

### **CALL TO ORDER**

Mayor Aguirre called the meeting to order at 6:37 p.m. Deacon Al Guilin from St. Sebastian Church offered the invocation, and Mayor Aguirre led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

Councilmember Richard C. Cook, Councilmember Ray C. Luna, Councilmember John T. Procter, Vice Mayor Mary Ann Krause, and Mayor Gabino Aguirre 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. Update on Santa Paula Memorial Hospital**

County Supervisor Kathy Long provided an update on the negotiations between the County of Ventura and Santa Paula Memorial Hospital. She stated that it is her understanding that a decision has been made to close the hospital effective December 19, 2003, and that she intends to work with the City to keep the hospital open. She further commented on the staff report regarding ambulance service, and stated that the Board of Supervisors is interested in the Request for Proposals process for ambulance service.

Fire Chief Paul L. Skeels distributed a handout outlining the Ventura County Emergency Medical Service (EMS) Agency's Provisional Plan that has been activated with the closure of the hospital emergency room last week. He reported that a third ambulance has been assigned to the Santa Clara River Valley and is transporting patients to Ventura County Medical Center and Community Memorial Hospital. He further reported that the EMS Agency will locate a mobile unit to the hospital parking lot to assist with information, and will install an emergency call box at the entrance to the hospital for 911 services. He also noted that ambulances might also transport patients to St. John's Hospital and Los Robles Hospital.

City Manager Wally Bobkiewicz addressed recent press coverage regarding the possibility of relocating the hospital along with a new City Hall, Community College, and other uses, and stated that at this time the City has no plans for a specific location to relocate City Hall.

#### **B. Presentation by Dan Diaz, Santa Paula Chamber of Commerce, on "Moonlight on Main Street" New Year's Eve Celebration**

Dan Diaz provided an update and schedule of events for the "Moonlight on Main Street" New Year's Eve Celebration.

C. City Manager Wally Bobkiewicz's Report on State Budget Issues Impacting Santa Paula

City Manager Wally Bobkiewicz reported that the State Governor and legislature have discussed placing a \$15.5 billion bond issue on the March ballot in order to help balance the State budget; however, this will not solve the issue with the roll back of the Vehicle License Fee. He further addressed the City's financial situation, and stated that he would present a proposed reduction in the City's budget at the January 12, 2004 Special City Council Meeting.

**PUBLIC COMMENT**

Robert Cabral, 444 N. Thirteenth Street, invited everyone to attend the "Toys for Kids" Motorcycle Run on December 20, 2003, beginning at 9:30 a.m. at the Police Station and riding to the Las Piedras Park Police Storefront. He distributed flyers regarding the event, which is being sponsored by the Santa Paula Police Department and the Weed and Seed Committee.

**CITY COUNCIL, STAFF COMMUNICATIONS**

City Attorney Karl H. Berger mentioned that during the Closed Session held at 6:00 p.m., the City Council authorized the City Manager to settle the Workers Compensation Claim filed by Camilo Delgado for \$136,250, representing past and future medical and related costs, and that this would represent a compromised settlement of Mr. Delgado's Workers Compensation claim.

Councilmember Procter acknowledged Executive Secretary Nancy J. Harriger for her years of service, and noted that her retirement dinner is scheduled for December 16, 2003.

Mayor Aguirre mentioned that he met with a group of 40 to 50 representatives of the community at Our Lady of Guadalupe Parish Hall regarding their concerns with limited play fields for youth and adults. He also mentioned that he attended the Las Piedras Park Improvement Plan Community Meeting and the Housing Authority staff recognition dinner.

**APPROVAL OF FINAL AGENDA**

City Manager Wally Bobkiewicz asked to pull Items 9H, I, and K for discussion, and pull Item 9S from the agenda. He also asked that Item 11A be moved up to discuss after Public Hearing Item 10B regarding the skate park.

**CONSENT CALENDAR**

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, 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 – Reviewed, approved, and filed the attached warrants and certifications. Finance Director Alvertina Rivera’s report dated December 8, 2003.

Wire Transfers	10/29/03 – 10/30/03	\$ 35,519.61
Invoices	10/31/03 – 10/31/03	\$ 841,683.20
Wire Transfers	11/06/03 – 11/06/03	\$ 6,512.62
Invoices	11/07/03 – 11/07/03	\$ 138,533.42
Wire Transfers	11/13/03 – 11/13/03	\$ 39,950.05
Invoices	11/14/03 – 11/14/03	\$ 624,805.65
Wire Transfers	11/20/03 – 11/26/03	\$ 45,688.40
Invoices	11/21/03 – 11/21/03	\$ 204,609.72
Wire Transfers	12/01/03 – 12/05/03	\$ 201,226.89
Invoices	12/05/03 – 12/05/03	\$ 259,824.59
Salaries	11/07/03 – 11/21/03	<u>\$ 652,512.54</u>
TOTAL		\$3,050,866.69

- C. Minutes – Adopted the Minutes of the Special City Council Meeting of November 10, 2003.
- D. Minutes – Adopted the Minutes of the Special City Council Meeting of November 17, 2003.
- E. Minutes – Adopted the Minutes of the Joint City Council/Redevelopment Agency Meeting of November 17, 2003.
- F. Minutes – Adopted the Minutes of the Special City Council Meeting of November 24, 2003, 5:30 p.m.
- G. Veteran’s Preference – Adopted the proposed amending to the Personnel Rules and Regulations by adopting Resolution No. 6029 amending Rule VI, Section 3,

which would add a Veteran's Preference section. **RESOLUTION NO. 6029**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AMENDING THE CITY OF SANTA PAULA PERSONNEL RULES AND REGULATIONS. Assistant to the City Manager Melissa Grisales' report dated December 1, 2003.

- J. Revise Travel Policy – Approved the revised Travel Policy as proposed by staff. Finance Director Alvertina Rivera's report dated December 4, 2003.
- L. Disposal of Finance Department Records – Approved the destruction of the Finance Records described in Exhibit A. Finance Director Alvertina Rivera's report dated December 4, 2003.
- M. Transfer of Unclaimed Monies to the City's General Fund – Approved Resolution No. 6044 recognizing the attached list of unclaimed monies as property of the City of Santa Paula and authorizing the transfer of said monies to the City's General Fund. **RESOLUTION NO. 6044**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ESTABLISHING UNCLAIMED MONIES BE RECOGNIZED AS PROPERTY OF THE CITY OF SANTA PAULA AND ORDERING ITS TRANSFER TO THE CITY'S GENERAL FUND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50053. Finance Director Alvertina Rivera's report dated December 8, 2003.
- O. Resolution No. 6047 Regarding the Adoption of the Disadvantage Business Enterprise (DBE) Program for the Fiscal Year 2003/2004 - Approved **RESOLUTION NO. 6047**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTING THE DISADVANTAGE BUSINESS ENTERPRISE PROGRAM FOR FISCAL YEAR 2003/004. Public Works Director/City Engineer Clifford G. Finley's report dated December 9, 2003.
- P. Approval of New Street Light on the Sidewalk near the St. Francis Dam Memorial and Authorization to Advertise for Informal Bids, Project No. 03.04.273 STR – 1) Appropriated \$15,000 of the LTF/Gas Tax Reserves to Account No. 231.050.9094.8630; 2) adopted **RESOLUTION NO. 6004**, A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF ST. FRANCIS DAM MEMORIAL MONUMENT'S LIGHT PURSUANT TO GOVERNMENT CODE SECTION 830.6; and 3) authorized the Public Works Director to invite informal bids to install a street light near the St. Francis Dam Memorial at the northeast corner of the intersection of Santa Barbara Street and Tenth Street. Public Works Director/City Engineer Clifford G. Finley's report dated December 1, 2003.
- Q. Leaking Underground Fuel Tanks Removal and Site Remediation – 1) Appropriated \$48,000 of Water Enterprise funds for the South Alley and Olive

Alley LUFT Site Phase 2 and 3 Fuel Tanks Removal and Site Remediation Projects and approve the project budget; and 2) approved and awarded the Agreement for Services with PW Environmental for the South Alley and Olive Alley LIFT Site Phase 2 and 3 Fuel Tanks Removal and Site Remediation Projects. Public Works Director/City Engineer Clifford G. Finley's report dated December 4, 2003.

- R. City Manager Contract Amendment – Approved Employment Agreement with Walter J. Bobkiewicz III for Services as City Manager, and authorized the Mayor to execute the agreement.
- S. Acceptance of Parcel Map 2002-33; 2 Lot Subdivision Located at 112-116 West Harvard Boulevard. – This item was removed from the agenda.

**CONSENT CALENDAR, SEPARATE ACTION ITEMS**

- H. Amendment to Position Control Listing

Assistant to the City Manager Melissa Grisales' report dated December 4, 2003. City Manager Wally Bobkiewicz noted that a revised Resolution No. 6045 was given to the City Council prior to the meeting, which will implement the language of the staff report and amends the budget to fund the position. He also noted that the new Management Analyst position would be funded between the Redevelopment Agency and through cost recovery from a private developer.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, approve an amendment to Resolution No. 5598 amending the 2003 – 2004 Final Operating Budget for the City of Santa Paula, and 2) approve amended Resolution No. 6045 adopting the recommended changes to the Position Control Listing of Authorized Positions adding an additional Management Analyst position. There was no opposition, and the motion carried.

**RESOLUTION NO. 6045**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA  
AMENDING RESOLUTION NO. 5598 WHICH AMENDS THE  
POSITION CONTROL PLAN

- I. Formation of an Ad Hoc Community Development Block Grant (CDBG) Advisory Committee

Building and Safety Director Stephen R. Stuart's report dated November 7, 2003. City Manager Wally Bobkiewicz suggested a future agenda item to set priorities for CDBG funding.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to approve the formation of an ad hoc Community Development Block Grant (CDBG) Advisory Committee for the 2004 – 2005 CDBG Program Year, and notify staff of any projects Council would like to consider for CDBG funding. There was no opposition, and the motion carried.

K. Award of Banking Services

Finance Director Alvertina Rivera's report dated November 24, 2003.

Don Tello, Vice President representing Santa Barbara Bank and Trust, thanked the City Council for the opportunity to serve the City, and stated that he looks forward to a prosperous relationship.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to authorize staff to award the City's banking services to Santa Barbara Bank and Trust. There was no opposition, and the motion carried.

N. Change Order to Contract with Rincon Consultants for Environmental Assessment Work on Fagan Canyon Project

Planning Director Thomas M. Bartlett's report dated November 24, 2003.

City Attorney Karl H. Berger responded to a question regarding whether any Councilmembers had a conflict of interest regarding this item by stating that this item does not directly affect the Fagan Canyon project because it is an amendment to an existing contract the City has with Rincon Consultants.

City Manager Wally Bobkiewicz responded to concerns regarding Rincon Consultants and the work they conducted for the Stewart Ranch project by stating that this item is for an amendment to the scope of work for biological work and a cultural resources study, which are preliminary documents for the larger environmental impact report. Further, staff has interviewed consultants to conduct the full environmental impact report for Fagan Canyon, and the new consultant will verify the preliminary work performed by Rincon Consultants.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to approve an amendment to the scope of work for Biological Work Program and a Cultural Resources Study for the Fagan Canyon Hillside Development Project, and authorize the City Manager to execute a change order the contractual documents accordingly.

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

### **PUBLIC HEARING**

A. CDP 2003-CDP-09, Request for Zone Change, 320 W. Harvard Boulevard

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

Planning Director Thomas M. Bartlett's report dated December 8, 2003.

Associate Planner Heather Davis noted revised Condition of Approval D1 of Resolution No. 6043, which will identify 25 apartment units as extremely low income units and 14 units as very low income. Another revised condition is that the Applicant has agreed to pay an in lieu fee to the City in the amount of property tax, and a deed restriction will be recorded for \$16,300 per year, which shall be determined based on an evaluation of the estimated assessed value by a certified real estate appraiser. She responded to a question regarding the justification for a reduction in parking spaces by stating that 20 apartment units will be restricted to special needs tenants who are physically or mentally handicapped and do not drive vehicles. She further responded to a question regarding laundry facilities by stating that laundry facilities will be available on both floors.

Dan Hardy, Project Manager for Partners in Housing, stated that the project will be for extremely low and low income tenants, and 25 units will be restricted to extremely low income tenants. He noted that the project would be owned by a limited partnership with the Santa Paula Housing Authority as a General Partner. Rents will typically be \$230 per month for a one-bedroom apartment. Further, the project is centrally located to shopping, schools, and medical clinics.

David Kesterson, Architect with Lauterbach and Associates, introduced himself and stated that he was available to answer any questions pertaining to the project.

Colleen Duncan, 2220 E. Gonzales, Oxnard, representing the Tri-Counties Regional Center Resource Development, spoke regarding the need for affordable housing, and encouraged the City Council to support the project.

Fred Robinson, 380 E. View Drive, representing Association of Retarded Citizens (ARC) – Ventura County and President of the National Alliance for the Mentally Ill (NAMI), spoke in support of the project.

Jim White, 848 Danbury Court, Ventura, representing ARC – Ventura County, spoke in support of the zone change.

Dora Crouch, 739 Yale Street, Apt. 6B, spoke in support of the project.

Jesse Ornelas, Planning Commissioner, 919 La Vuelta Place, spoke in support of the project.

Ramsey Jay, Executive Director of the Santa Paula Housing Authority, responded to a question regarding whether current Santa Paula residents would receive preference in obtaining housing in this project by stating that the Housing Authority has a residency preference in place for local residents, and that he believes he can assure that local residents will receive preference. He further responded to a question regarding the centrally located store front for the Housing Authority at the project site by stating that this facility would supplement the Housing Authority's existing office, and would provide additional services such as Ventura County Behavioral Health, Family Unification Program, ARC services, and accommodations for various service providers. He further responded to a question regarding the general partnership by stating that a general partnership needed to be formed in order to receive funding from tax credits, and that the Housing Authority will be involved with management of the property and will have the first right of refusal once the tax debts are retired. Further, at the end of the 15-year tax credit period, the Housing Authority will take ownership of the property.

Dan Hardy responded to a question regarding displacement of current residents by stating that a relocation firm was hired to conduct an assessment of the motel, and that the firm determined that only two families were considered permanent residents and will be relocated in accordance with the Uniform Relocation Act and State relocation laws. He mentioned that he would provide the formal relocation plan to staff.

City Attorney Karl H. Berger provided proposed language for Condition I19, "Applicant agrees to enter into an agreement in a form approved by the City Attorney by which the Applicant agrees to pay the City an annual fee in an amount not less than \$16,300 for the entire property. This fee is intended to reimburse the City for lost property tax revenue. The actual amount of such fee will be based on the estimated assessed value of the subject property, which will be calculated by a Certified Real Estate Appraiser approved by the City. First payment of the fee must be made within six months after the City issues a certificate of occupancy." He recommended that the applicant approve the language for the record. Mr. Hardy approved the language.

A discussion ensued regarding delineating the annual assessment, and adding a provision for the fee to increase over time based on an annual appraisal.

City Attorney Karl H. Berger recommended adding a sentence to the end of Condition I19 to read, "The fee amount will be automatically adjusted in accordance with applicable California property tax law." Mr. Hardy approved the language.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to 1) approve the project approving a Conditional Use Permit, Planned Development Permit, 50% Density Bonus, Design Review, 38 Growth Management Allocations, and a Monument Sign and Master Sign Plan; in accordance with the project plans submitted and subject to the Conditions of Approval identified in the Ordinance and Resolution of Approval, and adopt Resolution No. 6043 with modification to Condition DI and Condition I19. There was no opposition, and the motion carried.

**RESOLUTION NO. 6043**

A RESOLUTION APPROVING A ZONE CHANGE, LOT MERGE, DESIGN REVIEW, A CONDITIONAL USE PERMIT, A PLANNED DEVELOPMENT PERMIT, DENSITY BONUS, 38 GROWTH MANAGEMENT ALLOCATIONS, MONUMENT SIGN AND MASTER SIGN PLAN (PROJECT NO. 2003-CDP-09) FOR PROPERTY LOCATED AT 320 WEST HARVARD BOULEVARD (APNs 105-0-151-035 and 105-0-151-045)

City Attorney Karl H. Berger read Ordinance No. 1087 in title only.

**ORDINANCE NO. 1087**

AN ORDINANCE APPROVING A ZONE CHANGE FROM GENERAL COMMERCIAL (C-2) TO GENERAL COMMERCIAL WITH PLANNED DEVELOPMENT ADDITIVE (C-2-PD) AND LOT MERGE FOR PROPERTY LOCATED AT 320 WEST HARVARD BOULEVARD (APNs 105-0-151-035 and 105-0-151-045)

It was moved by Vice Mayor Krause, seconded by Councilmember Cook to introduce Ordinance No. 1087 amending the City's Zoning Map to change the zoning designation from C-2 (Commercial Zone) to C-2-PD (Commercial Planned Development Zone) and merge of two lots identified by Assessor's parcel Numbers 105-0-151-035 and 105-0-151-045 and located at 320 W. Harvard Boulevard. There was no opposition, and the motion carried.

Mayor Aguirre closed the Public Hearing at 8:05 p.m.

**RECESS TO A BREAK**

Mayor Aguirre recessed the City Council to a break at 8:05 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Aguirre reconvened the City Council at 8:18 p.m.

B. Public Hearing Regarding Allocation of CDBG Funds for Skate Park

Upon verification of proper notification and posting by the City Clerk, Mayor Aguirre opened the Public Hearing at 8:18 p.m.

Building and Safety Director Stephen R. Stuart's report dated November 4, 2003. He responded to a question regarding the use of Housing Rehabilitation funds for the skate park by stating that funding is considered project funds, and the City Council has typically placed 50% of CDBG project funds into housing related projects and 50% into other related projects. He further responded to a question regarding whether the funds allocated for the skate park could be used for street improvements by stating that CDBG funds cannot be used for ongoing maintenance or street repairs.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to approve an allocation of \$100,000 in Community Development Block Grant (CDBG) funds for the Santa Paula Skate Park project funded through the transfer of \$50,000 from the Las Piedras Park Recreation Center Project and \$50,000 from the Housing Rehabilitation Program, and authorize the City Manager to execute the required agreements with the County of Ventura, and adopt Resolution No. 6029. There was no opposition, and the motion carried.

**RESOLUTION NO. 6029**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA  
AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) FUNDS FROM THE LAS PIEDRAS PARK RECREATION CENTER PROJECT  
AND THE HOUSING REHABILITATION LOAN PROGRAM TO THE SANTA PAULA  
SKATE PARK PROJECT

Mayor Aguirre closed the Public Hearing at 8:28 p.m.

**ORDER OF BUSINESS**

A. Skate Park, Project No. 01.02.225 SPC, Request for Authorization to Advertise

Public Works Director/City Engineer Clifford G. Finley's report dated December 9, 2003. He responded to a question regarding the cost for the skate bowl by stating that it would be \$25,000. He further responded to a question regarding a suggestion made by County Supervisor Kathy Long to use the Seebees for demolition work by stating that he believes it would be best to have the demolition work done by a contractor.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to approve the Contract Documents and adopt Resolution No. 6046 to authorize the Public Works Director to invite bids for the Santa Paula Skate Park Project. There was no opposition, and the motion carried.

**RESOLUTION NO. 6046**

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF SANTA PAULA SKATE PARK PROJECT PURSUANT TO GOVERNMENT CODE SECTION 830.6

City Manager Wally Bobkiewicz noted that a flock of pink flamingoes have visited the City Hall lawn. Laura Phillips, representing Santa Paula Association of Skaters (SPAS), explained the pink flamingo flocking fundraiser, which has so far raised \$1,000 in pledges. Flamingo flockings are designated by someone who has been flocked, the cost to remove the flock is \$20, and the cost to have someone designated to be flocked is \$20. Residents may call 525-0828 to Remove Unwanted Flamingoes Fast (RUFF).

**PUBLIC HEARING**

C. Proposed Inclusionary Housing Ordinance Revised

Upon verification of proper notification and posting by the City Clerk, Mayor Aguirre opened the Public Hearing at 8:38 p.m.

Planning Director Thomas M. Bartlett's report dated December 8, 2003.

A discussion ensued regarding the in lieu fee calculation, concerns with use of the in lieu fee to leverage state and federal grants, developer incentives, and the percentage of total project units to be affordable. City Manager Wally Bobkiewicz responded to the discussion by suggesting that the City Council establish an ad hoc committee to meet with staff to discuss concerns, and bring back recommendations.

Jesse Ornelas, 919 La Vuelta Place, spoke in support of the 20% breakdown for inclusionary housing units for affordable housing, and suggested that the City Council establish criteria for allowing off-site construction of affordable housing units and establish criteria for in lieu fees.

City Manager Wally Bobkiewicz responded to a question regarding which projects would be subject to the Inclusionary Housing Ordinance by stating that only projects that are small to medium sized would be subject to the ordinance. Further, the City is working with developers for two projects at this time that will require developer agreements rather than an Inclusionary Housing Ordinance.

**COUNCIL CONSENSUS TO EXTEND THE MEETING**

As business had not concluded at 9:29 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Vice Mayor Krause, seconded by Councilmember Procter, to extend the meeting for one hour. All were in favor, and the motion carried.

A discussion ensued regarding the suggestion to form an ad hoc committee. Councilmember Procter volunteered to serve on this committee.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to form a subcommittee of the Council on an ad hoc basis to develop a combination of options related to the Inclusionary Housing Ordinance. She further volunteered to serve on the ad hoc committee. All were in favor, and the motion carried.

It was the consensus of the City Council to appoint Councilmember Procter and Vice Mayor Krause to participate in the ad hoc committee.

Mayor Aguirre closed the Public Hearing at 9:36 p.m.

D. **Transfer Delinquent Water, Sewer, and Refuse Charges to the Tax Rolls**

Upon verification of proper notification and posting by the City Clerk, Mayor Aguirre opened the Public Hearing at 9:36 p.m.

Finance Director Alvertina Rivera's report dated December 5, 2003.

There was no Public Comment.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to: 1) accept the delinquent charges as described in said report as final; and 2) adopt a resolution authorizing the City Clerk to record the obligations with the County Recorder, County of Ventura, and forward a copy of the resolution to the County Auditor, County of Ventura, for inclusion in the delinquent charges on the 2004-05 tax roll. There was no opposition, and the motion carried.

**RESOLUTION NO. 6042**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA  
ORDERING THE DELINQUENT CHARGES FOR SEWER/REFUSE/WATER  
SERVICES UPON CERTAIN PROPERTIES IN THE CITY OF SANTA PAULA BE  
ASSESSED AGAINST THE PROPERTY OWNERS AND PROPERTIES AND SUCH  
CHARGES BE TRANSFERRED TO THE COUNTY TAX ROLLS

Mayor Aguirre closed the Public Hearing at 9:39 p.m.

E. Proposed Fee Increases for Water Services

Upon verification of proper notification and posting by the City Clerk, Mayor Aguirre opened the Public Hearing at 9:39 p.m.

Finance Director Alvertina Rivera and Public Works Director/City Engineer Clifford G. Finley's report dated December 8, 2003.

There was no Public Comment.

It was moved by Councilmember Cook to adopt Urgency Ordinance No. 1088. City Attorney Karl H. Berger read Urgency Ordinance No. 1088 in title only. Vice Mayor Krause seconded the motion. There was no opposition, and the motion carried.

**URGENCY ORDINANCE NO. 1088**

AN URGENCY ORDINANCE SETTING THE AMOUNT OF WATER RATES AND CHARGES PURSUANT TO HEALTH AND SAFETY CODE §5471 AND THE SANTA PAULA MUNICIPAL CODE

It was moved by Councilmember Procter to introduce and waive first reading of Ordinance No. 1084. City Attorney Karl H. Berger read Ordinance No. 1084 in title only. Councilmember Cook seconded the motion. There was no opposition, and the motion carried.

**ORDINANCE NO. 1084**

AN ORDINANCE SETTING THE AMOUNT OF WATER RATES AND CHARGES PURSUANT TO HEALTH AND SAFETY CODE §5471 AND THE SANTA PAULA MUNICIPAL CODE

Mayor Aguirre closed the Public Hearing at 9:43 p.m.

**ORDER OF BUSINESS**

B. Solid Waste Management Ordinance

Public Works Superintendent Anthony Emmert presented Public Works Director/City Engineer Clifford G. Finley's report dated December 9, 2003. City Manager Wally Bobkiewicz noted that Mr. Emmert will soon be leaving to work for the City of Oxnard and mentioned that he would be missed.

Councilmember Cook stepped out of the Council Chambers at 9:43 p.m. and returned at 9:45 p.m.

It was moved by Vice Mayor Krause to introduce Ordinance No. 1091, waive the first reading, and schedule the second reading and adoption of the ordinance for January 5, 2004. City Attorney Karl H. Berger read Ordinance No. 1091 in title only. Councilmember Cook seconded the motion. There was no opposition, and the motion carried.

### **ORDINANCE NO. 1091**

#### **AN ORDINANCE AMENDING CHAPTER 50 OF THE SANTA PAULA MUNICIPAL CODE IN ITS ENTIRETY REGULATING SOLID WASTE MANAGEMENT**

##### **C. Status Report: Ambulance Service in Santa Paula**

City Manager Wally Bobkiewicz's report dated December 9, 2003.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to receive and file this status report on ambulance service in Santa Paula. There was no opposition, and the motion carried.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to appoint Councilmember Ray C. Luna as the representative to a three-member advisory ad hoc committee consisting of representatives from the Cities of San Buenaventura, Fillmore, and Santa Paula to monitor on-going developments in the County of Ventura's award of a new ambulance contracts. There was no opposition, and the motion carried.

It was moved by Councilmember Cook, seconded by Councilmember Procter, to direct the City Manager to continue follow-up with the County EMS Agency on outstanding requests for information and other issues associated with the award of new ambulance contracts. There was no opposition, and the motion carried.

### **CITY COMMUNICATIONS**

Councilmember Procter wished Public Works Superintendent Anthony Emmert luck in his new job.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Cook, seconded by Mayor Aguirre, for a report on the current condition of parks and setting a policy for use by local residents only. There was no opposition, and the motion carried.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, for a discussion of a potential housing program and partnering with code enforcement as new affordable housing projects come along, and coordinate code enforcement inspection of units that the residents of new projects may be vacating in order to inspect and require any necessary repairs before the vacated units are rented. After a brief discussion regarding concerns with the motion, City Attorney Karl H. Berger suggested rewording the motion for a report on proactive code enforcement efforts for multi-family or rental properties. There was no opposition, and the motion carried.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, for the Planning Commission to develop standard conditions of approval for multi-family housing projects. There was no opposition, and the motion carried.

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Aguirre adjourned the meeting at 10:06 p.m.

ATTEST:

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Josephine G. Herrera  
Deputy City Clerk