

### **CALL TO ORDER**

Mayor Procter called the meeting to order at 6:31 p.m. Reverend Mark Eaton offered the invocation, 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, Acting City Attorney Bradley Wohlenberg, City Clerk Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present. City Attorney Phillip H. Romney was absent.

### **APPROVAL OF FINAL AGENDA**

City Manager Wally Bobkiewicz asked that Agenda Item 9L be removed and brought back at a future meeting.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to accept the agenda. There was no opposition, and the motion carried.

### **PRESENTATION**

City Manager Wally Bobkiewicz introduced and welcomed Acting City Attorney Bradley Wohlenberg.

#### A. Introduction of New Employee

Interim Public Works Director/City Engineer Joseph R. Lopez introduced and welcomed Maintenance Workers Robert Borrego and Lloyd "Tom" Murphy from the Streets Division.

#### B. Proclamation Recognizing "Have a Heart for Kids Month" February 2003

Vice Mayor Aguirre presented a proclamation to Sara O'Conlon, Director from the Child Development Resources of Ventura County, proclaiming the month of February as "Have a Heart for Kids Month." Ms. O'Conlon thanked Santa Paula, the City Council, city staff, and the community for recognizing Child Development Resources.

### **PUBLIC COMMENT**

There was no Public Comment.

**CITY COUNCIL, STAFF COMMUNICATIONS**

There were no City Council, staff communications.

**CONSENT CALENDAR**

Councilmember Krause pulled Item J. Vice Mayor Aguirre pulled Item D. It was moved by Councilmember Cook, 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. Warrants and Certifications – Approved the Warrants and Certifications dated January 27, 2003. (88-2)

Wire Transfers	\$ 47,127.10
Salaries	\$ 302,216.11
Invoices	<u>\$ 738,291.44</u>
TOTAL	\$1,086,634.65

- B. Closed Session – Approved a Closed Session to discuss: Negotiations with Employee Organization: Santa Paula Professional Fire Fighters Association (SPPFFA). Name of Negotiator: Chris Schlag. Pursuant to *Government Code* §54957.6 (118-2).
- C. Minutes – Adopted the Minutes of the Regular City Council Meeting of January 6, 2003. (50-6)
- E. Downtown Santa Paula Property Based Business Improvement District Formation – Directed the City Manager of the City to cast ballots associated with the City/RDA-owned property, in favor of creating a Downtown Santa Paula Property Based Business Improvement District (PBID). Interim Economic Development Director Charmaine Stouder's report dated January 13, 2003.
- F. Refund of Project Application Fees to Mr. John Reider (CDP 02-33) – Directed the Finance Director to process a refund check to Mr. John Reider, the applicant of record for community development project no. CDP 2002-33, in the amount of \$4,725 from the Cash Deposit Trust Fund. Planning Director Thomas M. Bartlett's report dated January 14, 2003.

- G. Community Policing Storefront Fundraiser – Approved the Community Policing Storefront fundraiser scheduled for February 18, 2003, in cooperation with Garden Market. Police Chief Robert S. Gonzales' report dated January 28, 2003.
- H. Las Piedras Park Restrooms Upgrade, Project No. 02.03.239 BAG, Approve Project Plans and Specifications, Authorize to Advertise and Receive Bids – Approved the contract documents and authorized the Public Works Director/City Engineer to invite bids for the Las Piedras Park Restrooms Upgrade Project. Interim Public Works Director/City Engineer Joseph R. Lopez's report dated January 21, 2003.
- I. School Crosswalk Improvements – Project No. 00.01.212 SPC, Approve Project Plans and Specifications and Advertise to Bid – Approved the plans and specifications for the proposed school crosswalk improvements, and authorized the City Engineer to advertise for and receive bids. Public Works Director/City Engineer Joseph R. Lopez's report dated January 21, 2003.
- K. Street Sidewalk Replacement, Project No. 01.02.901 SPC, Additional Appropriation – Approved an additional \$860.20 to cover the charges for the expanded scope of the original project. Interim Public Works Director/City Engineer Joseph R. Lopez's report dated January 15, 2003.

**CONSENT CALENDAR, SEPARATE ACTION ITEMS**

- D. El Rancho Properties, Contract for Legal Services

City Attorney Phillip H. Romney's report dated January 27, 2003.

The City Council questioned the amount of the expenditures to date on this item, whether this contract is within the scope of the existing City Attorney's contract, whether the rate of this contract is the same rate as his regular contract, and what would be the total amount of this contract. City Manager Wally Bobkiewicz recommended that the item be delayed to the February 18, 2003 meeting so that the City Attorney may address these questions. It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to delay the item to the February 18, 2003 meeting. There was no opposition and the motion carried.

- E. Downtown Santa Paula Property Based Business Improvement District Formation

Interim Economic Development Director Charmaine Stouder's report dated January 13, 2003.

Mayor Procter noted that a Public Comment Card was received for this item, which was approved on the Consent Calendar.

Jess Victoria, 134 Moultrie Place, asked for clarification on what the Business Improvement District would encompass and requested more information. City Manager Wally Bobkiewicz responded that this proposal has been ongoing for three years, and that property owners in the proposed district would be assessed an annual fee totaling \$75,000 for business improvement activities. Further, this item was to direct the City Manager to vote on the three City/Redevelopment-owned buildings.

J. No Parking Vehicles Over Seven Feet on South Hallock Drive Between 10:00 p.m. and 7:00 a.m. –

Interim Public Works Director/City Engineer Joseph R. Lopez's report dated January 21, 2003.

A discussion ensued regarding concerns that restricting parking on Hallock Drive would move the problem to other locations, and whether one sign could be posted regarding parking regulations at the entrance to the city. Acting City Attorney Bradley Wohlenberg responded to the discussion by stating that the vehicle code requires that signs must be posted for restricted parking, and that signs posted at the city border must contain all of the routes and must be larger than regular no parking signs.

City Manager Wally Bobkiewicz responded to a question regarding how many local and non-local trucks are parking on the streets and whether action falls under the scope of the Traffic Safety Committee by stating that the municipal code delegates authority to the Traffic Safety Committee to deal with issues such as postings of signs and speed humps, and that staff is reviewing the vehicle code as it pertains to the Traffic Safety Committee's authority. Interim Public Works Director/City Engineer Joseph R. Lopez added that staff is not aware of the number of local and non-local trucks parking on city streets.

A discussion ensued regarding previous discussions to have trucks park at the old city dump, concerns regarding changing motor oil in the streets, and the desire for a city entrance sign program.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to adopt Resolution No. 5556. There was no opposition, and the motion carried.

**RESOLUTION NO. 5556**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA  
PROHIBITING THE PARKING OF VEHICLES OVER SEVEN (7) FEET IN HEIGHT FROM  
PARKING ON SOUTH HALLOCK DRIVE BETWEEN THE HOURS OF

10:00 P.M. AND 7:00 A.M.  
**ORDER OF BUSINESS**

A. Right-of-way for Future Expansion of Ralph Way

Mayor Procter noted that this item was pulled to be returned to a later date.

B. Housing Element of the General Plan

Planning Director Thomas M. Bartlett's report dated January 28, 2003.

A discussion ensued regarding setting goals separate from the Housing Element and the RHNA numbers to increase the number of very low and low-income housing units and reduce the number of upper-income homes. City Manager Wally Bobkiewicz suggested that staff bring back a report which would be more focused toward the City Council's intention to work aggressively on housing issues, and that staff work toward the achievement of those goals.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to direct staff to return at the next update in 60 to 75 days to address those issues in that update.

A discussion ensued regarding the City Council setting separate goals apart from the Housing Element for very low and extremely low-income housing, and having staff bring back information regarding to what extent the City is a bedroom community.

There was no opposition, and the motion carried.

C. Potential Acquisition by Ventura Regional Sanitation District of Santa Clara Waste Water

City Manager Wally Bobkiewicz's report dated January 27, 2003.

Martin Jones, 3630 Avocado, Oxnard, submitted his comments for the record addressing his concerns with the operation of the Montalvo Municipal Improvement District plant by the Ventura Regional Sanitation District. He encouraged the City Council to carefully consider the potential acquisition of the Santa Clara Waste Water by VRSD.

Ken Rock, Director of Water and Wastewater for VRSD, addressed the concerns regarding the operation and shut down of the Montalvo plant, and noted that VRSD is committed to cleaning up the Santa Clara Waste Water plant if the site is acquired. Mr. Rock responded to a question regarding whether the pipeline for this facility is the same that was shut down by responding no, and added that this pipeline has a larger capacity.

He further responded to a question regarding the environmental impacts to the local community by stating that an EIR would not be required for the acquisition of the Santa Clara Waste Water; however, an environmental assessment would be done of the grounds. He further responded to a question required upgrading the permit to take chemical toilet effluent by stating that VRSD had not yet discussed this with the City of Oxnard; however, it was his opinion that the process unit they intend to install will treat all wastes more effectively.

City Manager Wally Bobkiewicz responded to a question regarding whether the City has any control over the decision for the acquisition since it is outside of the city limits by stating the acquisition will impact Santa Paula residents, and suggested that staff obtain more information, work with Councilmember Cook who is the City's representative on VRSD, and keep in contact with VRSD.

It was moved by Councilmember Cook to accept the letter, direct the City Manager to send a letter back to Mr. Smith from VRSD saying that the Council met this evening and discussed the issue, that there are concerns regarding the project as it moves forward, and that the City Council would like to be kept abreast with appropriate notices for public meetings and environmental documents that are prepared, and that staff will work with Councilmember Cook to bring back information as appropriate, and to let Mr. Smith from VRSD be aware that Mr. Jones spoke during the meeting with his concerns and questions. Vice Mayor Aguirre seconded the motion. There was no opposition, and the motion carried.

### **RECESS TO A HEALTH AND SAFETY BREAK**

Mayor Procter recessed the City Council to a Health and Safety Break at 7:54 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Procter reconvened the City Council at 8:03 p.m.

D. Unreinforced Masonry Buildings and the Downtown Seismic Rehabilitation Program Annual Report

Building and Safety Director Stephen R. Stuart's report dated December 17, 2002 and Power Point Presentation. He acknowledged Gladys Yzaguirre from the Building and Safety Department for her efforts in assisting with these programs.

E. Closure of Las Piedras and Teague Park Soccer Fields

Community Services Director Brian J. Yanez's report dated January 27, 2003.

A discussion ensued regarding the temporary closure of the fields for renovation, and keeping the fields open until construction begins.

It was moved by Councilmember Cook to let staff close the soccer fields when they see fit.

A discussion ensued regarding the timeline for the bid package.

Councilmember Cook restated his motion to accept the report, go ahead as planned, and close the fields when the bids come in and construction begins. Councilmember Krause seconded the motion. There was no opposition, and the motion carried.

F. City Council as Housing Authority

City Manager Wally Bobkiewicz presented City Attorney Phillip H. Romney's report dated January 16, 2003.

A discussion ensued regarding the City Council working more closely with the Housing Authority and City staff on constructing new housing, and having a joint meeting with the Housing Authority to discuss the Housing Element goals and redevelopment efforts.

Flo Zakrajshak, 1000 Cadway, Chairwoman of the Housing Authority Commission, spoke regarding the Commission's desire to construct more housing, their failed efforts to obtain CDBG funding, and federal grant programs. She also spoke in favor of having a joint meeting with the City Council.

City Manager Wally Bobkiewicz stated that he would meet with the Housing Authority Executive Director, Ramsey Jay, to discuss housing grant opportunities prior to having a joint meeting with the City Council.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to accept the report and have staff report back as discussed. There was no opposition, and the motion carried.

G. FY 2002/03 City Council Goals and Priority Projects

City Manager Wally Bobkiewicz's report dated January 27, 2003.

A discussion ensued regarding amending the language on #18 to read as follows, "Implementing Goals and Priority Projects with proactive City Council oversight," and #19 to read as follows, "Implementing Goals and Priority Projects with active citizen participation." A discussion also ensued regarding publicizing the Council Goals and Priority Projects in the library, newspapers, utility bills, City's web site, City buildings, public

agencies, and Channel 10, and developing a brochure and posters to distribute throughout town. Also, to post the goals and priorities in the Council Chambers.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to adopt the FY 2002/03 City Council Goals and Priority Projects as amended. Under roll call vote, all were in favor, and the motion carried.

H. City Council Policy Governing Expenses of the Councilmembers

City Manager Wally Bobkiewicz's report dated January 28, 2003.

Acting City Attorney Bradley Wohlenberg responded to a question regarding the amount of the City Council's stipend by stating that the stipend for General Law Cities is set by the Government Code. He further explained that expenses related to duties may be reimbursed beyond the stipend amount.

A discussion ensued regarding expenses for cellular phones, fax lines, and DSL lines.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Cook to keep the policy as is, and that if the Council has questions on any expenditures, that questions be directed to the City Manager and authorize him to work it out. There was no opposition, and the motion carried.

**CITY COMMUNICATIONS**

City Manager Wally Bobkiewicz noted that the Fillmore City Council had not yet appointed their members to the hospital ad hoc committee, and that he would keep the City Council informed of when the appointments are made.

Councilmember Krause mentioned that Ed Jones from SCAG had asked whether she would be interested in serving on the energy and environment policy committee, and asked the City Council whether there was any opposition or support for her to serve on this committee. No opposition was received.

Mayor Procter mentioned that the Special Joint Santa Paula/Fillmore Council Meeting was recently shown on television, and he commended the film crew for their great job.

**COUNCIL CONSENSUS TO EXTEND THE MEETING**

As business had not concluded at 9:28 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was the unanimous consensus of the City Council to extend the meeting beyond 9:28 p.m.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Krause, seconded by Councilmember Cook, to have staff bring back what the vehicle code says about the posting of entrances to the city regarding on-street, overnight parking of vehicles over seven feet tall. Councilmember Krause amended her motion to include information on laws that pertain to oversized vehicles, and what the City Council can and cannot do. There was no opposition, and the motion carried.

It was moved by Councilmember Luna to direct the City Manger to send a letter to the Postmaster regarding citizens' concerns with the removal of mailboxes. City Manager Wally Bobkiewicz stated that he as the City Manager could send a letter on his own volition, or the item could be placed on a future agenda.

It was moved by Councilmember Luna, seconded by Councilmember Cook, for an update on what Caltrans is doing regarding mitigating the traffic problem on Highway 150. There was no opposition, and the motion carried.

It was moved by Councilmember Cook, seconded by Councilmember Luna, for a report on how hard it would be to give Virginia Terrace and Ojai Road the priority for the School Crosswalk Improvement Projects. There was no opposition, and the motion carried.

It was moved by Mayor Procter, seconded by Councilmember Krause, to reconsider the 9:30 p.m. extension time as a policy. There was no opposition, and the motion carried.

### **RECESS TO REDEVELOPMENT AGENCY MEETING**

City Clerk Steven J. Salas excused himself from the remainder of the meeting.

Mayor Procter recessed the City Council to a Redevelopment Agency Meeting at 9:34 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Procter reconvened the City Council at 9:36 p.m.

### **CLOSED SESSION**

City Manager Wally Bobkiewicz announced that the Closed Session was to discuss: Negotiations with Employee Organization: Santa Paula Professional Fire Fighters Association (SPPFFA). Name of Negotiator: Chris Schlag. Pursuant to *Government Code §54957.6 (118-2)*.

Mayor Procter recessed the City Council to a Closed Session at 9:36 p.m. and reconvened into Open Session at 10:28 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 10:28 p.m.

ATTEST:

Steven J. Salas  
City Clerk