

CALL TO ORDER

Mayor/Chair Aguirre called the meeting to order at 5:48 p.m.

ROLL CALL

Councilmember/Director Richard C. Cook, Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Chair Mary Ann Krause, and Mayor/Chair Gabino Aguirre responded to roll call. City Manager/Executive Director Wally Bobkiewicz, City/Agency Attorney Karl H. Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk/Agency Secretary Steven J. Salas was absent.

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency to a Closed Session at 5:48 p.m. to discuss:

1. Conference with Legal Counsel, Anticipated Litigation. *Government Code §54956.9(b)*. Number of potential cases: One. Claim filed on behalf of Phillip Romney pursuant to the Government Claims Act. A copy of the claim is available for public inspection in the City Clerk's Office.
2. Conference with Real Property Negotiator – Government Code §54956.8. City Negotiator: City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and Community Services Director Brian J. Yanez. Property: 200 N. Tenth Street. Negotiating Parties: Santa Paula Chamber of Commerce. Under Negotiation: Price and terms of payment for real property lease.
3. Conference with Real Property Negotiator - Government Code §54956.8. City Negotiator: City Manager Wally Bobkiewicz and City Attorney Karl H. Berger. Property: 212 N. Mill Street. Negotiating Parties: Helen Hengehold. Under Negotiation: Price and terms of payment for real property lease.
4. Conference with Real Property Negotiator - Government Code §54956.8. City Negotiator: City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and Community Services Director Brian J. Yanez. Property: 1400 E. Harvard Boulevard. Negotiating Parties: Santa Paula Boys and Girls Club. Under Negotiation: Price and terms of payment for real property lease.
5. Conference with Real Property Negotiator - Government Code §54956.8. City Negotiator: City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and Community Services Director Brian J. Yanez. Property: City parcel located at rear of City's wastewater treatment plant. Negotiating Parties: Santa Paula

Union High School District. Under Negotiation: Price and terms of payment for real property lease.

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency into Open Session at 6:25 p.m. No action was taken during the Closed Session.

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency at 6:25 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency at 6:36 p.m., called the meeting to order, and led the Pledge of Allegiance to the Flag.

ROLL CALL

Councilmember/Director Richard C. Cook, Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Chair Mary Ann Krause, and Mayor/Chair Gabino Aguirre responded to roll call. City Manager/Executive Director Wally Bobkiewicz, City/Agency Attorney Karl H. Berger, City Clerk/Agency Secretary Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

CLOSED SESSION REPORT

City Manager Wally Bobkiewicz reported that no action was taken during the Closed Session.

PRESENTATIONS

A. Proclamation Recognizing CAREGIVERS

Mayor Aguirre presented a proclamation to Carol Boatner in recognition of the 20th anniversary of CAREGIVERS. Ms. Boatner thanked the City Council for their consideration.

PUBLIC COMMENT

Felipe Neria, 926 Pleasant Street, expressed his concern with the lack of street lighting in his neighborhood. Mayor Aguirre stated that staff would follow-up.

Beverly Harding, 610 Glade Drive, representing the Harding Park Advisory Board, submitted written comments in opposition of the Kiwanis Club having the Citrus Festival at Harding Park.

Flo Zakrajshek, 1000 Cadway, stated that many people have expressed their concerns with the open letter to the residents from the hospital board that was published in the

newspaper. She expressed her concerns with the possible sale of hospital property, and suggested that letters be sent to all of the residents in the Santa Clara Valley asking for pledges and donations to reopen the hospital. She further asked the City Council to consider utilizing eminent domain and appointing a new hospital board.

Cesar Hernandez, 633 Orange Drive, Oxnard, thanked the City Council for supporting the Peace and Dignity Journey held March 14, 2004.

Bill Mensing, 545 Foothill Road, thanked the City for trimming the hedge and clearing the brush at the end of Steckel Road, which was obstructing motorists' visibility. He also expressed his concern with speeding vehicles in his neighborhood.

Zahid Shah, 145 S. Tenth Street, noted that he has been approached by many people asking him to apply for the hospital board, and he questioned what the City Council wishes a new board to do that the current has not done. He also expressed his concern with the hospital's debt, the age of the facilities, the lack of cooperation from the doctors, and the negotiations between the hospital board and the County of Ventura.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter commended the Golden West Chapter of the Daughters of the American Revolution on its 100th anniversary. He also invited everyone to participate in the American Cancer Society's Relay for Life, which would be held May 1 and 2, 2004, at the high school football field. He also acknowledged the Skate Park groundbreaking ceremony, the De Colores Art Show, and the Santa Paula Hospice Home and Garden Tour held this past weekend.

Vice Mayor Krause noted that she watched the Recreation Commission Meeting on television last week regarding the proposed bicycle trail. She also noted that the Downtown Implementation Plan meeting was televised, and copies of the plan could be obtained from Economic Development Director Charmaine Stouder. She also mentioned that she attended a conference sponsored by the *Ventura County Star* regarding countywide housing issues. Lastly, she mentioned that a follow-up Farmworker Housing meeting was held last week, and that people could contact her or Dora Crouch for more information.

Mayor Aguirre mentioned that he attended many of the events held this past weekend, and acknowledged Xavier Montes and Carmen Guerrero for their efforts on the De Colores Art Show. He also noted that he would be out of town from April 26 through 28, 2004 attending an event in New York City hosted by the Mayors of Nagasaki and Hiroshima regarding concerns over the development and proliferation of nuclear weapons.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz suggested reordering the agenda in order to accommodate members in the audience.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to move up Items 12A, 12B, 12C, and 12E prior to having the Public Hearing. There was no opposition, and the motion carried.

CONSENT CALENDAR

It was moved by Vice Mayor/Vice Chair Krause, seconded by Councilmember/Director Luna, to adopt the Consent Calendar as presented. There was no opposition, and the motion carried.

- 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 Special City Council Meeting of March 29, 2004.
- C. Minutes – Adopted the Minutes of the Regular City Council Meeting of April 5, 2004.
- D. Minutes – Adopted the Minutes of the Special City Council Meeting of April 8, 2004.
- E. Ordinance No. 1097 Repealing Parks and Recreation Facilities Tax – Adopted **ORDINANCE NO. 1097**, AN ORDINANCE REPEALING SECTIONS 37.35 TO 37.40 OF THE SANTA PAULA MUNICIPAL CODE ENTITLED “PARKS AND RECREATION FACILITIES TAX.” Deputy City Clerk Josie G. Herrera’s report dated April 12, 2004.
- F. Ordinance No. 1099 Regulating Pay Phones in the Public Right-of-way – Adopted **ORDINANCE NO. 1099**, AN ORDINANCE ADDING CHAPTER 157 TO THE SANTA PAULA MUNICIPAL CODE FOR THE PURPOSE OF REGULATING THE PLACEMENT, OPERATION, AND MAINTENANCE OF PAY PHONES ON PUBLIC AND PRIVATE PROPERTY. Deputy City Clerk Josie G. Herrera’s report dated April 12, 2004.
- G. Amending Classification and Compensation Plan - Economic Development Specialist – 1) Approved an amendment to Resolution No. 5598 amending the 2003-2004 Final Operating Budget for the City of Santa Paula; 2) approved Resolution No. 6075 adopting the recommended changes to the Position Control

Listing of Authorized Positions adding an Economic Development Specialist. **RESOLUTION NO. 6075**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AMENDING RESOLUTION NO. 5598 WHICH AMENDS THE POSITION CONTROL PLAN; and 3) appropriated \$7,000 for charges related to this position. Assistant to the City Manager Melissa Grisales' report dated April 12, 2004.

- H. Opposition to AB 3007 (Plescia) – Amendments to the Ralph M. Brown Act – Adopted Resolution No. 6078 opposing AB 3007 (Plescia) that would amend the Ralph M. Brown Act to prohibit public bodies from meeting in closed session to discuss real property negotiations or to discuss anticipated litigation and liability claims with legal counsel. **RESOLUTION NO. 6078**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA OPPOSING THE PROPOSED AMENDMENT OF THE RALPH M. BROWN ACT TO PROHIBIT PUBLIC BODIES FROM MEETING IN CLOSED SESSION TO DISCUSS REAL PROPERTY NEGOTIATIONS OR TO DISCUSS ANTICIPATED LITIGATION AND LIABILITY CLAIMS WITH LEGAL COUNSEL. City Attorney Karl H. Berger's report dated April 12, 2004.
- I. Beverage Container Grant Funds 2004/2005 Application – 1) Adopted Resolution No. 6076 authorizing submittal of the Funding Request Form to the California Department of Conservation's Division of Recycling for \$8,037, and authorized the City Manager to execute associated documents. **RESOLUTION NO. 6076**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF SANTA PAULA IN APPLYING FOR AND OBTAINING GRANT FUNDING UNDER THE CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT; and 2) direct staff to forward the application form and a copy of the resolution to the California Department of Conservation. Public Works Director/City Engineer Clifford G. Finley's report dated April 12, 2004.

ORDER OF BUSINESS

A. Santa Paula Memorial Hospital: Pinnacle Group Proposal

City Manager Wally Bobkiewicz reported that he met with representatives from the Pinnacle Group to discuss their proposal for opportunities to reopen the hospital and utilize to the hospital properties to the highest and best use. He stated that he believed that the Pinnacle Group's ideas have merit, and suggested that the Council may wish to direct him to seek other interested buyers for discussions on other proposals.

Greg Boyd, representing Pinnacle Group, expressed his interest in providing assistance and support, and providing a solution that will allow the hospital to reopen and pay its creditors. He stated that their approach would be to come up with a plan that would

aggressively pursue operators to reopen the hospital and determine the highest and best use for vacant parcels associated with the hospital.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to have the City Manager further discuss with Greg Boyd and Pinnacle Group on the specifics of their proposal for use of the hospital site and bring back a report for the City Council's consideration on May 3, 2004; and direct the City Manager to meet with any other interested purchasers of the hospital and bring back options that would include third-party groups at the May 3, 2004 City Council Meeting. There was no opposition, and the motion carried.

B. Fire Services Options Update

City Manager Wally Bobkiewicz's report dated April 12, 2004, and Power Point Presentation regarding a review of work to date, current status, property tax breakdown, cost to the City for the County to provide fire protection services, next steps for working with the County on impacts of redevelopment property taxes, and review of proposed ballot initiative language. He noted that the County has determined that the property tax rate for annexation would be a shift of 15.6% of the City's 20.3% of property tax to the Fire Protection District, and that the additional redevelopment financial impact had not yet been determined.

Assistant Fire Chief Richard Araiza stated that he had spoken with Ventura County Fire Chief Bob Roper regarding the 15.6% tax rate and the variable with redevelopment property taxes. He also noted that the Fire Department is also involved with Emergency Medical Services, mutual aid, paramedics, hazardous materials, and terrorism, which makes it difficult for a small department to keep up.

City Manager Wally Bobkiewicz responded to a question regarding the cost to open Fire Station 2 with full-time staff by stating that the cost would be about \$500,000, however, this does not include additional pay and funding necessary equipment.

Ventura County Chief Bob Roper discussed the 15.6% tax rate, ongoing revenues, and adding another fire station to the City. He responded to a question regarding the 15.6% tax rate by explaining that the 15.6% tax rate was an estimate based on Proposition 13 and a sample survey of surrounding areas near Santa Paula. He also stated that this figure would be refined after a full fiscal review by the consultant. He further responded to a question regarding whether staffing another station in the City could be negotiated by stating that this option would be explored under the consultant's service review.

It was moved by Councilmember Procter, seconded by Councilmember Cook to 1) receive the status report on discussions with the Ventura County Fire Protection District on annexation of Santa Paula into the Fire District; 2) continue to move forward as

described in the presentation; 3) direct the City Manager to return with a further update no later than May 17, 2004. There was no opposition, and the motion carried.

C. Status Report: Ambulance Service in Santa Paula

City Manager Wally Bobkiewicz and Fire Chief Paul L. Skeels' report dated April 12, 2004.

Councilmember Cook stepped out of the Council Chambers at 7:58 p.m. and returned at 8:01 p.m.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to 1) receive and file the update report on ambulance service in Santa Paula; 2) direct the Mayor to send a letter to the Ventura County Board of Supervisors with the City's current position on the award of new ambulance service contracts in Ventura County; and 3) direct the City Manager to continue to monitor the situation and provide status reports as appropriate. There was no opposition, and the motion carried.

E. Current Development Update

Planning Director Thomas M. Bartlett provided an oral update on current development for projects with pending applications, projects already entitled and going through plan check, and projects with applications forthcoming. He also identified 20 development projects that have applications submitted or are in plan check. He responded to a question regarding the number of development applications submitted for housing units by stating that there are applications filed for 109 single-family units and 312 multi-family units, not including the Fagan Canyon project.

RECESS TO A BREAK

Mayor Aguirre recessed the City Council to a break at 8:14 p.m.

RECONVENE TO REGULAR MEETING

Mayor Aguirre reconvened the City Council at 8:28 p.m.

PUBLIC HEARING

A. Increase in Museum Admission and Tour Fees

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

Community Services Director Brian J. Yanez's report dated April 13, 2004. He noted that the increase in fees would be due to increases in operating costs, reduction in

Redevelopment Agency funds, and recovery of costs. He responded to a question regarding whether the proposed fee structure would meet or attempt to meet the actual cost recovery on behalf of the City by responding that the fees would attempt to meet the actual cost recovery and would be a reasonable effort to recover the costs.

It was moved by Councilmember Luna, seconded by Councilmember Cook, to approve the proposed increase in Museum admission and tour fees and adopt Resolution No. 6060. There was no opposition, and the motion carried.

RESOLUTION NO. 6060

A RESOLUTION ADOPTING NEW ADMISSION AND TOUR FEES AT THE CITY'S CALIFORNIA OIL MUSEUM

Mayor Aguirre closed the Public Hearing at 8:34 p.m.

B. Participation in the 2004-2005 Benefit Assessment Program for the Municipal Stormwater NPDES Permit Program

Mayor Aguirre opened the Public Hearing at 8:34 p.m.

Public Works Director/City Engineer Clifford G. Finley's report dated April 12, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to approve Resolution No. 6071 requesting that the County Board of Supervisors include a \$6.65 per benefit assessment unit for Santa Paula's use in the 2004-2005 Benefit Assessment Program, to fund activities related to the Municipal Stormwater NPDES Permit Program. There was no opposition, and the motion carried.

RESOLUTION NO. 6071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA REQUESTING THAT THE COUNTY BOARD OF SUPERVISORS INCLUDE AN ASSESSMENT IN THE 2004-2005 BENEFIT ASSESSMENT PROGRAM FOR SANTA PAULA'S ACTIVITIES RELATED TO THE MUNICIPAL STORMWATER NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT PROGRAM

Mayor Aguirre closed the Public Hearing at 8:36 p.m.

C. Update on the Development Code and Zoning Map

Mayor Aguirre opened the Public Hearing at 8:36 p.m.

Planning Director Thomas M. Bartlett 's report dated April 6, 2004. He noted that City Attorney Karl H. Berger had asked that Ordinance No. 1103 be pulled pending his review. He recommended that the City Council consider Ordinance Numbers 1100, 1101, and 1102, and continue the hearing to a date certain to accommodate provisions not brought forward this evening.

City Attorney Karl H. Berger recommended the following changes to the Draft Development Code:

- Page 16.03-2. Delete Section 16.03.050 entitled "City Attorney Responsibilities" because this is addressed elsewhere in the Municipal Code.
- Delete Section 16.03.070 for the same reason.
- Correct a clerical error on Page 16.42-2, which refers to the Uniform Fire Code. Currently, the City has adopted the California Fire Code.
- Page 16.204-2, Section 16.204.020. Add a Subsection B stating that the failure of persons to receive actual notice will not affect any proceedings or decisions made under this code, and renumber the remainder of that section accordingly.
- Ordinance No. 1100, Section 4 on the revised ordinance refers to the zoning regulations being added to Title 16 to read as "Exhibit A." The bound Draft Development Code should be "Exhibit A" and the Zoning Map should be "Exhibit B."

Councilmember Cook stepped out of the Council Chambers at 9:09 p.m. and returned at 9:12 p.m.

The City Council addressed their concerns with the following:

- Sections regarding noise
- Minimum density for residential zones
- Placement of single family homes in the R-3 and R-4 zones
- Minimize size of dwelling units in R-2, R-3, and R-4 zones
- Requirement for private open space in the ground floor of units in R-2, R-3, and R-4 zones
- Designation for single/double room occupancy for farmworker housing
- Reason why mixed use is not by right in commercial zone
- Issues regarding errors on map, specifically the Agriculture Commissioner's Office, Oak Street crossing the railroad, and identification of civic uses indicated on Oak Street
- Provide reference for finding zoning areas

City Manager Wally Bobkiewicz stated that staff would address these concerns and suggested that the ordinances be reconsidered at the May 17, 2004 City Council Meeting.

It was moved by Councilmember Cook, seconded by Councilmember Procter, to lay over this item to May 17, 2004. There was no opposition, and the motion carried.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 9:24 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember Procter, seconded by Mayor Aguirre, to extend the meeting for one hour. There was no opposition, and the motion carried.

ORDER OF BUSINESS

D. Status Report on Proposed Fiscal Year 2004/05 Budget Preparation and 2004 Community Budget Workshop

City Manager Wally Bobkiewicz's report dated April 12, 2004 and Power Point Presentation. He responded to a question regarding personnel reductions by stating that reductions would include personnel funded by the General Fund in Public Works, Building and Safety, Planning, Community Services, and Administration, and that he would not recommend reductions in Fire Department, Redevelopment, or Enterprises. He further responded to a question regarding the high cost for the PERS Plan by stating that this employee benefit is a negotiable item and that the Memorandum of Understanding could be negotiated to create a two-tiered system for new hires. He further discussed options for having employees pay half of the cost for the PERS Plan and seeking legal avenues regarding the actuary information received.

The City Council discussed pursuing retirement incentives and looking at the reserve fund prior to implementing employee layoffs.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to receive the status report on the preparation of the proposed FY 2004-05 City budget, and direct the City Manager to conduct the 2004 Community Budget Workshop on Thursday, May 13, 2004. There was no opposition, and the motion carried.

F. Hazard Mitigation Plan

City Manager Wally Bobkiewicz presented Fire Chief Paul L. Skeels' report dated April 12, 2004.

Councilmember Cook volunteered to serve as the Member of the City Council on the Planning Committee for the Local Hazard Mitigation Plan. Councilmember Luna volunteered to serve as the Alternate Member.

G. Support of AB 2784 (Pavley/Strickland/Jackson) – Reorganization of Ventura County Transportation Commission Board of Directors

City Manager Wally Bobkiewicz's report dated April 12, 2004.

It was moved by Councilmember Procter, seconded by Vice Mayor Krause, to support AB 2784 (Pavley/Strickland/Jackson) what would reorganize the Ventura County Transportation Commission Board of Directors. There was no opposition, and the motion carried.

CITY/AGENCY COMMUNICATIONS

City Manager Wally Bobkiewicz noted that captioning and titles have been added to the screen for the television viewing audience watching City Council meetings. He also stated that the television crew and staff would be looking into digitally recording City Council meetings.

FUTURE AGENDA ITEMS

It was moved by Councilmember Luna, seconded by Vice Mayor Krause, for a report on the plot plan for the Citrus Festival at Harding Park. There was no opposition, and the motion carried.

ADJOURNMENT

There being no further business to come before the City Council/Redevelopment Agency, Mayor/Chair Aguirre adjourned the meeting at 10:08 p.m.

ATTEST:

Steven J. Salas
City Clerk/Agency Secretary