housing development in the downtown, and regarding the contract recently awarded to the consultant for nearly \$50,000 to update the Downtown Implementation Plan.

Councilmember Cook exited the Council Chambers at 8:43 p.m. and returned at 8:44 p.m.

Richard Garcia, 852 E. Main Street, owner of Richard's Video Arcade, spoke in support of placing a moratorium on downtown mixed-use developments in order to bring in new business to the downtown, and expressed his concerns with parking, noise, and skateboard and bicycle riding on sidewalks

Debbie Johnson, 1475 Cedar Street, spoke in support of placing a moratorium on downtown mixed-use developments until the update of the Downtown Implementation Plan is completed. She also expressed concerns with traffic and parking in the downtown.

Eugene Marzac, 1347 Magnolia, representing Blanchard Community Library, stated that the library has been working on a housing project for two years, and requested that the City Council consider allowing the library to continue with their project if they decide to place a moratorium.

Gloria Garcia, 666 W. Main Street, representing Richard's Video Arcade, spoke in support of placing a moratorium on downtown mixed-use developments, and requested the Downtown Merchant's involvement in mixed-use housing development decisions.

Cheryl Baudizzon, 15202 Santa Paula Street, spoke in support of placing a moratorium on downtown mixed-use developments, and requested the downtown merchant's involvement in mixed-use housing development decisions.

Donna Stewart, 111 N. Eighth Street, spoke in support of placing a moratorium on downtown mixed-use developments until the update of the Downtown Implementation Plan and Community Visioning are completed. She further expressed her concern that housing in the downtown would hinder tourism.

Ray DiGuilio, 391 N. Ashwood Avenue, Ventura, spoke in opposition of placing a moratorium on downtown mixed-use developments as it may cause a chilling effect.

Planning Director Thomas M. Bartlett responded to a question regarding whether there was an urgency for a moratorium by stating that although projects have been discussed, there are no applications filed. He further responded to a question regarding whether having higher density mixed-use development would increase business in the downtown by stating that it would from a Planning standpoint. He further stated that the General Plan encourages mixed-use in the downtown, and that a six-unit project was approved last year.

City Attorney Karl H. Berger responded to a question regarding whether the six-unit project would be precluded from pulling its building permits if the moratorium is adopted by stating that if the project has received its entitlements, construction should continue forward. He further stated that the moratorium is for the City Council to consider; however, he does not see an urgency at this time to place a moratorium.

City Manager Wally Bobkiewicz responded to a question regarding the timeline for the update of the Downtown Implementation Plan by stating the timeline should be three to four months. He further recommended that the City Council consider adopting a resolution that would recite the City Council's intention of completing the review of the Downtown Implementation Plan, and that staff work with the Downtown Merchants Association to draft language for the resolution.

It was moved by Councilmember Luna, seconded by Councilmember Krause, to direct staff to bring back a resolution reciting the City Council's intention of completing the review of the Downtown Implementation Plan and take into consideration concerns from the Downtown Merchant's Association. There was no opposition, and the motion carried.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 9:35 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember Krause, seconded by

Vice Mayor Aguirre, to extend the meeting for one hour. There was no opposition, and the motion carried.

A. Options for Police and Fire Service Delivery

City Manager Wally Bobkiewicz's report dated August 6, 2003.

Jim Nelson, 1221 Manzanita, stated that although the City Council may investigate options, that the City Council seriously consider losing local control. He further stated that the City could not return to community policing once it has contracted with the County.

A discussion ensued regarding the City's future financial situation, asking the Santa Paula Police Officer's Association to support a ballot initiative with a sunset clause, and gathering information to protect employee jobs and ensure excellent police service.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to authorize the Mayor to send a letter to: 1) the Ventura County Board of Supervisors sitting as the Board of Directors of the Ventura County Fire Protection District to inquire about options for contracting for service or annexing into the Fire Protection district; 2) the Ventura County Sheriff to inquire about options for contracting for Police services; 3) the City Council of the City of San Buenaventura inquiring of their interest to consolidate with, contract, or to jointly provide Police and Fire services; and 4) the City Council of the City of Fillmore inquiring of their interest to consolidate with or explore other means to jointly provide Police and Fire services. Councilmember Krause responded to a question regarding whether she would consider amending her motion that the letter state the City is conducting a preliminary review of strategies by stating that she would amend her motion with these amendments. Vice Mayor Aguirre seconded the amended motion. There was no opposition, and the motion carried.

B. "Santa Paula Beautiful" Program Overview

Police Chief Robert S. Gonzales provided an update on graffiti abatement activities. He responded to a question regarding whether police officers complete a report when graffiti is noticed by stating that police officer do not complete a report because they do not know whether the graffiti is new. He further noted that the Police Department is doing what it can to apprehend graffiti offenders.

Councilmember Cook stepped out of the Council Chambers at 10:02 p.m. and returned at 10:03 p.m.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding the use of epoxy paint to paint over graffiti by stating that he was unaware whether the City uses epoxy paint. He further responded to a question regarding

whether the Fire Department could use their hoses to hose off graffiti by stating that the Public Works Department uses a pressure water blaster with a water recovery system, and further noted that water must be recovered due to stormwater issues.

Public Works Director/City Engineer Clifford G. Finley's report dated August 25, 2003.

A discussion ensued regarding investigating the cost and use of epoxy paint and having staff follow-up on the blighted condition of the Mobil Gas Station.

The report was received.

Mayor Procter recommended that Item 12F be considered after Item 12C in order to accommodate public speakers. City Manager Wally Bobkiewicz requested that Item 12H be considered after Item 12H in order to accommodate staff in the audience. It was the consensus of the City Council to consider Item 12F and 12H after Item 12C.

C. Update on Tract 5236, Stewart Ranch Development Project

Public Works Director/City Engineer Clifford G. Finley's report dated August 25, 2003.

Planning Director Thomas M. Bartlett responded to concerns regarding the export of rocks which was not addressed in the Environmental Impact Report (EIR) by stating that the EIR did not identify export of material that would be uncovered as part of the utility; however, the EIR was thorough in anticipating mitigation measures that are appropriate to truck traffic.

A discussion ensued regarding encouraging developers to meet with nearby residents and provide written materials in advance of the start of projects in order to inform them of what to expect during construction.

David Johnson, 933 Cliff Drive, former Planning Commissioner, stated he had thoroughly reviewed the mitigated negative declaration, which did not address the amount of rock to be exported. He further expressed concern with possible damage to Say Road and Cliff Drive, and questioned whether rocks could have been dispersed onto the Stewart Ranch property or through the use of Ventura County Flood Control roads.

Jim Nelson, 1221 Manzanita Drive, noted that he lost the use of a motor vehicle for three weeks due to rock hauling activities, and also noted that construction activities began before 7:00 a.m. He further questioned the amount of rock hauled from the site.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding an agreement with the developer to pay for damage to Say Road or Cliff Drive by stating that the developer must pay for damages if staff can show specific damage

caused by their activities; however, he has not found any damage attributed to truck traffic.

Councilmember Cook stated for the record that the Stewart ranch was sold to John Rieder, and that neither Mr. Stewart nor his family has anything to do with this project. He also concurred with David Johnson's comments regarding the amount of rock exported from the property, and that the developer must be held accountable.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to receive the report on the update on Tract 5236, Stewart Ranch Development Project. There was no opposition, and the motion carried.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:35 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was the consensus of the City Council to extend the meeting for one hour. There was no opposition, and the motion carried.

RECESS TO A BREAK

Mayor Procter recessed the City Council to a Break at 10:35 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 10:42 p.m.

F. Art Society Request to Serve Beer and Wine at the Depot

Community Services Director Brian J. Yanez's report dated August 26, 2003.

Eugene Marzac, 1347 Magnolia, representing the Santa Paula Art Society, spoke regarding his concerns with graffiti and offered the graffiti artist a college scholarship from the Art Society. He further asked the City Council to grant the Art Society's request to sell beer and wine at the Depot during the Chamber of Commerce's mixer.

After a brief discussion, it was moved by Councilmember Krause, seconded by Mayor Procter, to deny the Art Society's request to sell beer and wine at the Depot due to a policy approved by the City Council on March 5, 2001, to not allow alcohol at the Santa Paula Train Depot. Councilmember Cook, Councilmember Krause, Vice Mayor Aguirre, and Mayor Procter were in favor. Councilmember Luna was opposed. The motion carried.

H. Lighted Crosswalks Project Update

Public Works Director/City Engineer Clifford G. Finley's report dated August 26, 2003. Staff presented a video on the use of the lighted crosswalks, and Mia Rangel translated the video in Spanish.

The report was received and filed report.

D. Report on Selection of Election Polling Places

City Manager Wally Bobkiewicz presented City Clerk Steven J. Salas' report dated August 25, 2003. The City Council expressed their pleasure that all 10 polling places would be open, and requested that a copy of the report be provided to Mr. Jess Victoria.

The report was received and filed.

E. Adelphia Franchise Update

Community Services Director Brian J. Yanez's report dated August 26, 2003. He responded to a question regarding whether the franchise agreement would include computer access through the cable by stating that this will be a part of the franchise agreement.

Steve Naber, representing Adelphia, noted that the plant will need to be upgraded to provide cable modem service for the Internet, high definition television, and video on demand. He noted that Adelphia hopes to launch these three services in the next three to six months. He responded to a question regarding whether Santa Paula's agreement will be similar to agreements with other cities by stating that overall this agreement would be better. He further responded to a question regarding fees or donations to the City by stating that franchise fees are factored into the agreement, along with grants for public and educational purposes. Additionally, each school and the library will be wired and provided Internet access at no charge. He further responded to a question regarding the reference to "the plant" by stating that the system that is on poles and underground is referred to as the plant.

The report was received and filed.

G. Approval of Operations Contract for Wastewater Treatment Facility

Public Works Director/City Engineer Clifford G. Finley's report dated August 26, 2003.

City Manager Wally Bobkiewicz noted that the agreement with Operations Management International had not yet been finalized and recommended that this item be brought back to the September 15, 2003 City Council Meeting.

J. Update on Citywide Employee Customer Service Program

Interim Human Resources Director Sharon Stull provided a verbal report. She distributed a packet of information, which included the Customer Service Vision Statement for the City of Santa Paula, frequently asked questions, and a revised City directory.

CITY/AGENCY COMMUNICATIONS

Councilmember Krause mentioned that she attended the VCOG meeting last week; however, there was no quorum present. She also mentioned that this has been problematic because a recommendation was to be made to hire the new Executive Director. She noted that it will take some work to obtain a quorum to schedule a special meeting to move forward with the hiring of the new Executive Director.

Councilmember Cook stated that he was looking forward to attending the Annual League of California Cities Conference next week.

FUTURE AGENDA ITEMS

It was moved by Councilmember Cook, seconded by Councilmember Luna, to schedule a Closed Session to discuss Operations Management International (OMI). There was no opposition, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Cook, for a report on the criteria for a driveway approach and the reason that this was denied for 527 Foothill Road property. City Manager Wally Bobkiewicz stated that this could be provided to the City Council off the agenda. 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 11:29 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 11:31 p.m.

CLOSED SESSION

City Attorney Karl H. Berger announced that the Closed Session would be to discuss: Conference with Legal Counsel, Anticipated Litigation. Significant exposure to litigation. Pursuant to Government Code *Section 54956.9 (b)(3)(A)*. Number of cases: one.

Mayor Procter recessed the City Council to a Closed Session at 11:31 p.m., and reconvened into Open Session at 11:37 p.m. No action was taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Procter adjourned the meeting at 11:37 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk