

CALL TO ORDER

Mayor Aguirre called the meeting to order at 6:39 p.m. Reverend Chris Jubinski from St. Paul's Episcopal 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, City Clerk Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

PRESENTATION

A. Introduction of New Employees: Elisabeth Amador, Raquel Arreola, Christopher Cook, Robert Kiesewetter, and Rosa Parnell

Economic Development Director Charmaine Stouder and Planning Director Thomas M. Bartlett introduced Elisabeth Amador, Management Analyst. Ms. Amador stated that she was pleased to be working for the City of Santa Paula, and thanked City Manager Wally Bobkiewicz, Planning Director Thomas M. Bartlett, and Economic Development Director Charmaine Stouder for their support.

Community Services Director Brian J. Yanez introduced Raquel Arreola, Customer Service Representative. Ms. Arreola stated that she enjoys her duties and thanked Community Services Director Brian J. Yanez for his support.

Police Chief Robert S. Gonzales introduced Rosa Parnell, Community Service Officer. Ms. Parnell thanked the City Council and Police Chief Robert S. Gonzales for the opportunity to work for the City of Santa Paula.

Police Chief Robert S. Gonzales introduced Christopher Cook, Community Service Officer. Mr. Cook thanked the City Council and Police Chief Robert S. Gonzales for the opportunity to work for the City of Santa Paula.

Public Works Director/City Engineer Clifford G. Finley introduced Robert Kiesewetter, Management Analyst. Mr. Kiesewetter stated that he was pleased to have the opportunity to live and work in Santa Paula.

B. Presentation on the De Colores Art Show

Xavier Montes spoke regarding the Tenth Annual De Colores Art Show scheduled from April 3 through May 23, 2004. He noted that the opening reception is scheduled for

April 18, 2004, at the corner of Main and Tenth Street, and that the event would bring in artists, dancers, and musicians. He presented the City Council a framed poster promoting the event, and he thanked the City Council and staff for their support.

Carmen Guerrero distributed information promoting the event and provided a tentative schedule of events. She noted that information regarding the event is available on their web site: www.decoloresartgroup.org, and that people interested in sponsoring the event may contact Xavier Montes at (805) 525-8961.

PUBLIC COMMENT

Jess Victoria, 134 Moultrie Place, suggested that the City Council hold a monthly forum to allow the public the opportunity to dialog with the City Council. He also expressed his concern with an agenda item on the City Council/Redevelopment Agency special agenda held earlier in the evening regarding the appointment of a real property negotiator for 970 Ventura Street, and questioned whether the public would know that the property under consideration was for the sale of City Hall. Vice Mayor Krause responded that this item was done in Open Session, and offered to meet with Mr. Victoria to discuss his concerns. Mayor Aguirre added that the City Council would hold a goal-setting workshop on April 3, 2004, at 9:00 a.m., and invited everyone to attend and express their concerns.

CITY COUNCIL, STAFF COMMUNICATIONS

Councilmember Procter stated that he and other Councilmembers were present at the Santa Paula Beautiful Tree Planting held last weekend at Las Piedras and Teague Parks. He commended Teresa Young, Trini Bonilla, Jack Garcia, Anthony Scott, Nati Bedolla, Jeff Rhodes, Vanessa Camarillo, Public Works Director/City Engineer Clifford G. Finley, and Building and Safety Director Stephen R. Stuart for this successful event.

Vice Mayor Krause stated that she attended the Santa Paula Beautiful Tree Planting Event and the Community Visioning Event. She noted that there was great participation at the Community Visioning Event, which will help decide the future of Santa Paula.

Mayor Aguirre stated that he attended the Peace and Dignity Run held during the weekend. He commended the organizers for their hard work.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz asked that Item 9E be pulled for discussion.

CONSENT CALENDAR

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, 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. Minutes – Adopted the Minutes of the Regular City Council Meeting of February 17, 2004.
- C. Minutes – Adopted the Minutes of the Special City Council Meeting of March 1, 2003.
- D. Adoption of Ordinance No. 1096 Repealing Chapter 116 of the Santa Paula Municipal Code Entitled “Vehicles for Hire” – Adopted **ORDINANCE NO. 1096**, AN ORDINANCE REPEALING CHAPTER 116 OF THE SANTA PAULA MUNICIPAL CODE ENTITLED “VEHICLES FOR HIRE.” Deputy City Clerk Josie G. Herrera’s report dated March 5, 2004.
- F. Amendment to Agreement with RBF Consulting/Urban Design Studios for Citywide Visioning Services – Authorized the City Manager to execute an amendment to the agreement with RBF Consulting/Urban Studios for citywide visioning services for \$5,100.00, for a total contract value not to exceed \$75,095.00. City Manager Wally Bobkiewicz’s report dated March 9, 2004.
- G. Council Expense and City Manager Travel Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report for the month of February. Finance Director Alvertina Rivera’s report dated March 5, 2004.
- H. Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report. Finance Director Alvertina Rivera’s report dated March 5, 2004.
- I. Las Piedras Park Restrooms Upgrade, Project No. 02.03.239 BAG, Award of Contract – Awarded the contract for the Las Piedras Park Restrooms Upgrade, Project No. 02.03.239 BAG to the apparent low bidder, Waisman Construction Company, in the amount of \$74,735.00. Public Works Director/City Engineer Clifford G. Finley’s report dated March 8, 2004.

CONSENT CALENDAR – SEPARATE ACTION ITEMS

E. Position Review: Exempt Versus Non-exempt Classifications

Assistant to the City Manager Melissa Grisales' report dated February 18, 2004.

City Manager Wally Bobkiewicz asked that a third "Resolved" be added to the resolution to reflect that the effective date of the resolution would be March 1, 2004.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to adopt Resolution No. 6067 as amended with the addition of a third "Resolved" making the resolution effective March 1, 2004, and which will: 1) amend the Position Classification and Compensation Plan to reclassify positions; and 2) amend Personnel Rules & Regulations, Rule IX, Section 5, to clearly identify employees who are eligible for administrative leave. There was no opposition, and the motion carried.

RESOLUTION NO. 6067

A RESOLUTION AMENDING RESOLUTION NO. 5598 AND AMENDING THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF SANTA PAULA

ORDER OF BUSINESS

A. Update on Santa Paula Memorial Hospital

City Manager Wally Bobkiewicz's report dated March 9, 2004. He noted that discussions continue between the County of Ventura and Santa Paula Memorial Hospital Board of Trustees. He also noted that he and City Attorney Karl H. Berger were contacted by the creditors committee regarding their concern with the pace of the discussions, and whether the City Council would be interested in continuing the role as mediator. He also noted that the City Council discussed this item in Closed Session, and the City Council indicated that they were willing to continue as mediator.

The City Council discussed the urgency of this matter and asked the City Attorney to maintain an open dialog with the creditors' attorneys.

It was moved by Mayor Aguirre, seconded by Vice Mayor Krause, to cooperate as fully as possible with the creditors committee and the bankruptcy court; have staff come back at the May 3, 2004 City Council meeting with a plan to move forward with the creditors in trying to resolve this issue; and explore setting up a hospital district or Joint Powers Authority that would include participation of the whole Santa Clara Valley in that regard to providing for long-term funding of the hospital.

After a brief discussion, Mayor Aguirre amended his motion that staff also bring back options and resolutions that may be acted upon at the May 3, 2004 City Council Meeting, and allow staff to have latitude and discretion on anything that may come along that has value in order to develop ideas for resolutions, seek legal avenues, and explore options. Vice Mayor Krause seconded the amended motion. There was no opposition, and the motion carried.

B. Status Report on Ambulance Service in Santa Paula

Fire Chief Paul L. Skeels' report dated March 10, 2004.

City Manager Wally Bobkiewicz distributed a map with the Ventura County Proposed Ambulance Service Areas. He responded to a question regarding the proposed three service areas by stating that the service areas would be the franchise areas, and conceivably there could be three franchises given to three different ambulance service providers. Further, the Ventura County Emergency Services Agency has looked to craft the service areas and balance them according to calls for service and proximity to primary hospitals. He further responded to a question regarding who would make the decision regarding ambulance services by stating that the decision would be made by the Ventura County Board of Supervisors.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to receive and file this report on ambulance service in Santa Paula, and request the Mayor to send a letter to the Ventura County board of Supervisors expressing the City's concerns on the upcoming selection process for ambulance service providers. There was no opposition, and the motion carried.

C. Options for Advocacy before the United States Congress and Federal Government to Benefit Santa Paula

City Manager Wally Bobkiewicz's report dated March 9, 2004.

The City Council discussed appealing to federal legislators to assist with an integrated approach for pursuing funding for public works, infrastructure, public safety, and parks and recreation, and other great needs in the community.

It was moved by Vice Mayor Krause, seconded by Mayor Aguirre, to direct the City Manager to develop a Federal Relations Plan for the City to advocate for issues and funding needs of concern to Santa Paula before the United States Congress and the Federal Government, and return to the City Council with a proposed plan at the May 3, 2004 City Council meeting. There was no opposition, and the motion carried.

D. Capital Improvement Program Status

Public Works Director/City Engineer Clifford G. Finley's report dated February 19, 2004.

The report was received and filed.

E. Update on Las Piedras Park Neighborhood Outreach and Funding Issues

Building and Safety Director Stephen R. Stuart's report dated February 6, 2004. He noted that the Visioning Committee and several youth distributed a survey in the Las Piedras Park neighborhood and that over 150 surveys were completed. According to the survey responses, the main concern was for security, lighting, inappropriate behaviors, noise, vehicle speed, and the need for additional police presence. The second main concern was street maintenance, and the third main concern was flood protection and maintenance of housing. The residents also indicated the need for a gymnasium, a community center, and volleyball courts. Lastly, the majority of the survey responses indicated the importance of rehabilitation and maintenance of housing. Mr. Stuart stated that staff would continue the Outreach Program, seek grants for neighborhood improvement projects, and bring back a report with recommendations.

The City Council discussed sending a thank-you note to the youth participants who assisted with the survey, and inviting them to the City Council Meeting so that the City Council may recognize them for their assistance.

F. Update on Santa Paula Resource Youth Team

Community Services Director Brian J. Yanez's report dated February 6, 2004.

City Manager Wally Bobkiewicz expressed his concern with continuing to provide City staff support to the Santa Paula Resource Youth Team (SPRYT) due to the City's budget, priorities, and staffing. He recommended that the City Council discontinue staff support, and dispense a check to SPRYT for the remaining \$16,000 appropriated to them.

Community Services Director Brian J. Yanez responded to a question regarding the nature of staff support by stating that it includes preparing and mailing agendas, preparing the minutes, attending meetings, copying documents, and working on special projects.

Laura Espinosa, 233 Corte Linda, spoke in support of SPRYT and asked the City Council to extend City staff support for another year to allow them to help the City obtain additional grant funds. She further noted that the Community Services Director need not be present at all of their meetings, and that City staff support could be decreased. She responded to a question regarding whether SPRYT was functioning as an advisory

committee to the City Council by stating that SPRYT is a non-profit organization in its own right, and that youth and adults work together to garner additional grants and promote activities.

City Manager Wally Bobkiewicz responded to a question regarding City staff support by stating that the Community Services Department provides support for the Recreation Commission, Commission on Aging, and cable television. He expressed his concern with the department's amount of duties and suggested that perhaps the City Council could consider merging the Recreation Commission and Commission on Aging.

RECESS TO A BREAK

Mayor Aguirre recessed the City Council to a break at 8:40 p.m.

RECONVENE TO REGULAR MEETING

Mayor Aguirre reconvened the City Council at 8:49 p.m.

City Manager Wally Bobkiewicz responded to a question regarding whether the City has the responsibility to maintain the Five-Year Youth Action Plan by stating that many cities create plans, implement them, and then move on to the next phase. Further, the City may charge the Recreation Commission or some other body to work with SPRYT to implement and update the plan. Also, he did not think it would be necessary for the City Council to redo the Five-Year Youth Action Plan because there will be a component included in the community visioning plan, and that his primary concern was staff resources and the City Council's goals and priority projects.

The City Council discussed their support for youth, the possibility of making the implementation of the Five-Year Youth Action Plan the responsibility of the Recreation Commission, continuing staff support to SPRYT on a modified basis, and examining justifying city staff support for this one non-profit organization.

City Manager Wally Bobkiewicz noted that the City Attorney had expressed his concerns that if this non-profit organization receives all of its support from the City that it may be subject to the Brown Act. Also, there would be additional costs in ensuring that meetings are properly noticed.

City Attorney Karl H. Berger responded to a question regarding whether the members of SPRYT would be subject to conflict of interest disclosure by stating that this would depend on the City's conflict of interest code, which he would need to examine.

The City Council discussed looking into whose responsibility it would be to implement the Five-Year Youth Action Plan, consider incorporating the plan in the community

visioning process, and consider making the Recreation Commission responsible for implementing the plan.

It was moved by Mayor Aguirre to continue to support the project for another year; evaluate the program and ask for a report in December from Community Services Director Brian J. Yanez; attempt to mitigate any adverse impacts to other program services; and perhaps look at the original \$25,000 that was given to the organization, of which there is still \$16,000, to make sure that those negative impacts are not serious on other population groups.

Mayor Aguirre responded to a question regarding whether his motion was to use the \$16,000 to pay for costs incurred by SPRYT by stating that the costs for staff hours, services, and supplies would be modified and would be shouldered by the existing \$16,000 on deposit.

The City Council addressed their concerns with having the report brought back in December and suggested that the report come back sooner.

Mayor Aguirre withdrew his motion.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, for staff to bring back a report at the May 3, 2004 City Council Meeting; continue staff support; examine the non-profit issue; examine the issues associated with conflict of interest disclosure; examine issues associated with the City Council or a City Commission directing the operation of a non-profit; explore the possibility of the Recreation Commission working with SPRYT and examine the pros, cons, and liability issues; examine costs associated with the Recreation Commission, Commission on Aging, and other reductions; and have all potential options available. There was no opposition, and the motion carried.

G. Future Use of 735 East Santa Barbara Street

Building and Safety Director Stephen R. Stuart's report dated January 27, 2004. He responded to a question regarding whether the original project estimate of \$350,000 included the cost for seismic rehabilitation by stating that it included seismic rehabilitation and construction of an elevator. He further responded to a question regarding whether a floor plan of the building was available by stating that a complete set of construction drawings were available and ready to bid for a complete renovation.

City Manager Wally Bobkiewicz noted that staff is ready to move forward with the renovation and is seeking direction from the City Council on whether to sell the building or explore other community uses. He also noted that he has received many inquiries from people interested in the building, and that the prior City Council indicated that the property would not be for sale.

The City Council discussed concerns with the cost to rehabilitate this building, the Tower Theater, and the Paseo, and the possibility of restoring and leasing the property.

City Manager Wally Bobkiewicz responded to a question regarding funding options for renovating the building by summarizing available funding and financing options.

Planning Director Thomas M. Bartlett responded to a question regarding the zoning for the property by stating that it is zoned C2, General Commercial District.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to have staff bring back a list of viable community-type uses, review potential uses were the City to sell or lease the property, and bring back an indication of what the costs would be for improvements. There was no opposition, and the motion carried.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 9:30 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. There was no opposition, and the motion carried.

H. Dissolution of Memorandum of Understanding with the City of Fillmore for Development of Regional Wastewater Collection, Treatment, and Disposal System – Update on Process to Construct New Stand-alone Wastewater Treatment Plant Serving Santa Paula

City Manager Wally Bobkiewicz's report dated March 9, 2004. He reviewed a copy of the Map of Preliminary Geohazard Study.

Planning Director Thomas M. Bartlett noted the importance of seeking alternate sites in order to meet federal funding requirements, and in order to meet the California Environmental Quality Act (CEQA) requirements for the preparation of an environmental impact report (EIR), and the National Environmental Policy Act (NEPA) requirements for the preparation of an environmental impact statement. He also noted the importance of having a "preferred project alternative" and a "no project alternative," and looking at other feasible alternatives in order to accomplish the goals of the project. He responded to a question regarding whether the existing site was considered for expansion by stating that the "no project alternative" would be how the existing plant could be expanded.

City Manager Wally Bobkiewicz referred to the Preliminary Geohazard Study Map and pointed out the existing wastewater treatment plant area, the 100-year flood zone, properties north of the flood zone, and properties near the Todd Road Jail. He stated

that there were many issues that could impact the construction of a new plant. He noted that challenges include the City finding a willing seller, and that areas near the Todd Road Jail are outside of the City's SOAR boundaries and any development of property in this area would require a vote of the people of the entire County. Further, there are agricultural land use contracts involved with many of these properties. He stated that staff recommends continue the EIR process, look at various sites, and focus on properties adjacent to the existing wastewater treatment plant.

Earl McPhail, 815 Santa Barbara Street, representing the Ventura County Agriculture Commission, expressed his concern with the wording of the letter sent to landowners from the City's consultant, which they interpreted as stating that the City was considering their property for a new wastewater treatment plant and that it would take the property by eminent domain. He noted that the properties are governed by the Land Conservation Act and are within the County's boundaries, the greenbelt, and the County's SOAR. He urged the City Council to consider properties adjacent to the existing wastewater treatment plant and to give alternate sites a cursory look. He responded to a question regarding whether the land adjacent to the existing wastewater treatment plant was designated for agriculture by stating that it is, however, it is within the City's sphere of influence.

City Manager Wally Bobkiewicz addressed the comments raised regarding eminent domain and stated for the record that the words "eminent domain" were not used in the letter sent by the City's consultant. He explained that the consultant used a standard boilerplate letter in introducing the question of purchasing land. He also stated that the reason the City was exploring this area was because the City needed to seek alternate locations other than the location adjacent to the existing wastewater treatment plant, and that it was the feeling of the Oversight Committee and the consultant to explore the area around the Todd Road Jail because it had already been developed.

Rex Laird, 5156 McGrath Street, Ventura, representing the Ventura County Farm Bureau, noted that his association provided the City Council with a packet containing their comments and their land use policies, and that they would be happy to work with the City Council and staff in finding a solution for a new wastewater treatment plant.

Ken High, Law Firm of Nordman, Cormany, Hair, and Compton, 1000 Town Center Drive, Oxnard, representing opposing landowners, spoke regarding his clients' opposition to the potential acquisition of properties by the City for the construction of a new wastewater treatment plant. He also stated that his clients' properties are agricultural land, which are subject to Land Conservation Act contracts. He noted that the property adjacent to the City's existing wastewater treatment plant is not subject to this act, and suggested that the City Council consider constructing the new wastewater treatment plant near the existing wastewater treatment plant site. He also mentioned that he had consulted with a sanitation engineer who indicated that wastewater

treatment plants could be built to mitigate odors by chemical treatment, containment, ventilation, and air treatment.

Donna Pinkerton, 15716 W. Santa Paula Street, spoke against of the sale of her property for a new wastewater treatment plant.

Bob Pinkerton, 15716 W. Santa Paula Street, spoke against the sale of his property for a new wastewater treatment plant.

Allan Pinkerton, Ventura, spoke against a city facility on agriculture land due to SOAR.

Ken Chapman, 15119 Todd Lane, addressed concerns with the flood zone and with odors emitted from the wastewater treatment plant. He stated that he believed that a new plant and the existing plant could be constructed to mitigate odors.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to: 1) adopt Resolution No. 6064 ending the Memorandum of Understanding between the Cities of Santa Paula and Fillmore to develop a new regional wastewater treatment plant; 2) receive a status report on efforts to construct a stand-alone wastewater treatment plant to serve Santa Paula; and 3) provide additional direction to staff as appropriate.

Vice Mayor Krause suggested an addition to the motion to request that the City Manager and the Public Works Director arrange a field trip for City Councilmembers to wastewater treatment plants that do not emit odors, and that the City make an opportunity available for community members who are currently impacted by the wastewater treatment plant to go on that field trip. Councilmember Cook amended his motion with the stipulation that the community members go at their own expense and provide their own transportation.

There was no opposition, and the motion carried.

RESOLUTION NO. 6064

A RESOLUTION DISSOLVING THE MEMORANDUM OF UNDERSTANDING WITH
THE CITY OF FILLMORE FOR DEVELOPMENT OF REGIONAL WASTEWATER
COLLECTION, TREATMENT, AND DISPOSAL SYSTEM

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:39 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Mayor Aguirre, seconded by Vice Mayor Krause, to extend the meeting for 20 minutes. There was no opposition, and the motion carried.

RECESS TO A BREAK

Mayor Aguirre recessed the City Council to a break at 10:39 p.m.

RECONVENE TO REGULAR MEETING

Mayor Aguirre reconvened the City Council at 10:45 p.m.

I. Wastewater Treatment Plant Operational Options

Public Works Director/City Engineer Clifford G. Finley and City Manager Wally Bobkiewicz's report dated March 9, 2004.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding the term of the contract by stating that the term would be three years or until a new plant is on-line.

The City Council discussed the possibility of the City eventually taking over operation of the plant. City Manager Wally Bobkiewicz stated that this possibility would be a future decision of the City Council.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook to receive the status report on options for future operation of the existing wastewater treatment plant, and direct the City Manager to develop and issue a request for proposals to operate the plant. Councilmember Cook, Councilmember Procter, Vice Mayor Krause, and Mayor Aguirre were in favor. Councilmember Luna was opposed. The motion carried.

J. Appointment of Tenant Commissioner to the Housing Authority Commissioner

City Manager Wally Bobkiewicz's report dated March 5, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to appoint Helen Butler as Tenant Commissioner to the Housing Authority Commission for a two-year term to fill Seat No. 7, with term to expire February 2006. There was no opposition, and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz summarized the following upcoming City Council Meeting: Special City Council Meeting on March 29, 2004, to discuss the Police Management Audit Implementation Plan; Special City Council Meeting on April 3, 2004 for goal setting; and Regular Meeting on April 5, 2004, which will be the first with Spanish simulcast.

FUTURE AGENDA ITEMS

There were no Future Agenda Items.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Aguirre adjourned the meeting at 10:52 p.m.

ATTEST:

Steven J. Salas
City Clerk