

CALL TO ORDER

Mayor Procter called the meeting to order at 6:30 p.m. Mayor Procter asked for a moment of silence in observation of Dr. Martin Luther King, Jr.'s birthday, and Councilmember Luna led the Pledge of Allegiance to the Flag.

ROLL CALL

Councilmember Richard C. Cook, Councilmember Mary Ann Krause, Councilmember Ray C. Luna, Vice Mayor Gabino Aguirre, and Mayor John T. Procter responded to roll call. City Manager Wally Bobkiewicz, City Attorney Phillip H. Romney, 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. Introduction of New Employee

Interim Public Works Director/City Engineer Joseph R. Lopez stated that he was scheduled to introduce Maintenance Worker Lloyd Murphy; however, Mr. Murphy was unable to attend due his son being ill. City Manager Wally Bobkiewicz stated that Mr. Murphy would be introduced at the next meeting.

B. Proclamation in Appreciation of the City of Santa Paula Finance Department

Councilmember Cook presented a proclamation to Finance Director Alvertina Rivera, Customer Service Representative Sally Cook, and Accountant Eden Monroy in appreciation of the City of Santa Paula Finance Department staff. Finance Director Alvertina Rivera thanked the City Council for their consideration.

PUBLIC COMMENT

There was no Public Comment.

CONSENT CALENDAR

It was moved by Councilmember Cook, 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 presented. Under roll call vote, all were in favor. The Consent Calendar was adopted.

- A. Warrants and Certifications – Approved the Warrants and Certifications dated January 10, 2003. (88-2)

Wire Transfers	\$ 78,298.84
Salaries	\$ 325,902.55
Invoices	\$ 722,720.19
TOTAL	\$1,126,921.58

- B. Closed Session – Approved a Closed Session to discuss: Conference with Legal Counsel, Anticipated Litigation. Number of Potential Cases: Two. Facts and Circumstances, if known to potential plaintiffs: Public nuisance, collection of fines, various housing and building codes. Identification of claims, if any: El Rancho Properties. Identification of public threat of litigation, if any: None. Pursuant to *Government Code §54956.9(b)*.
- C. Minutes – Adopted the Minutes of the Regular City Council Meeting of December 16, 2002. 950-6)
- D. Amend Interim Public Works Director/City Engineer Contract – Authorized staff to amend the current contract with Joseph R. Lopez (JRL Consultants), the Interim Public Works Director/City Engineer. Authorization will allow an additional ten hours of service per week for the remainder of this contract. City Manager Wally Bobkiewicz's report dated January 10, 2003.
- E. Customer Service Citizens Task Force – Adopted a resolution creating a Customer Service Citizens Task Force. **RESOLUTION NO. 5546**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA CREATING A CUSTOMER SERVICE TASK FORCE. City Manager Wally Bobkiewicz's report dated January 14, 2003.
- F. California Oil Museum Funding – Approved a written request for legislation to Assemblyman Tony Strickland that will make it possible for the City to receive funding for the California Oil Museum from the California State Division of Oil and Gas. Community Services Director Brian J. Yanez's report dated January 14, 2003.
- G. Appointment of Underwriter and Financial Advisory for the Refunding of the 1996 Water Bonds – Authorized the appointment of Stone & Youngberg LLC to serve as Underwriter, and E. Wagner & Associates as Financial Advisor for the refunding of the 1996 Water Bonds. Finance Director Alvertina Rivera's report dated September 30, 2002.

- H. Annual Financial Statements for the City of Santa Paula for the Fiscal Year Ended June 30, 2002 – Received and placed on file the Annual Financial Report for the Fiscal Year Ended June 30, 2002. Finance Director Alvertina Rivera's report dated January 13, 2002.
- I. Annual Financial Reports of the Local Transportation Development Act Fund for Article 3 and Article 8, Section 99400(a), Section 99400(c), and Section 99234 Funds for the City of Santa Paula for the Fiscal Year Ended June 30, 2002 – Received and placed on file the Annual Financial Reports for the Local Transportation Development Act Fund, Article 3, Section 99234 Public Utilities Code and Article 8, Section 99400(a) Public Utilities Code and Section 99400(c) Public Utilities Code Funds for the Fiscal Year Ended June 30, 2002 resulting from the audits by Simpson and Simpson, Certified Public Accountants. Finance Director Alvertina Rivera's report dated January 10, 2003.
- J. Council Expense and City Manager Travel Monthly Report of Transactions – Reviewed and filed the monthly transactions report. Finance Director Alvertina Rivera's report dated January 7, 2003.
- K. November Monthly Report of Transactions – Reviewed and filed the monthly transactions report. City Treasurer Sandra K. Easley's report dated January 7, 2003.
- L. Purchase of Vehicle for Public Works Division – Confirmed the cooperative purchase agreement for the State of California for the purchase of one vehicle from Hoblitt Motors in the amount of \$14,843.82 and three trucks from Coalinga Motors, Inc., in the amount of \$53,579.28, and authorized the City Manager, or his designee, to sign purchase orders on behalf of the City totaling \$68,423.10. Finance Director Alvertina Rivera's report dated January 13, 2003.
- M. Continuation of AB 1913 Gang Violence Prevention Grant – Continued participation in the AB 1913 Gang Violence Prevention Grant Program (GVP) thereby accepting grant moneys, and continued the appropriation of funds for the Interim Police Officer position until the grant funding stops. Police Chief Robert S. Gonzales' report dated January 10, 2003.

ORDER OF BUSINESS

- A. Property Based Business Improvement District Formation Documents

City Attorney Phillip H. Romney declared a conflict of interest as he owns property in the proposed district. He also noted that he would declare a conflict of interest on agenda

items 8B through 8E, as they relate to property owned by Scott Anderson with whom he has business dealings. He further noted that Karl H. Berger would substitute as the Acting City Attorney on these items.

City Manager Wally Bobkiewicz introduced Interim Economic Development Director Charmaine Stouder and Ron Cano from Downtown/Mainstreet Visions.

Interim Economic Development Director Charmaine Stouder and Ron Cano presented the report dated January 13, 2003. Mr. Cano introduced his legal counsel, Barry Grant.

Barry Grant provided a briefing regarding the process, and recommended that the City Council set the hearing for March 17, 2003, in order to meet the time requirements for the County Assessor's Office.

Ron Cano responded to a question regarding how the assessments were based by explaining the formula used to ensure fair and equitable distribution of the cost. He further responded to a question regarding who would be subject to the assessment by stating that all property owners in the proposed business improvement district would be assessed.

Acting City Attorney Karl H. Berger noted that a technical change was needed to Resolution No. 5553 because a seven day lag time is required between the Public Meeting and the Public Hearing, and proposed the following amendment to Section 6 of the resolution to read as follows, "Pursuant to Government Code Section 54954.6 the City Council will hold a public meeting on March 3, 2003, and a public hearing on March 17, 2003 to consider the proposed assessments. The meeting and public hearing will be held at 6:30 p.m. on those dates...."

It was moved by Councilmember Cook to adopt Resolution No. 5553 and have it read in title only, including the amendments for a public meeting on March 3, 2003, and a public hearing on March 17, 2003. Councilmember Aguirre seconded the motion.

Deputy City Clerk Josephine G. Herrera read Resolution No. 5553 in title only.

RESOLUTION NO. 5553

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA DECLARING THE CITY OF SANTA PAULA'S INTENT TO ESTABLISH A PROPERTY BASED BUSINESS IMPROVEMENT DISTRICT (PBID) AND SETTING A PUBLIC HEARING

Under roll call vote, all were in favor, and the motion carried.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to adopt Resolution No. 5554 and have it read in title only.

Deputy City Clerk Josephine G. Herrera read Resolution No. 5554 in title only.

RESOLUTION NO. 5554

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ESTABLISHING THE FORMAT FOR THE BALLOT, PROVIDING FOR ITS MAILING AND ESTABLISHING VOTES FOR A PROPOSED PROPERTY BASED BUSINESS IMPROVEMENT DISTRICT (PBID)

Under roll call vote, all were in favor, and the motion carried.

- B.** Certification of the Initiative Adjusting Santa Paula's City Urban Growth Boundary (CURB) Line to Include a 32.5 Acre Parcel at the Northwest Corner of Peck/Foothill Roads

City Manager Wally Bobkiewicz presented the report dated January 8, 2003.

It was moved by Councilmember Krause, seconded by Councilmember Cook, for approval to adopt Resolution No. 5545 certifying the sufficiency of the petition entitled, "An Initiative Adjusting Santa Paula's City Urban Growth Boundary (CURB) Line to Include a 32.5 Acre Parcel at the Northwest Corner of Peck/Foothill Roads" and submitting the Measure to the voters at a Special Election on June 3, 2003.

Under roll call vote, all were in favor, and the motion carried.

RESOLUTION NO. 5545

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA PLACING ON THE JUNE 3, 2003 SPECIAL ELECTION BALLOT, A MEASURE ADJUSTING SANTA PAULA'S CITY URBAN GROWTH BOUNDARY (CURB) LINE TO INCLUDE A 32.5 ACRE PARCEL AT THE NORTHWEST CORNER OF PECK/FOOTHILL ROADS

- C.** June 3, 2003 Special Municipal Election

City Manager Wally Bobkiewicz presented the report dated January 8, 2003.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to adopt Resolution Nos. 5547, 5548, and 5549.

Under roll call vote, all were in favor, and the motion carried.

RESOLUTION NO. 5547

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA CALLING A LOCAL ELECTION ON JUNE 3, 2003, PURSUANT TO ELECTIONS CODE §1405 AND REQUESTING CONSOLIDATION WITH THE GENERAL ELECTION PURSUANT TO ELECTIONS CODE §10401

RESOLUTION NO. 5548

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA REQUESTING THAT THE VENTURA COUNTY BOARD OF SUPERVISORS PROVIDE ELECTION SERVICES TO THE CITY FOR THE JUNE 3, 2003 ELECTION

RESOLUTION NO. 5549

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR AN ELECTION ON JUNE 3, 2003

D. Arguments and Rebuttals For and Against An Initiative Adjusting Santa Paula's Urban Growth Boundary (CURB) to Include a 32.5 Acre Parcel at the Northwest Corner of Peck/Foothill Roads, and City Attorney Impartial Analysis

City Manager Wally Bobkiewicz presented the report dated January 8, 2003.

A discussion ensued on whether or not the City Council was interested in putting forward an argument for or against the measure, and whether the City Attorney's impartial analysis would provide sufficient information to the voters.

Acting City Attorney Karl H. Berger responded to the discussion by stating that if the City Council chooses not to put forward an argument, any bonafide citizen or organization may submit arguments, including Councilmembers as private citizens. Moreover, if no arguments are filed, then no arguments would appear on the ballot. He further responded to a question regarding the City Attorney's impartial analysis by stating that it would provide an analysis of how the measure would affect the City's existing laws, codes, and General Plan.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to adopt Resolution Nos. 5551 and 5552.

Under roll call vote, all were in favor, and the motion carried.

RESOLUTION NO. 5551

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA,
CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY
MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

RESOLUTION NO. 5552

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA DIRECTING
THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE BALLOT
MEASURE REGARDING THE CITY URBAN GROWTH BOUNDARY (CURB)

E. Offer by Applicant to Cover Costs of Special Election for Ballot Measure

City Manager Wally Bobkiewicz presented Planning Director Thomas M. Bartlett's report dated January 14, 2003.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to accept the offer from Mr. Anderson and place into Council files.

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

RECESS TO A HEALTH AND SAFETY BREAK

Mayor Procter recessed the City Council to a Health and Safety Break at 7:12 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 7:20 p.m.

F. Economic Development/Redevelopment Implementation Plan

City Manager Wally Bobkiewicz presented a Power Point presentation and his report dated January 14, 2003. He recommended that the City Council make any modifications

and adopt the plan, and direct staff to move forward and return on a quarterly basis with updates to the implementation plan.

A discussion ensued regarding moving up investigating shuttle service to the downtown, publicizing the implementation plan, ensuring commercial trash collection, reviewing code enforcement, appointing an advisory body for outreach, engaging the community to allow them to have an opportunity to participate, and making this information available during the goal setting session.

It was moved by Vice Mayor Aguirre, seconded by Mayor Procter, to begin to distribute this information and related information to the community starting immediately, but more specifically, at Saturday's goal setting session, and table this for further discussion at the next Council meeting.

Under roll call vote, Vice Mayor Aguirre and Mayor Procter were in favor. Councilmember Krause, Councilmember Cook, and Councilmember Luna were opposed. The motion failed.

It was moved by Councilmember Krause, seconded by Councilmember Luna, to adopt the implementation plan and timeline as proposed this evening, distribute it Saturday morning during the goal setting session, continue to take input, receive quarterly reports as outlined in the staff report, and do some form of community outreach such as a press release.

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

G. Status Report on Three New Firefighter Positions

Fire Chief Paul L. Skeels' report dated December 26, 2002. He responded to a question regarding whether a survey has been done on response time by stating that a survey has not been done, although it does take longer to respond to the west side of town. He further responded to a question regarding whether fire insurance rates would change with the full-time opening of Fire Station 2 by stating that fire insurance rates are not determined by the location of a fire station, and that rates are determined by proximity to a hillside and the amount of weed abatement required.

The report was received.

H. Ordinance No. 1058, Revision of Chapter 52 (Water) of the Santa Paula Municipal Code

Interim Public Works Director/City Engineer Joseph R. Lopez's report dated January 9, 2003.

Pete Fallini, 341 San Clemente Street, Manager for Farmers Irrigation Company, Thermal Belt Mutual Water Company, Canyon Irrigation Company, and Middle Road Mutual Water Company, stated that he was satisfied with the language in the ordinance regarding transferability of water rights associated with a mutual water company, and encouraged the City Council to adopt the ordinance.

Robert Sawyer, 1217 Woodland, attorney representing the Dickensen family, owners of the Flying D Ranch in Fagan Canyon, stated that they were in support of the ordinance in its current form.

John Franklin, 3159 Eaglewood, Thousand Oaks, representing Fagan Canyon Partners, spoke in support of the ordinance, and recommended that the City Council work on adopting an exact fee for the water resource in lieu fee.

City Manager Wally Bobkiewicz responded to a question regarding the timeline for the adoption of impact fees by stating that a meeting is scheduled for January 23, 2003, at 4:00 p.m. in the Council Chambers for public comment, and that staff would bring those comments to the City Council on March 3, 2003.

It was moved by Councilmember Cook to have ordinance No. 1058 read in title only.

Deputy City Clerk Josephine G. Herrera read Ordinance No. 1058 in title only.

ORDINANCE NO. 1048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA MODIFYING CHAPTER 52, WATER, OF THE SANTA PAULA MUNICIPAL CODE

It was moved by Councilmember Cook to introduce Ordinance No. 1058.

I. Analysis of Impacts of Governor Davis' Proposed FY 2003/04 State Budget on the City of Santa Paula

City Manager Wally Bobkiewicz presented his report dated January 14, 2003, and noted that an amendment was prepared adding a recommendation that the City Council adopt Resolution No. 5555 urging the California legislature to reject the Governor's proposed shift of local vehicle license fee (VLF) revenues and to honor the 1998 commitment to restore the VLF. He announced the following measures that he would be implementing:

- Imposition of a hiring freeze on all positions funded through the General Fund. If a position is critical, he will meet and develop a plan with the Department Head.
- Imposition of a freeze on all travel and training, with exceptions made on an exception basis only.
- Monitor over-time.
- Look at the use of fleet vehicles and the use of duplication of technology.
- Settle negotiations with the Santa Paula Professional Firefighters Association and the exempt management unit.

City Manager Wally Bobkiewicz further recommended the adoption of Resolution No. 5555, and asked for direction on writing letters and other communications to the legislature on the budget issue.

A discussion ensued regarding allowing travel to important League events in Sacramento, writing letters to the legislature, and having the City Council go to Sacramento on their own expense.

It was moved by Councilmember Cook to read Resolution No. 5555 in title only.

Deputy City Clerk Josephine G. Herrera read Resolution No. 5555 in title only.

RESOLUTION NO. 5555

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA URGING THE CALIFORNIA LEGISLATURE TO REJECT THE GOVERNOR'S PROPOSED SHIFT OF LOCAL VLF REVENUES AND TO HONOR THE 1998 COMMITMENT TO RESTORE THE VLF

It was moved by Councilmember Cook, seconded by Councilmember Krause, to adopt Resolution No. 5555. Under roll call vote, all were in favor, and the motion carried.

It was the consensus of the City Council to prepare letters to the City's representatives for the Mayor's signature as requested by the League of California Cities.

I. Dedication of St. Francis Dam Memorial and Railroad Plaza Gazebo

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

A discussion ensued regarding the activities to take place during the dedication.

It was the consensus of the City Council to move forward with the events for the dedication of the St. Francis Dam Memorial and Railroad Plaza Gazebo.

J. Revised Order of City Council Agenda

City Manager Wally Bobkiewicz's report dated January 14, 2003. He responded to a question regarding whether the item entitled "Approval of Final Agenda" would be the point where items are pulled from the Consent Calendar by stating that this would be for changes for order of agenda items and removing items from the agenda. City Attorney Phillip H. Romney added that the purpose of this item is to give the audience notice if an item is to be withdrawn or reordered, and suggested that a narrative be included to describe this agenda item.

A discussion ensued regarding the proposed changes and the City Council's willingness to try the revised agenda format for a few months.

It was moved by Mayor Procter, seconded by Councilmember Cook, to direct staff to reorder the agenda as proposed until the end of March, then revisit. Under roll call vote, all were in favor, and the motion carried.

City Manager Wally Bobkiewicz responded to a question regarding roll call votes by stating that the City Council's rules do not require roll call votes. City Attorney Phillip H. Romney added that roll call votes are required for ordinances, resolutions, and items involving expenditure of funds.

CITY COMMUNICATIONS

Councilmember Cook spoke regarding the recent passing of his close friend, Alan Baudizzon, and noted that Alan and his wife were very proud of the City. Councilmember Cook further noted Mr. Baudizzon's accomplishments, and stated that he would be missed. Councilmember Luna echoed Councilmember Cook's sentiments.

Vice Mayor Aguirre mentioned that he attended the League of California Cities Mayor and Council Institute, and noted his interest in the Planning Commission's functions. He also noted that he appreciated the analysis of how the State has shifted funds from the counties to the State level. He also encouraged the City Councilmembers to attend the Channel Counties Division meeting on January 24, 2003.

Councilmember Krause stated that the City Council should use every opportunity to inform the community on the material received from the League of California Cities.

Mayor Procter noted that he would attend the Channel Counties Division meeting due to its importance.

FUTURE AGENDA ITEMS

It was moved by Councilmember Cook to expedite the closure of Teague Park/Las Piedras Park. City Manager Wally Bobkiewicz noted that when the project was put out to bid, there was concern that the soccer fields remain open so that soccer leagues may finish their season. He also offered to bring back a report to the next meeting on who is still using the park through the end of March. Councilmember Krause seconded the motion. Under roll call vote, all were in favor, and the motion carried.

It was moved by Vice Mayor Aguirre to bring in the school district boards together with the City Council for a joint meeting to discuss parks and playgrounds.

A discussion ensued regarding the high school district's desire not to meet, and whether the City/school district subcommittees should meet prior to having a joint meeting.

Councilmember Cook seconded the motion.

Vice Mayor Aguirre responded to a question regarding the timeframe for the meeting by responding that the meeting should take place within 90 days.

There was no opposition, and the motion carried.

RECESS TO A BREAK

Mayor Procter recessed the City Council to a break at 9:18 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 9:24 p.m.

RECESS TO REDEVELOPMENT AGENCY MEETING

Mayor Procter recessed the City Council to a Redevelopment Agency Meeting at 9:24 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 9:29 p.m.

CLOSED SESSION

City Attorney Phillip H. Romney announced that the Closed Session was to discuss: Conference with Legal Counsel, Anticipated Litigation. Number of Potential Cases: Two. Facts and Circumstances, if known to potential plaintiffs: Public nuisance, collection of fines, various housing and building codes. Identification of claims, if any: El Rancho Properties. Identification of public threat of litigation, if any: None. Pursuant to *Government Code §54956.9(b)*.

Mayor Procter recessed the City Council to a Closed Session at 9:29 p.m. and reconvened into Open Session at 9:37 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 9:37 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk