

**CALL TO ORDER**

Mayor Aguirre called the meeting to order at 6:35 p.m. Reverend Chris Jubinski offered the invocation, and Mayor Aguirre led the Flag Salute

**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 Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk Steven J. Salas arrived at 6:37 p.m.

**PRESENTATIONS**

A. Introduction of New Employees

Economic Development Director Charmaine Stouder introduced Economic Development Specialist Rochelle Margolin. Ms. Margolin stated that she was excited to work for the City of Santa Paula.

Public Works Director/City Engineer Clifford G. Finley introduced Public Works Deputy Director Rene Salas. Mr. Salas stated that he was pleased to work for the City of Santa Paula.

Police Chief Robert S. Gonzales introduced Public Safety Dispatcher Pamela Sue Wood. Ms. Wood stated that she is looking forward to working for the City of Santa Paula.

B. Presentation of the 37<sup>th</sup> Annual Kiwanis Santa Paula Citrus Festival Poster

Bill Grant from the Kiwanis Club presented the 37<sup>th</sup> Annual Kiwanis Santa Paula Citrus Festival poster, with artwork designed by Ashley Colvard. He also summarized the activities planned for the event scheduled for July 16, 17, and 18, 2004. Lastly, he thanked the sponsors, Sunkist, Calavo, Santa Paula Times, Limoneira, Santa Paula Chevrolet, City of Santa Paula, Gold Coast Broadcasting, Star Free Press, Centex Homes, Fillmore Family Motors, Ford of Santa Paula, Santa Clara Valley Bank, Glen Tavern, and Seeber's Pharmacy for their generous donations.

**PUBLIC COMMENT**

John Wisda, 550 Monte Vista, encouraged everyone to attend the Fagan Canyon Scoping Meeting to be held June 22, 2004, to address traffic and environmental impacts for the development of this project. He suggested that Centex Homes voluntarily

downsize the project to 1,200 to 1,350 households. Lastly, he asked whether his group could set up a table outside of City Hall during the scoping meeting to present their views on the Fagan Canyon Project. City Attorney Karl H. Berger responded that setting up a table on the sidewalk on the public right-of-way is within his rights; however, he may need to seek a permit to use City property.

### **CITY COUNCIL, STAFF COMMUNICATIONS**

Councilmember Cook invited everyone to attend the Fagan Canyon Scoping Meeting and voice their support or concerns to the City Council.

Councilmember Procter sent his best wishes to Firefighter Mike Lambert who continues to recuperate in the intensive care unit in the hospital following a serious fall from a horse.

### **APPROVAL OF FINAL AGENDA**

There were no changes to the Agenda.

### **CONSENT CALENDAR**

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to adopt the Consent Calendar as presented. All were in favor, 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. Adoption of Ordinance Nos. 1101, 1106, 1107, 1108, 1109 – Adopted **ORDINANCE NO. 1101**, AN ORDINANCE ESTABLISHING A NEW TITLE 16 TO THE SANTA PAULA MUNICIPAL CODE AND ADDING A NEW CHAPTER 16.68 REGULATING NEWSRACKS; **ORDINANCE NO. 1106**, AN ORDINANCE ADDING A NEW CHAPTER 16.62 TO TITLE 16 REGULATING ASSEMBLY HALLS; **ORDINANCE NO. 1107**, AN ORDINANCE ADDING A NEW CHAPTER 16.64 TO TITLE 16 REGULATING COMMUNITY CARE FACILITIES; **ORDINANCE NO. 1108**, AN ORDINANCE ADDING A NEW CHAPTER 16.214 TO TITLE 16 OF THE SANTA PAULA MUNICIPAL CODE ENTITLED “AGRICULTURAL PRESERVE AND LAND CONSERVATION CONTRACTS;” and **ORDINANCE NO. 1109**, AN ORDINANCE ADDING CHAPTER 93 OF THE SANTA PAULA MUNICIPAL CODE IN ITS ENTIRETY TO REGULATE NOISE WITHIN THE CITY’S JURISDICTION AND ALLOW COST RECOVERY FOR

SPECIAL POLICE SERVICES. Deputy City Clerk Josie G. Herrera's report dated June 8, 2004.

- C. Adoption of Ordinance No. 1112 – Adopted **ORDINANCE NO. 1112**, AN ORDINANCE AMENDING THE UNIFORM ADMINISTRATIVE CODE, AS ADOPTED BY THE SANTA PAULA MUNICIPAL CODE, REGARDING A BOARD OF APPEALS, EXPIRATION OF PERMITS, AND NOTICES OF NONCOMPLIANCE. Deputy City Clerk Josie G. Herrera' report dated June 8, 2004.
- D. Adoption of Ordinance No. 1113 – Adopted **ORDINANCE NO. 1113**, AN ORDINANCE AMENDING THE 2001 EDITION OF THE CALIFORNIA FIRE CODE, AS ADOPTED BY THE SANTA PAULA MUNICIPAL CODE, AND MAKING EXPRESS FINDINGS OF LOCAL NECESSITY TO ALLOW FOR ABOVE-GROUND FUEL TANKS AT AIRPORTS LOCATED WITHIN THE CITY OF SANTA PAULA. Deputy City Clerk Josie G. Herrera's report dated June 8, 2004.
- E. Co-sponsorship of Citrus Festival – Approved co-sponsorship of the 37<sup>th</sup> Annual Kiwanis Santa Paula Citrus Festival and authorized the City Manager to execute a co-sponsorship agreement with the Santa Paula Kiwanis Club. City Manager Wally Bobkiewicz's report dated June 9, 2004.
- F. Council Expense and City Manager Travel Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report for the month of May 2004. Finance Director Alvertina Rivera's report dated June 10, 2004.
- G. Monthly Report of Transactions – Reviewed and filed the attached monthly transactions report. City Treasurer Sandra K. Easley's report dated June 3, 2004.
- H. Approval of Agreement for Services with Parsons Water and Infrastructure, Inc., and Task Order No. 1 for the Preparation of the Water Recycling Facility (WRF) Project Report – Authorized staff to terminate the existing Agreement dated February 21, 2002, between the City of Santa Paula and Parsons Infrastructure and Technology Group, Inc. (Parsons); un-encumber the funds (approximately \$461,000) related to the Parsons agreement referenced above; approved the attached Agreement for Services with Parsons Water and Infrastructure, Inc., and Task Order No. 1 for preparation of the Water Recycling Facility Project Report; and authorized the City Manager to execute the Agreement and Task Order No. 1 on behalf of the City. Public Works Director/City Engineer Clifford G. Finley's report dated June 14, 2004.



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implementation of the plan. All were in favor, and the motion carried.

**B. Review of Text of Public Safety Financing Initiative**

City Manager Wally Bobkiewicz's report dated June 21, 2004.

Chris Mahon, representing the Ventura County Professional Firefighters Association, spoke in support of Option B, which would provide for two fully staffed fire stations and provide more funds for the Police Department.

City Manager Wally Bobkiewicz reported that according to the City Council's direction to continue discussions with the Ventura County Fire Protection District (VCFPD), Fire Chief Paul L. Skeels and Assistant Fire Chief Richard Araiza met with County Fire Chief Bob Roper and County Division Chief Ron Megli to discuss the following:

- Personnel: Discussions continue regarding the Part-time Firefighters. There is still no final resolution; however, staff would have an opportunity to be placed on a list to be hired full-time. Full-time Firefighters would be able to move over to the VCFPD and retain their years of seniority, but not retain seniority within ranks. They would have the ability to continue to staff Fire Station 1 for one year, and then they would have the opportunity to transfer to another fire station in the VCFPD, and other County Firefighters would have opportunity to transfer to Santa Paula. The Full-time Firefighters would be subject to annual physicals and background check at the time of hire. The City would retain liability for existing workers compensation claims. There would be no need for a Battalion Chief for Santa Paula.
- Fire Prevention: The County could provide fire prevention work as an option or this could be done through the City's Building and Safety Department.
- Fire Engines and Stations: The VCFPD would take ownership of the fire stations and equipment, although Fire Station 1 is still under discussion. The VCFPD would have the option to transfer city engines, with the exception of the 1954 Mack.
- Transition and Staffing Issues: A paramedic station would be placed at Fire Station 1. Engine 26 from Telegraph and Olive would be transferred to Fire Station 2, and Engine 26 would not longer routinely be sent to others areas in the County.

City Manager Wally Bobkiewicz noted that the cost of the VCFPD to provide fire protection services remains at \$1.8 million. He also noted that the VCFPD has been unable to meet with the County Auditor to address the property tax shift and redevelopment funds.

The City Council discussed concerns with future costs for the VCFPD to provide fire protection services, unresolved issues with the Redevelopment Agency pass-through agreements, the possibility that voters would not support the initiative if the Fire Department were annexed to the VCFPD, the VCFPD taking ownership of Fire Station 1, and unresolved personnel issues. The City Council also discussed the possibility of continuing negotiations with the VCFPD with the possibility of placing a ballot measure at the next election that would modify the text of the measure to allow annexation into the VCFPD.

City Attorney Karl H. Berger responded to this discussion by noting that this election is unique because a measure may be placed on the ballot, which would allow for increasing general taxes, and that this can only be done every two years as a consolidation with the Presidential Election. He further noted that if there were a change in a tax structure and an increase to the tax itself, it would need to be voted on as a special tax because tax revenue would be for a specific purpose. He responded to a question regarding whether an advisory measure could be placed on any election by responded yes. City Manager Wally Bobkiewicz noted that there would be flexibility in having a second advisory measure at some future point during the life of the Utility Users Tax to change the allocation.

Fire Chief Paul L. Skeels responded to a question regarding his thoughts on a possible 52/48 split between the Police and Fire Departments by stating that he felt this would be reasonable. Police Chief Robert S. Gonzales responded that this figure was a compromise between the Police and Fire Departments. He also addressed his concerns with amending the advisory measure because he felt it might send the wrong message to the community.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to direct staff to focus efforts on Draft A of the advisory measure.

Assistant Fire Chief Richard Araiza responded to a question regarding the City's fire insurance rating if the City were to annex with the VCFPD by stating that he had spoken with several insurance companies and there would not be a significant savings.

### **RECESS TO A BREAK**

Mayor Aguirre recessed the City Council to a break at 8:32 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Aguirre reconvened the City Council at 8:47 p.m.

All were in favor of the motion, and the motion carried.

The City Council discussed exemptions to the utility users tax based on age and/or low-income, and which utilities might carry the exemptions.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to direct staff to bring back information for an exemption based on age and income on all four utilities. All were in favor, and the motion carried.

The City Council discussed membership on the oversight committee. It was the consensus of the City Council for a seven-member oversight committee comprised of one sworn member selected by the Santa Paula Police Officers Association, one member selected by the Ventura County Professional Firefighters Association who is a full-time employee of the Santa Paula Fire Department, one member selected by Santa Paula Latino Town Hall, one member selected by the Santa Paula Chamber of Commerce, one member selected by Casa del Mexicano, and two members selected at-large by the committee.

City Manager Wally Bobkiewicz stated that clean copies of the various documents would be brought back at the Special City Council Meeting on June 23, 2004.

C. Proposals for Changes to City 9/80 Work Schedule

Assistant to the City Manager Melissa Grisales presented City Manager Wally Bobkiewicz's report dated March 24, 2004.

City Attorney Karl H. Berger responded to a question regarding whether the proposed change would require meet and confer with the unions and employees by stating that this question has not yet been answered; however, should the City Council approve the proposed change, this would be a rearrangement of how the benefits are provided. City Manager Wally Bobkiewicz added that when the 9/80 work schedule was first implemented, it was made clear that management would retain the right to alter the schedule.

The City Council discussed concerns with customers' inability to make utility payments or pull building permits, and concerns with refuse that is not picked up on Thursday and the possibility that it may not be picked up until the following Monday. The City Council also expressed their support for the proposed schedule and support for implementing the schedule on a trial basis.

**COUNCIL CONSENSUS TO EXTEND THE MEETING**

As business had not concluded at 9:31 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember Procter, seconded by Vice Mayor Krause, to extend the meeting for one-half hour. All were in favor, and the motion carried.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding missed refuse pickup occurring on Thursday by stating that the Refuse Division would remain on the current 4/10 staggered schedule to take care of special pick-ups, missed refuse pick-ups, and routine vehicle maintenance.

City Manager Wally Bobkiewicz responded to a question regarding concerns with water shut-off by stating that the City Council could implement a mechanism so that customers could have their water turned back on.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to approve staff's recommendation to modify the 9/80 work schedule by closing City Hall every other Friday. Councilmember Procter, Vice Mayor Krause, and Mayor Aguirre were in favor. Councilmember Cook and Councilmember Luna were opposed. The motion carried.

D. Proposed Fiscal Year 2004/2005 Budget Deliberations

City Manager Wally Bobkiewicz provided an oral report and stated that staff would bring back documents to adopt the Fiscal Year 2004/2005 Budget at the Special City Council Meeting on June 28, 2004.

E. Review Layout of Citrus Festival at Harding Park

City Manager Wally Bobkiewicz noted the measures that will be taken to ensure that Harding Park will be returned to its same condition after the Citrus Festival.

Community Services Director Brian J. Yanez provided a map with the layout of the Citrus Festival. He responded to concerns regarding areas allowing alcohol consumption by stating that alcohol consumption would only be allowed in the beer garden in Recreation Park, and that police and security would be on-site. City Manager Wally Bobkiewicz noted that the beer garden would have the most restricted use of alcohol in Ventura County.

F. Update on Mobilehome Relocation Ordinance

Economic Development Director Charmaine Stouder stated that staff met with mobilehome park owners, residents, and other stakeholders to discuss the draft

Mobilehome Relocation Ordinance. She noted that staff received written comments on June 8, 2004, and also received a copy of the marked up version of the draft ordinance this evening. She further stated that staff would discuss the draft ordinance with the City Attorney and the City Manager, and would bring back the draft ordinance for the City Council's consideration in early July.

G. Wastewater Treatment Plant Contract Operator of Award of Contract

Public Works Director/City Engineer Clifford G. Finley's report dated June 14, 2004.

City Clerk Steven J. Salas departed from the meeting at 10:03 p.m.

It was moved by Councilmember Luna, seconded by Vice Mayor Krause, to authorize the City Manager and the City Attorney to pursue contract negotiations for operation and maintenance of the City of Santa Paula's Wastewater Treatment Plan with ECO Resources, Inc. (ECO) and authorize the City Manager to execute the contract approved as to form by the City Attorney.

The City Council discussed concerns with the proposed fixed price proposed by ECO Resources, reporting requirements, and the amount of employees that will be dedicated to Santa Paula.

Public Works Director/City Engineer Clifford G. Finley responded that ECO Resources would dedicate five and one-half employees to Santa Paula. He also responded to a question regarding the term of the contract by stating that the term would be for three and one-half years or until a new water recycling facility is constructed. Further, there would be no guarantee that ECO Resources would operate the new water recycling facility.

City Attorney Karl H. Berger noted that the Request for Proposals included a copy of the fully negotiated contract with OMI, which included reporting requirements. He further noted that ECO Resources has agreed to all negotiations points and substantive portions of the contract.

All were in favor, and the motion carried.

H. Street Sweeping Schedule and Posted Areas, Resolution No. 6090

Public Works Director/City Engineer Clifford G. Finley's report dated June 15, 2004.

City Attorney Karl H. Berger responded to a question regarding the possibility of limiting the number of posted signs by stating that the California Vehicle Code has specific requirements for posting restrictive parking signage, and the City's ability to restrict parking is limited because this is a State statute imposed on all cities in California.

It was moved by Councilmember Procter, seconded by Vice Mayor Krause, to adopt Resolution No. 6090, and direct staff to install all street sweeping parking restriction signs under the new comprehensive street sweeping schedule. All were in favor, and the motion carried.

**RESOLUTION NO. 6090**

A RESOLUTION APPROVING PARKING RESTRICTIONS FOR AREAS LOCATED WITHIN THE CITY'S JURISDICTION AND AUTHORIZING POSTING OF SIGNAGE

**CITY COMMUNICATIONS**

City Manager Wally Bobkiewicz reminded the City Council of the following upcoming meetings: Special City Council Meeting on June 23, 2004, at 6:00 p.m., and Special City Council Meeting on June 28, 2004.

Mayor Aguirre reported that he and City Manager Wally Bobkiewicz traveled to Washington, D.C., to meet with Congressman Elton Gallegly and staff, Senator Dianne Feinstein's staff, Senator Barbara Boxer's staff, the Environmental Protection Agency, and the Director of Intergovernmental Affairs at the White House, to impress upon them the need for the City to receive support for the City's new Water Recycling Facility. He also stated that he believes their efforts were successful.

**FUTURE AGENDA ITEMS**

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, for a report on the relocation of California Wood Recycling to the Edwards Ranch owned by Rancho Limoneira. All were in favor, and the motion carried.

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Aguirre adjourned the meeting at 10:26 p.m.

ATTEST:

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Steven J. Salas  
City Clerk