

**CALL TO ORDER**

Mayor Aguirre called the meeting to order at 6:47 p.m., and 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 H. Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk Steven J. Salas was absent.

**PUBLIC COMMENT**

There was no Public Comment.

**CITY COUNCIL, STAFF COMMUNICATIONS**

There were no City Council, staff communications.

**APPROVAL OF FINAL AGENDA**

There were no changes to the Agenda.

**ORDER OF BUSINESS**

A. **Review of Text of Proposed Public Safety Financing Initiative**

City Manager Wally Bobkiewicz and City Attorney Karl H. Berger's report dated June 23, 2004. City Manager Wally Bobkiewicz noted that language needed to be added to the initiative to indicate that the oversight committee would appoint two members at-large.

The City Council noted that language needed to be added to the initiative to indicate that the Santa Paula Police Officers Association and the Ventura County Professional Firefighters Association would appoint their members to the oversight committee.

A discussion ensued regarding criteria for low-income senior exemptions. It was the consensus of the City Council to pursue exemptions for people over 62 years of age.

A discussion ensued regarding the use of the Public Utilities Code (P.U.C.) and the California Alternate Rates for Energy (C.A.R.E.) system for determining exemptions for seniors.

Kay Wilson-Bolton, 1309 Fern Oaks, expressed the Chamber of Commerce's commitment to help promote the utility users tax and advisory measures. She offered to sponsor five households that the City Council deems as hardship cases. She also asked the City Council to consider a component within the measure to allow for a public relations campaign that would declare that the City of Santa Paula takes public safety seriously.

Police Sergeant Ismael Cordero, President of the Santa Paula Police Officers Association, commended the City Council and the City Manager for their efforts on the Police Management Audit and Feasibility Study. He suggested that the City Council consider changing the Police Officer allocation in Special Enforcement from four to three in order to enhance their efforts and in order to add to the Patrol Division. He also expressed concern with the language in the draft advisory measure regarding the allocation for Police and Fire, and noted that the Santa Paula Police Officers Association may wish to submit alternate language in order to ensure that revenue from the utility users tax is not the only funding source for the Police Department.

A discussion ensued regarding the use of the word "shall" rather than the word "should" throughout the proposed advisory measure. City Attorney Karl H. Berger cautioned that if language is made more specific and more mandatory in the proposed advisory measure, the argument could be made that this would no longer be an advisory measure. He suggested that the language be as indirect as possible.

The City Council discussed moving the allocation percentages for Police and Fire Departments to the beginning of the statements, and discussed concerns with changing the allocation for new Police Officers as suggested by Sergeant Cordero. Police Chief Robert S. Gonzales responded that he would be obligated to abide by the language of the advisory measure. City Manager Wally Bobkiewicz suggested that language be added to the end indicating "at the discretion of the Chief of Police" in order to provide flexibility for staffing.

Chris Mahon, representing the Ventura County Professional Firefighters Association, pledged support for the ballot measures, and asked the City Council to consider adding language to the statement regarding staffing to indicate "with a minimum of three personnel per shift to include one full-time Captain, one full-time Engineer, and one Firefighter."

Fire Chief Paul L. Skeels expressed his agreement with the language of the advisory ballot measure, which if successful, would staff Fire Station 2 with six new full-time positions. He noted that the new positions would include three Fire Captains, three Fire Engineers, and three Firefighter positions filled by a Reserve Firefighter Program on a three-shift system, 24 hours per day, seven days per week.

The City Council discussed changing the word “shall” to “should” in the advisory measure, and it was their consensus to change the word to “should.” Police Chief Robert S. Gonzales suggested that in the interest of the public’s perception, perhaps have the word “shall” following the allocation percentages for each department. It was the City Council’s consensus to accept Police Chief Robert S. Gonzales’ suggestion.

The City Council discussed placing a period after Fire Station 2 in the first bullet point and creating a new sentence so that the word “shall” would not necessarily refer to the specifics for minimum staffing.

City Manager Wally Bobkiewicz reviewed the changes for the proposed advisory measure:

ORDINANCE NO. \_\_\_\_

AN ORDINANCE ADVISING THE CITY OF SANTA PAULA REGARDING  
THE EXPENDITURE OF TAX REVENUE GENERATED FROM NEW TAXES

This measure is NOT a tax. It is an advisory measure that states the city of Santa Paula’s voters’ intent that any new utility user tax funds be spent on public safety services. The total annual proceeds of a utility user tax shall be divided with 52% supporting the Santa Paula Police Department and 48% supporting the Santa Paula Fire Department. Utility User Tax Funds allocated to each department should be spent on a percentage basis as listed below:

SANTA PAULA POLICE DEPARTMENT

- 32% of Police Department allocation shall be for five new police officers (3 special enforcement, 1 patrol) at the discretion of the Chief of Police.
- 65% of Police Department allocation shall be for creating a fund equaling 24% of current salary and benefits. At least 85% of these funds shall be spent on salary only; and
- 3% of Police Department allocation should be for funding a radio system and vehicle replacement.

SANTA PAULA FIRE DEPARTMENT

- 44% of Fire Department allocation shall be for providing staffing for Fire Station No. 2. This will provide for round-the-clock servicing with a minimum of one full-time captain, one full-time engineer, and one firefighter.
- 5% of Fire Department allocation should be for increased spending on materials and supplies.
- 44% of Fire Department allocation shall be for creating a fund for salary and benefit increases to all fire department employees equaling 38% of current salary and benefits. At least 85% of these funds should be spent on salary only.
- 7% of Fire Department allocation should be fore new equipment and vehicle purchases.

Notwithstanding any increase in utility user tax revenue, the City shall continue funding the Santa Paula Police Department with not less than 44% of the City’s general fund; and funding the Santa Paula Fire Department with not less than 13.1% of the City’s general fund. New utility user tax revenue should not prevent the City from providing additional funding for salary and benefits for the Santa Paula Police and Fire Departments through collective bargaining.

The City Council discussed possible exemptions to the utility users tax measure, including seniors on fixed incomes, disabled persons on fixed incomes, the use of the C.A.R.E. program established by the P.U.C. to determine exemptions, and

consideration for residents with very low-income and hardship cases. Mayor Aguirre offered to bring language to the City Manager for the City Council's consideration for possible exemptions for residents with very-low income and for hardship cases.

City Attorney Karl H. Berger noted that a policy would be needed on whether to consider an age component, an age and income component, or only an income component in determining exemptions to the utility users tax. He stated that he could provide several drafts of language and bring them back for the City Council's consideration.

The City Council discussed concerns with the amount of low-income households in Santa Paula and the amount of reduced revenue from the proposed utility users tax due to the amount of exemptions.

City Manager Wally Bobkiewicz responded to a question regarding whether figures were available from Southern California Edison for residents who qualify for exemptions by stating that he would contact Nancy Williams, Regional Manager for Southern California Edison.

The City Council spoke regarding their inability to carry out the campaign in order to sponsor the utility users tax measure and the need for a community group to develop and carry out the campaign. City Attorney Karl H. Berger responded to the discussion by stating that once this matter becomes a ballot measure, the City cannot use public resources or staff time to advocate one position or another. He noted that public resources may be used to educate the public regarding how the ballot measures would affect the public and public services, and that the City Council may adopt a resolution in support or opposition of the ballot measures.

### **CITY COMMUNICATIONS**

Mayor Aguirre stated that he would be attending the National Mayors' Conference in Boston from June 24 through June 27, 2004, and that he would bring back information from the conference.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Luna, seconded by Councilmember Cook, for staff to bring back a report on truck parking on Twelfth Street between Ventura Street and Harvard Boulevard. All were in favor, and the motion carried.

It was moved by Councilmember Luna, seconded by Councilmember Procter, for staff to bring back a study on the speed limit between Hallock Drive and Twelfth Street on Telegraph Road and Harvard Boulevard, between the bridge and Twelfth Street. 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 8:45 p.m.

ATTEST:

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Josephine G. Herrera  
Deputy City Clerk