

CALL TO ORDER

Mayor Procter called the meeting to order at 6:32 p.m. Reverend Carol Rudisill from the Universalist Unitarian Church offered the invocation, and Councilmember Krause 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, City Clerk Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

PRESENTATION

A. Certificate of Appreciation from the United Way

Mayor Procter noted that David Smith from the United Way had phoned to ask that this item be postponed to another date.

B. Presentation by Fagan Canyon Partners

John Franklin, representing Fagan Canyon Partners, provided introductory remarks regarding proposed development on 1,700 acres in Fagan Canyon. He further stated that Centex Homes is the development managing partner which will be involved in the day-to-day development entitlement of the property.

John Bertero, Division President of Centex Homes, stated that they will be filing an application and fast-tracking plans to build 1,350 to 2,500 homes, and that they are working with City staff to develop a traffic model for the City. He also stated that they will file an application for a General Plan Amendment, and that the first homes could be completed by 2007/2008. He further stated that they are committed to engaging in community outreach to gather input, and that community meetings will be held on March 26, 2003 at 6:00 p.m. at the Depot, and on March 29, 2003 at 10:00 a.m. at the Community Center. In addition, they are willing to consider incorporating the Charette process into their plans. He responded to a question regarding how the project is affected by the Williamson Act by explaining the process for annexation, which also requires an application for cancellation of Williamson Act contract.

PUBLIC COMMENT

Jesse Ornelas, 919 La Vuelta, representing Latino Town Hall, welcomed Fagan Canyon Partners, and asked the City Council to incorporate into a General Plan Amendment a process that creates the planning model for the development of Fagan Canyon that will allow community-based input and planning. He suggested that Fagan Canyon Partners hold several community meetings with bilingual translation. He also requested that the City Council incorporate into Fagan Canyon Partner's request the Charette model for community planning, direct staff to seek bids for proposals from experts in the traditional town planning design, and that Fagan Canyon Partners be asked to compensate for any studies performed.

Carmen Guerrero, 3591 Corby Avenue, Camarillo, representing De Colores Art Group, invited the City Council to attend the De Colores Art Show on April 6, 2003, and presented the City Council with a framed poster advertising the event. She spoke on the generosity of the business community in sponsoring the event, and thanked the community for their support.

CITY COUNCIL, STAFF COMMUNICATIONS

Mayor Procter commended the St. Francis Dam Memorial dedication held the past weekend.

Councilmember Luna mentioned that he attended the VISTA 126 meeting last week, and noted that VISTA is considering having transportation services available on Sundays.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz suggested that the City Council hold the Public Hearing for Item 10A, take public comments, allow for the submittal of ballots, table the item to allow the City Clerk to open the ballots in the lobby, and conduct Item 11A during the ballot tabulation. Once the ballots are tabulated, he suggested that the City Council return to Item 10A for the election results.

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. 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 – Approved the Warrants and Certifications dated March 7, 2003. (88-2)

Wire Transfers	\$ 8,445.73
Salaries	\$ 310,595.62
Invoices	<u>\$ 734,821.69</u>
TOTAL	\$1,053,863.04

- C. Closed Session – Approved a Closed Session to discuss:

1. Public Employee Performance Evaluation. Position Title: City Attorney Phillip H. Romney. Pursuant to *Government Code §54957*.
2. Conference with Legal Counsel, Potential Litigation. Number of potential cases: One. Facts and circumstances, if known to potential plaintiffs: Unknown. Identification of claims, if any: Unknown. Identification of public threat of litigation, if any: Unknown. Pursuant to *Government Code §54956.9 (b)*.
3. Negotiations with Employee Organization: Unrepresented employees (Executive Management). Name of Negotiator: Wally Bobkiewicz. Pursuant to Government Code Section 54957.6

- C. Minutes – Adopted the Minutes of the Regular City Council Meeting of February 18, 2003. (50-6)

- D. Minutes – Adopted the Minutes of the Special City Council Meeting of March 3, 2003. (50-6)

- E. Minutes – Adopted the Minutes of the Regular City Council Meeting of March 3, 2003. (50-6)

- F. Rejection of Claim – Rejected the claim filed by Ben Garay. Assistant to the City Manager Melissa Grisales' report dated March 4, 2003. (62)

- G. Rejection of Claim – Rejected the claim filed by Jesse Gaeta. Assistant to the City Manager Melissa Grisales' report dated March 4, 2003. (62)

- H. Rejection of Claim – Rejected the claim filed by Erma Salazar. Assistant to the City Manager Melissa Grisales’ report dated March 4, 2003. (62)
- I. Youth Involvement in City Government – Received report on youth involvement in City government and deferred discussion to FY 2003/04 goal setting session. City Manager Wally Bobkiewicz’s report dated March 10, 2003. (50-6)
- J. Amendment to City Council Policy on Selection Process for City Commission and Board Vacancies – Approved revised City Council Policy on Selection Process for City Commission and Board Vacancies. City Manager Wally Bobkiewicz’s report dated March 11, 2003. (32)
- K. Adoption of Resolution No. 5565 for a Code Enforcement Program Grant – Authorized staff to submit a formal application for a Department of Housing and Community Development Code Enforcement Program Grant, and adopted **RESOLUTION NO. 5565**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION, THE INCURRING OF AN OBLIGATION, THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO, ANY OTHER DOCUMENTS NECESSARY TO SECURE A CODE ENFORCEMENT GRANT PROGRAM (CEGP) GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT. Building and Safety Director Stephen R. Stuart’s report dated March 10, 2003. (36)
- L. Council Expense and City Manager Travel Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report. Finance Director Alvertina Rivera’s report dated March 7, 2003. (88-4)
- M. Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report. City Treasurer Sandra Easley’s report dated March 7, 2003. (88-4)
- N. Community Center Roof Replacement Project, Project No. 02.03.238 OTH, Project Acceptance/Notice of Completion – Accepted the project and authorized the Public Works Director/City Engineer to file a Notice of Completion for the Community Center Roof Replacement Project, Project No. 02.03.238 OTH. Interim Public Works Director/City Engineer’s report dated February 27, 2003. (132-10/136)
- O. Contract for Legal Services with Law Firm of Downey Brand – Approved a contract for legal services with Law Firm of Downey Brand regarding permitting matters related to the wastewater treatment plant. City Attorney Phillip H. Romney’s report dated March 13, 2003.

PUBLIC HEARING

A. Downtown Santa Paula Property Based Business Improvement District – (70)

City Manager Wally Bobkiewicz introduced Interim Economic Development Director Charmaine Stouder's report dated March 7, 2003.

Mayor Procter opened the Public Hearing at 7:12 p.m.

City Attorney Phillip H. Romney declared a conflict of interest and noted that Karl H. Berger would act as the substitute City Attorney for this item.

Acting City Attorney Karl H. Berger informed the City Council that he realized this evening that the Elected City Treasurer of one of his client's city is a staff member of Downtown Main Street Visions, and that he did not see a conflict.

Dora Crouch, 739 Yale Street, Apt. 6B, Chair of the Board of Trustees of the Blanchard Library, spoke in opposition to the proposed assessment.

Dan Robles, 200 Arthur Avenue, representing the Blanchard Santa Paula Public Library District, spoke in opposition to the proposed assessment due to the library's lack of financial resources, and noted that a few years ago during the first BID process, the library was not included.

Mary Keating, 1233 Hawthorn Street, a member of the Board of Trustees for the Universalist Unitarian Church, asked that the City Council consider churches and non-profit organizations to be exempt from the proposed assessment.

Jess Victoria, a tenant at 919 E. Main Street, spoke in opposition to the proposed assessment, and suggested that the City Council identify the reason money is being spent outside of Santa Paula.

Reverend Carol Rudisill, 157 Vela Circle, representing the Universalist Unitarian Church, spoke in opposition to the proposed assessment, which would be a hardship to the church, and asked that the City Council consider exempting churches from the assessment.

Margaret Wilson, 1331 Iguana Circle, Ventura, representing the Universalist Unitarian Church, spoke in opposition to the proposed assessment, and stated that the goals of the project would not directly assist the church.

Acting City Attorney Karl H. Berger responded to a question regarding whether the City Council could allow an exemption by stating that a resolution was adopted by the City Council establishing the boundaries, the amount of the assessment, the purpose for which the assessment could be spent, and the assessment formula; however no exemption from the assessment was established. He further responded to a question regarding whether there is a distinction between for-profit and non-profit businesses by stating that the City Council has not made a distinction for the purpose of this item.

Barry Brandt, representing Downtown/Main Street Visions, thanked the City Council, City Manager Wally Bobkiewicz, Charmaine Stouder, and Debbie Johnson for their efforts in bringing forth this project. He noted that there was consensus to include churches in the assessments because they have income and a budget and are in the business of saving souls. He further added that the City Council has the authority to minimize boundaries of the district and individual assessments and reduce the total assessment; however, the difference could not be spread among the other properties.

A discussion ensued regarding outreach efforts, which included public hearings, surveys, and personal interviews.

Debbie Johnson stated that she sent letters to all property owners on May 10, 2002, with the information regarding the Proposed Business Improvement District.

Reverend Carol Rudisill stated that the church's office staff is a volunteer group, and correspondence is not handled by only one person.

Mayor Procter closed Public Testimony at 7:45 p.m., and called for final ballots.

Acting City Attorney Karl H. Berger advised the City Council to close the Public Testimony, set a time when no more ballots will be accepted, direct the City Clerk to begin ballot tabulation, and table the matter until further on the agenda until the City Clerk returns with a vote count. He further recommended that the Mayor reopen Public Testimony to allow ballots to be submitted, and once the ballots are received, that the Mayor close Public Testimony.

Mayor Procter reopened Public Testimony at 7:50 p.m.

RECESS TO A BREAK

Mayor Procter recessed the City Council to a break at 7:50 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 7:58 p.m.

Mayor Procter closed the Public Testimony for Item 10A at 7:59p.m.

ORDER OF BUSINESS

A. Review of Plans, Specifications, and Construction Estimate for Skate Park - (136)

Interim Public Works Director/City Engineer Joseph R. Lopez's report dated March 11, 2003.

Mike Taylor, a skate park designer with Purkiss-Rose RSI, summarized the drawing for the proposed skate park. He responded to a question regarding whether his firm was aware of the amount budgeted for this project by stating that his firm was possibly aware; however, his direction was to work with the community and City staff to design the skate park. He further noted that the skate park could be built in phases. He responded to a question regarding the operation of the sump pump and offered to provide the specifications. He further responded to questions regarding lighting, fencing, and fundraising efforts.

Derek Luna, 634 N. Ninth Street, spoke in support of the skate park.

Marisue Eastlake, 1216 Laurel Road, representing Santa Paula Association of Skaters (SPAS), spoke regarding the design process, fundraising efforts, and the positive benefits associated with having a skate park. She further noted that several local organizations endorse the project. She asked for guidance on what could be offered to those who wish to make a donation, such as naming the park for someone or having donors' names engraved on a brick walkway. She also asked for assistance in gathering statistics and demographics in order to apply for grants.

A discussion ensued regarding having staff bring back information on opportunities for phasing the project with component parts and costs for the skate park, and to meet with SPAS on fundraising efforts.

City Manager Wally Bobkiewicz responded to a question regarding the bid process, and noted that the project could be completed approximately Labor Day.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to bring back this item at the Special City Council Meeting of April 14, 2003, with ideas and suggestions. There was no opposition, and the motion carried.

PUBLIC HEARING

- B. CDP 2002-33, Request for Zone Change, Parcel Map for Condominium Purposes, Planned Development Permit, Design Review, and 15 Growth Management Allocations for Development of 15 Multi-family Condominium Units on a Vacant, 0.83-acre, R-A (Rural Residential) Zoned Property Located at the Westerly Terminus of West Santa Anna Street (APN 105-0-110-305) – (122-16)

Mayor Procter opened the Public Hearing at 8:40 p.m.

Planning Director Thomas M. Bartlett's report dated March 10, 2003. He responded to a question regarding the maximum number of units that could be developed at this site by stating that the maximum number is 17; however, 15 units are planned for this project due to site constraints. He further responded to a question regarding the phasing of the cul-de-sac and connection in relation to the pending project by Cabrillo Economic Development Corporation by stating that whomever builds first will need to construct the cul-de-sac and connection, and that the two entities may have a reciprocal agreement to recapture costs.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to introduce Ordinance No. 1062 and adopt Resolution No. 5563. There was no opposition, and the motion carried.

ORDINANCE NO. 1062 (introduction)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA REZONING CERTAIN PROPERTIES LOCATED AT THE WESTERLY TERMINUS OF SANTA ANNA STREET. APPLICANT: DANNY, LISA, RICH, AND PATSY HOM. REPRESENTATIVE: JOHN REIDER. CDP 2002-33

RESOLUTION NO. 5563

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ENACTING A ZONE CHANGE FROM RURAL RESIDENTIAL TO LIMITED MULTIPLE FAMILY, APPROVING A PARCEL MAP FOR CONDOMINIUM PURPOSES, AND APPROVING A PLANNED DEVELOPMENT PERMIT (CDP 2002-33) FOR THE PROPERTY LOCATED AT THE WESTERN TERMINUS OF SANTA ANNA STREET, APN 105-0-110-360

Mayor Procter closed the Public Hearing at 8:54 p.m.

ORDER OF BUSINESS

- B. Soccer Field Rehabilitation, Project No. 02.03.244 BAG, Rejection of Bids – (136)

Interim Public Works Director/City Engineer Joseph R. Lopez's report dated March 12, 2003.

It was moved by Councilmember Cook, seconded by Councilmember Krause, for staff's recommendation to: 1) reject all bids for the Soccer Field Rehabilitation Project No. 02.03.244 BAG; 2) authorize staff to proceed with a revised scope of work as illustrated on the attached drawings; 3) re-appropriate \$9,000 from the Soccer Lights Project (115.015.1502.8181), and allocate \$6,000 from Fund 200 Parks/Recreational Facility (200.050.9120.8660) for the lease of maintenance equipment with operators. There was no opposition, and the motion carried.

C. Community Visioning (continued) –

City Manager Wally Bobkiewicz's report dated February 25, 2003.

The City Council commented on the suggestions provided by Vice Mayor Aguirre which included a three-step visioning process to provide basic knowledge, receive community input, and review of the final product; formation of a 15-member advisory committee; develop a plan for community outreach; consider the downtown core and the balance of the City on a neighborhood basis; consider Fagan Canyon and east and west areas as potential growth under a 20-20 plan; and consider the visioning plan as a guide for the General Plan. The City Council discussed holding informal town hall meetings and receive community feedback rather than undergo a formalized visioning process. The City Council also discussed concerns with whether the visioning process would be focused on land use and areas for development and redevelopment, or an overall visioning process that takes into account more than just land use.

It was moved by Councilmember Krause, seconded by Councilmember Cook, to do a visioning process that includes more than land use.

There was no opposition, and the motion carried.

RECESS TO A BREAK

Mayor Procter recessed the City Council to a break at 9:52 p.m.

RECONVENE TO REGULAR MEETING

Mayor Procter reconvened the City Council at 10:00 p.m.

PUBLIC HEARING

A. Downtown Santa Paula Property Based Business Improvement District (Results) – (70)

City Clerk Steven J. Salas announced the results of the ballot tabulation indicating 328.89 total weighted votes in opposition, and 304.57 total weighted votes in favor. The Downtown Santa Paula Property Based Business Improvement District failed. He noted that the ballots had been sealed and would be kept in the City Hall vault.

Acting City Attorney Karl H. Berger recommended that the City Council move to receive and file, and that the City Clerk keep the ballots for 90 days in case there is a dispute on the results.

It was moved by Vice Mayor Aguirre, seconded by Councilmember Krause, to receive and file the election results and maintain the ballots as indicated by the Acting City Attorney for a specified period of time. There was no opposition, and the motion carried.

D. Creation of a New Assistant Planning Position in the Planning Department, and Authorization to Initiate the Recruitment Process – (118)

Planning Director Thomas M. Bartlett's report dated March 6, 2003.

It was moved by Councilmember Cook, seconded by Councilmember Krause, to authorize the recruitment for an Assistant Planner position, and direct staff to include the position in the proposed Fiscal Year 2003/2004 budget. The position will not be filled until further City Council action is taken. There was no opposition, and the motion carried.

E. Additional Allocation for Police Overtime – (118)

City Manager Wally Bobkiewicz, Finance Director Alvertina Rivera, and Police Chief Robert S. Gonzales' report dated March 5, 2003.

It was moved by Councilmember Krause, seconded by Vice Mayor Aguirre, to approve the reallocation of \$85,000 from the Police Department's existing salary allocation for police overtime costs projected for the remaining months of the 2002-03 fiscal year. There was no opposition, and the motion carried.

CITY COMMUNICATIONS

City Attorney Phillip H. Romney mentioned that City Manager Wally Bobkiewicz had asked him to become more involved with Planning Department projects. He recommended that the City Council establish a policy for the implementation of fees as a condition for projects, and that the Planning Director be directed to bring back a report.

Councilmember Cook mentioned that the dedication of the St. Francis Dam Memorial went well, and he thanked staff for their efforts.

Vice Mayor Aguirre echoed Councilmember Cook's comments and recognized all those involved for their efforts.

Mayor Procter noted that he was impressed with Community Services Director Brian J. Yanez and staff for putting on a first class and well tailored event.

FUTURE AGENDA ITEMS

It was moved by Councilmember Cook to have Caltrans review the traffic light at Tenth and Santa Paula Streets to lengthen the time to allow vehicles to cross the street. City Manager Wally Bobkiewicz stated that staff would follow-up.

It was moved by Councilmember Luna to consider funding to sponsor the De Colores event. After a brief discussion, it was determined that the City is already sponsoring the event by providing staff support.

It was moved by Mayor Procter, seconded by Councilmember Cook, for a report on a policy on impact fees as suggested by the City Attorney. There was no opposition, and the motion carried.

It was moved by Councilmember Krause, seconded by Councilmember Cook, for a future agenda item on doing a Las Piedras Neighborhood Improvement Plan. There was no opposition, and the motion carried.

CLOSED SESSION

City Attorney Phillip H. Romney announced that the Closed Session was to discuss: 1) Public Employee Performance Evaluation. Position Title: City Attorney Phillip H. Romney. Pursuant to *Government Code §54957*; 2) Conference with Legal Counsel, Potential Litigation. Number of potential cases: One. Facts and circumstances, if known to potential plaintiffs: Unknown. Identification of claims, if any: Unknown. Identification of public threat of litigation, if any: Unknown. Pursuant to *Government Code §54956.9 (b)*; and 3) Negotiations with Employee Organization: Unrepresented employees (Executive Management). Name of Negotiator: Wally Bobkiewicz. Pursuant to *Government Code Section 54957.6*.

Mayor Procter recessed the City Council to the City Hall Conference Room at 10:16 p.m.

The City Council returned to the Council Chambers and Mayor Procter reconvened into Open Session at 12:10 a.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 12:10 a.m.

ATTEST:

Steven J. Salas
City Clerk