

CALL TO ORDER

Mayor/Chair Aguirre called the meeting to order at 5:33 p.m.

ROLL CALL

Councilmember/Director Richard C. Cook, Councilmember/Director Ray C. Luna, 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 Berger, and Deputy City Clerk Josephine G. Herrera were also present. Councilmember/Director John T. Procter arrived at 5:50 p.m. City Clerk/Agency Secretary Steven J. Salas was absent.

PUBLIC COMMENT

There was no Public Comment.

ORDER OF BUSINESS

A. Interviews for Commission on Aging

Grace Dominick stepped up for her interview. She stated that she has served on the Commission on Aging for two years and enjoys working with the seniors. She responded to a question regarding the needs for the Senior Center by stating that she sees the need for larger facilities, storage area, pool tables, and additional senior activities. She also noted that she is working on recruiting two more members to serve on the Commission on Aging.

B. Interview for Mobile Home Rent Review Commission

Timothy J. Hicks stepped up for his interview. He stated that he has served on the Mobile Home Rent Review Commission since the 1980s, and that his duties are to listen to both sides regarding mobile home park rent increases.

CLOSED SESSION

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency to a Closed Session at 5:44 p.m. to discuss:

A. Conference with Labor Negotiator – Government Code § 54957.6. City Negotiator: City Manager Wally Bobkiewicz. Employee Organization: Police Commanders Unit.

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- B. Conference with Legal Counsel, Liability Claims – Government Code 54956.95. Name of Insurance JPA: Central Coast Cities Self Insurance Fund. Claimants: Workers Compensation Cases: Vivian Aguilera; Cynthia Chapek; John Coffelt; Kenneth Cott; Belinda Croswhite; Gary Marshall; Manuel Ruiz; Edward Vasquez. Agency Claimed Against: City of Santa Paula.
- C. Conference with Legal Counsel, Anticipated Litigation. Government Code Section 54956.9 (b). Significant exposure to litigation. Pursuant to Number of cases: one.
- D. Conference with Legal Counsel: Initiation of Litigation – Government Code § 54956.9(c). Initiation of Litigation. Number of potential cases: One.
- E. Conference with Legal Counsel, Existing Litigation. Government Code Section 54956.9(a). Name of Case: Santa Paula Memorial Hospital, Debtor, United States Bankruptcy Court, Central District of California, BK No. NE 03-1354-RR.

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency into Open Session at 6:48 p.m. No action was taken during the Closed Session.

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency at 6:48 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency at 6:55 p.m. Mr. Mark Eaton led the Invocation, and Mayor/Chair Aguirre led the Flag Salute.

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 Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk/Agency Secretary Steven J. Salas was absent due to his attending a meeting in Oxnard, California.

CLOSED SESSION REPORT

No action was taken during the Closed Session.

PRESENTATIONS

A. Presentation by School Resource Officer Rich Randolph Regarding the National Association of School Resource Officers

School Resource Officer Rich Randolph spoke regarding the School Resource Officer Program, which was reactivated and funded by the Santa Paula Union High School District. He distributed a copy of the Santa Paula Police Department's School Resource Officers Program Report for 2004. He noted that the Santa Paula Union High School District has not begun its School Resource Officer Program this year due to budget constraints. He also noted that Officer James Fogata nominated the Santa Paula Police Department and the School Resource Officer Program for the Regional Excellence Service Award, and that in July 2004, Officer Fogata, Police Chief Robert S. Gonzales, and he attend the National School Resource Officers Association Awards Ceremony in Phoenix, Arizona, where he was recognized as one of six School Resource Officers. The City Council commended Officer Randolph for his efforts and for impacting the quality of life in Santa Paula.

Jill Gregory, a teacher at Santa Paula High School, spoke in support of School Resource Officer Rich Randolph who has been a positive influence on campus.

B. Presentation by Deputy Public Works Director Rene Salas Regarding Santa Paula Beautiful

Deputy Public Works Director Rene Salas reported that the Santa Paula Beautiful event would be held on October 23, 2004, from 8:00 a.m. to 12:00 p.m. He noted that last year participants collected 700 tons of refuse. He also noted that a barbecue would be held after the event at the Gazebo.

C. Presentation by Deputy Public Works Director Rene Salas Regarding the Used Motor Oil and Latex Paint Collection Event, Saturday, October 2, 2004

Deputy Public Works Director Rene Salas reported that the Used Motor Oil and Latex Paint Collection Event would be held on October 2, 2004, from 9:00 a.m. to 2:00 p.m., at the Corporation Yard. He also noted that the next Community Drop Off Event would be held October 30, 2004, from 8:30 a.m. to 2:30 p.m.

D. Presentation by Economic Development Director Charmaine Stouder Regarding California State University Channel Islands Small Business Institute – Small Business Summit October 14, 2004

Economic Development Specialist Rochelle Margolin announced that the Small Business Summit would be held on October 14, 2004, beginning with a welcome by Mayor Aguirre and including Keynote Speaker Dan Diaz from Familia Diaz, and Dr. Richard Rush, President of California State University Channel Islands (CSUCI). She

stated that the Small Business Institute would launch the Small Business Loan Program and include a panel with members from the County, Small Business Institute at CSUCI, Small Business Development Center, Women's Economic Ventures, and the Economic Development Collaborative.

PUBLIC COMMENT

Margie Fox, 204 Laurie Lane, a Santa Paula resident for over 40 years, stated that she lives on a fixed income and is concerned with the cost for water, trash, and sewer. She noted that other utility companies offer discounts for senior citizens, and requested that the City consider offering a discount for senior citizens.

Rick Bianchi, 27200 Tourney Road, Valencia, representing Centex Homes, noted that a Fagan Canyon Scoping Meeting would be held September 22, 2004, at 6:30 p.m., at the Community Center, where the environmental impact review consultant would provide an overview and information on concerns brought forth by the community.

Eileen McCarthy, 338 S. A Street, Oxnard, representing California Rural Legal Assistance, spoke in support of the adoption of the Inclusionary Housing Ordinance.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

There were no City Council/Redevelopment Agency, staff communications.

APPROVAL OF FINAL AGENDA

Councilmember Procter suggested that Item 12L be moved up on the agenda. City Manager Wally Bobkiewicz suggested that Items 12B, 12C, and 12L be considered prior to the Public Hearing.

It was moved by Councilmember/Director Cook, seconded by Vice Mayor/Vice Chair Krause, to approve the final agenda as amended. All were in favor, and the motion carried.

CONSENT CALENDAR

It was moved by Vice Mayor/Vice Chair Krause, seconded by Councilmember/Director Cook, 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 No. 1123 - Waived second reading and adopted **ORDINANCE NO. 1123**, AN ORDINANCE AMENDING CHAPTER 119 OF THE SANTA PAULA MUNICIPAL CODE IN ITS ENTIRETY FOR REGULATING MASSAGE CLINICS AND MASSAGE TECHNICIANS WITHIN THE CITY'S JURISDICTIONS. Deputy City Clerk Josie G. Herrera's report dated September 9, 2004.
- C. Adoption of Ordinance No. 1121 – Waived second reading and adopted **ORDINANCE NO. 1121**, AN ORDINANCE APPROVING A ZONE CHANGE FROM RURAL RESIDENTIAL (R-A-20) ZONE TO SINGLE-FAMILY RESIDENTIAL (R-1) ZONE FOR PROPERTY LOCATED AT 247 GRANT LINE STREET, APN 107-0-180-390 AND 107-0-180-400. Deputy City Clerk Josie G. Herrera's report dated September 9, 2004.
- D. Adoption of Inclusionary Housing Ordinance No. 1119 – 1) Waived second reading and adopted the Inclusionary Housing Ordinance No. 1119. **ORDINANCE NO. 1119**, AN ORDINANCE ADDING A NEW CHAPTER 16.13.400 TO THE SANTA PAULA MUNICIPAL CODE ENTITLED "INCLUSIONARY HOUSING" ESTABLISHING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT TO INCLUDE HOUSING FOR LOW AND VERY LOW INCOME HOUSEHOLDS. Interim Planning Director Janna Minsk's report dated September 10, 2004.
- E. Annual COPS Grant Report – Received the report and filed the annual activity report for the Supplemental Law Enforcement Services Fund (SLESF) also known as the Citizens Option for Public Safety (COPS) Grant for the fiscal year ending June 30, 2004. Finance Director Alvertina Rivera's report dated September 14, 2004.
- F. Out-of-State Travel Report – Accepted the report and approved the out-of-state travel for Acting Fire Captain Steve Lazenby to attend the 2004 National CERT Conference at FEMA on September 8 and 9, 2004. Fire Chief Paul L. Skeels' report dated September 14, 2004.
- G. 2004 Homeland Security Grant – Adopted Resolution No. 6120 appointing Fire Chief Paul L. Skeels, with Police Chief Robert S. Gonzales and Finance Director Alvertina Rivera as alternates, to execute any actions necessary for obtaining financial assistance related to the FY04 Homeland Security Grant. **RESOLUTION NO. 6120**, A RESOLUTION APPOINTING PAUL L. SKEELS, FIRE CHIEF, WITH CHIEF OF POLICE ROBERT GONZALES AND FINANCE DIRECTOR TINA RIVERA AS AUTHORIZED AGENTS AND ALTERNATES, TO EXECUTE ACTIONS NECESSARY FOR OBTAINING FEDERAL FINANCIAL ASSISTANCE THROUGH THE COUNTY OF VENTURA AND THE STATE OF

CALIFORNIA FROM THE 2004 HOMELAND SECURITY GRANT PROGRAM; authorize execution of the Grant Assurances, the Confirmation of Requested purchases, Expenditures, and the Contact Information for the Grant Administrator; direct staff to procure the fire and police equipment described in the grant applications; appropriate the anticipated grant proceeds (totaling \$69,169) for Fire in the amount of \$35,000 to Account 313.025.7502.74033 to be disbursed from Account 313.025.2504.8610, and for Police in the amount of \$34,169 to Account 313.045.7502.74033 to be disbursed from Account 313.045.4504.8610; accept and maintain the listed equipment for the Emergency Operations Center which will be distributed by the County Sheriff's Office of Emergency Services; and utilize the additional \$1,764 on a reimbursement basis for the City's emergency services coordinator to participate in emergency management training. Fire Chief Paul L. Skeels' report dated September 13, 2004.

- H. Contract with Rincon Consultants, Inc., for Preparation of an Environmental Impact Report (EIR) Regarding the Proposed A.J. Diani Asphalt Concrete Plant and Asphalt Recycling Facility (2004-CDP-03) – Authorized the City Manager to sign and execute a professional services agreement, in a form approved by the City Attorney, between the City of Santa Paula and Rincon Consultants, Inc., for preparation of an Environmental Impact Report (EIR) for the proposed A.J. Diani Asphalt Concrete Plant and Recycling Facility, in an amount not to exceed \$44,680. Interim Planning Director Janna Minsk's report dated September 9, 2004.
- I. Contract with Rincon Consultants, Inc., for Preparation of an Environmental Impact Report (EIR) Regarding the Proposed Sully Miller Construction Hot Mix Asphalt Plant (2004-CDP-05) – Authorized the City Manager to sign and execute a professional services agreement in a form approved by the City Attorney between the City of Santa Paula and Rincon Consultants, Inc., for preparation of an Environmental Impact Report (EIR) for the proposed Sully Miller Construction Hot Mix Asphalt Plant, in an amount not to exceed \$43,880. Interim Planning Director Janna Minsk's report dated September 9, 2004.
- J. Police Vehicle Purchase – Approved the purchase of two 2004 Ford Crown Victoria police package vehicles from Folsom Lake Ford of Folsom, California, in the amount of \$52,656.20. Police Chief Robert S. Gonzales' report dated September 13, 2004.

ORDER OF BUSINESS

- B. Ordinance Requiring Removal of Dog Waste

City Manager Wally Bobkiewicz's report dated August 6, 2004.

It was moved by Councilmember Luna, seconded by Councilmember Procter, to introduce and waive first reading of the draft ordinance, and schedule second reading of the ordinance on October 4, 2004. All were in favor, and the motion carried.

ORDINANCE NO. 1120

AN ORDINANCE ADDING SECTION 91.015 TO THE SANTA PAULA MUNICIPAL
CODE REQUIRING THE REMOVAL OF DOG WASTE

C. Residential Land Use Designation for Portion of Santa Paula Memorial Hospital Property

City Manager Wally Bobkiewicz presented the report dated September 14, 2004.

The City Council discussed the possibility of a restaurant site on the hospital's property; concerns with the hospital's outstanding debt to the hospital employees' retirement fund; concentrating on moving this forward; protecting the hospital asset; and the urgency of resolving this issue before a loss of the hospital's license at the end of this year. The City Council also thanked community members who have come before the City Council to encourage them to take steps to reopen the hospital.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to direct the City Manager to: 1) begin identifying proposed land use changes for undeveloped property of Santa Paula Memorial Hospital in order to create a project description; and 2) issue a Request for Proposals for environmental review of the proposed project. All were in favor, and the motion carried.

L. Consideration of Membership in the Ventura County Regional Energy Alliance

City Manager Wally Bobkiewicz's report dated September 14, 2004.

Cheryl Collard, representing the Ventura County Regional Energy Alliance, distributed information regarding the Ventura County Regional Energy Alliance and the Ventura County Energy Resource Center. She noted that the alliance was formed in order to have a regional approach to energy, and that the alliance receives funding through the California Public Utilities Commission and the Ventura County Economic Development Corporation. She responded to a question regarding energy audits by stating that energy usage could be tracked in order to chart potential savings in gas and electricity usage. She further responded to a question regarding the use of public goods money by stating that these are tax funds collected through utility payments that are set aside for use for the greater public good.

It was moved by Councilmember Procter, seconded by Vice Mayor Krause, to direct the City Attorney to bring back to the October 4, 2004 City Council Meeting the appropriate documents to join the alliance and action to appoint a representative from the City Council to serve on this board. All were in favor, and the motion carried.

PUBLIC HEARING

A. **Update of Development Code and Zoning Map (continued), Ordinance Nos. 1103 and 1105**

City Manager Wally Bobkiewicz asked the City Council to continue consideration of Ordinance No. 1103 to the October 18, 2004 City Council Meeting.

Associate Planner Heather Davis' report September 20, 2004. She noted a clerical error in the last sentence of Section 16.50.100C which should read "thirty-six inches" rather than "eighteen inches."

The City Council discussed concerns with the need for more time to review the ordinance, the types of antennas and wireless telecommunication facilities regulated by the proposed ordinance, and reevaluating the language in Section 16.50.080C, numbers 5, 6, 7, and 8.

Alan Llorens, 2244 Walnut Grove, Rosemead, Manager of External Affairs for Southern California Edison, asked the City Council to consider continuing this item in order to allow the wireless industry and other stakeholders to review and weigh the impacts of this ordinance. He also recommended that City staff hold an industry workshop to provide an opportunity for discussion prior to bringing the ordinance back for adoption. He responded to a question regarding his concerns by stating that the ordinance needs clarification on the definition of some terms and that he feels it would be important to have wireless companies review the proposed ordinance.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to continue the hearing for Ordinance Numbers 1103 and 1105 to the October 18, 2004 Regular City Council Meeting.

A discussion ensued regarding the possibility of amending the motion to include holding a workshop to receive input from wireless companies. Councilmember Cook chose not to amend his motion. Councilmember Luna called for the question.

All were in favor, and the motion carried.

RECESS TO A BREAK

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency to a break at 8:30 p.m.

RECONVENE TO REGULAR MEETING

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency at 8:41 p.m.

City Manager Wally Bobkiewicz asked the City Council to consider revisiting the agenda in order to reschedule Item 12F to the October 4, 2004 City Council Meeting, and reschedule Items 12H and I to the September 27, 2004 Special City Council Meeting. It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to reschedule Item 12F to the October 4, 2004 City Council Meeting, and reschedule Items 12H and I to the September 27, 2004 Special City Council Meeting. All were in favor, and the motion carried.

Councilmember Cook wished Deputy City Clerk Josie G. Herrera a Happy Birthday. Ms. Herrera stated that it was a pleasure to spend her birthday with the City Council.

B. Bureau of Justice Assistance (BJA) Local Block Grant

Mayor Aguirre opened the Public Hearing at 8:44 p.m.

City Manager Wally Bobkiewicz presented Police Chief Robert S. Gonzales' report dated September 1, 2004.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to approve allocations of \$9,214 towards the Gang/Graffiti Eradication Program and continued support of the Special Response team, and establish a budget under fund 408 and authorize staff to apply any interest earnings towards any of the above purpose areas. All were in favor, and the motion carried.

Mayor Aguirre closed the Public Hearing at 8:45 p.m.

ORDER OF BUSINESS

A. Update on Water Recycling Facility (WRF) Project, Approval of Professional Services Proposal from Boyle Engineering Corporation to Develop a Source Control Report, Authorization for Request for Proposals (RFP) for the WRF Design and RFP for New Corporation Yard Space Use Study

Deputy Public Works Director Rene Salas presented Public Works Director/City Engineer Clifford G. Finley's report dated September 14, 2004, and a Power Point Presentation.

Dora Crouch, 739 Yale Street, asked whether an attempt was made to consider discrete sewer systems in neighborhoods as an alternative to connecting to a city sewer system. She also asked that the Public Works Department reply to some of the other suggestions she had previously submitted. Councilmember Cook stated that he would provide Dr. Crouch with information from the Ventura Regional Sanitation District regarding on-site treatment facilities for residences that are on septic tanks outside of city limits.

City Attorney Karl H. Berger noted that until the final environment impact report is certified, the City Council could not make a decision regarding the actual water recycling facility. However, the City Council needs to move forward on the Request for Qualifications to select a design consultant and an architectural consultant in order to give them a project to design at the time the City Council makes its decision with regard to the actual water recycling facility.

The City Council discussed the tour of other community wastewater treatment plants and addressed their concern with the Membrane Biological Reactor system and the availability of filters. The City Council also thanked Mr. and Mrs. Robert Vogel for accompanying the City Council on the tour and providing their input.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to approve Task Order #1 for Professional Services with Boyle Engineering Corporation per existing approved contract #99498 dated October 20, 2003, for preparation of the Source Control Report, authorize the City Manager to execute the Agreement on behalf of the City, and direct staff to begin the RFP/RFQ process to select an architectural/planning firm to conduct a space use study for the WRF Corporation Yard/Administration Building. All were in favor, and the motion carried.

It was moved by Mayor Aguirre, seconded by Councilmember Procter, to direct staff to schedule a Special City Council Meeting on December 8, 2004, at 6:30 p.m., to deal with the issues regarding the water recycling facility. All were in favor, and the motion carried.

D. Implementation of Citywide Visioning Plan

City Manager Wally Bobkiewicz's report dated September 14, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to adopt the City Citywide Vision Implementation Plan. All were in favor, and the motion carried.

It was moved by Mayor Aguirre, seconded by Vice Mayor Krause, to direct the Mayor to invite the Board of Trustees of the Santa Paula Elementary School District and the Santa Paula Union High School District to a special meeting with the City Council to

discuss implementation of the Citywide Visioning Plan. All were in favor, and the motion carried.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to direct the City Manager to convene the Vision Implementation Steering Committee. All were in favor, and the motion carried.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to direct the City Manager to return to the City Council with updates on the implementation of the plan each quarter. All were in favor, and the motion carried.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to request the Vision Implementation Steering Committee return to the City Council every six months (beginning in April 2005) with status reports. All were in favor, and the motion carried.

E. Construction of Pergola in Ebell Park

Building and Safety Director Stephen R. Stuart's report dated September 13, 2004. He responded to a question regarding the 6' x 6' posts and whether they would be consistent with the architecture of the Ebell Club building by stating that the reason this size post was selected was in order to be consistent with the hardware and connections needed to tie into the upper beams and foundation; however, the posts could be changed in order to be consistent with the Ebell Club.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to adopt Resolution No. 6122 authorizing construction of a 14' x 14' Pergola (lattice patio) in Ebell Park; 2), authorize the City Manager to execute a contract in a form approved by the City Attorney with Santa Paula Rotary Club; and 3) direct City Manager Wally Bobkiewicz and Building and Safety Director Stephen R. Stuart to discuss the City Council's concerns with the Santa Paula Rotary Club regarding the 6' x 6' posts. All were in favor, and the motion carried.

RESOLUTION NO. 6122

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF A PERGOLA IN EBELL PARK PURSUANT TO GOVERNMENT CODE SECTION §830.6 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ROTARY INTERNATIONAL WITHOUT THE NEED FOR COMPETITIVE BIDDING AS OTHERWISE REQUIRED BY THE SANTA PAULA MUNICIPAL CODE

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/Director Cook,

seconded by Vice Mayor/Vice Chair Krause, to extend the meeting for 30 minutes. All were in favor, and the motion carried.

F. Update of the Development Code – Sign Ordinance – This item was rescheduled to the October 4, 2004 Regular City Council Meeting.

G. Customer Service Program Update

Assistant to the City Manager Melissa Grisales provided an oral report on the Customer Service Program. She distributed a copy of the recommendations made by the Citywide Employee Customer Service Committee. She also noted that the committee had developed a matrix of customer service cards that is being used for tracking comments received from the public.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to receive and file the report. All were in favor, and the motion carried.

H. McKevett Road Neighborhood Pilot Traffic Planning Program – This item was rescheduled to the September 27, 2004 Special City Council Meeting.

I. Speed Limit Study on Harvard Boulevard/Telegraph Road between Twelfth Street and Hallock Drive – This item was rescheduled to the September 27, 2004 Special City Council Meeting.

J. Award of Las Piedras Park Restroom Project to Apex General Contractors, Inc.

Public Works Director/City Engineer Clifford G. Finley's report dated September 10, 2004.

It was moved by Councilmember Procter, seconded by Vice Mayor Krause, to: 1) direct staff to execute a contract for the Las Piedras Park Restroom Project with Apex General Contractors, Inc., for \$98,791; 2) approve a project budget of \$110,000 to include a 10% contingency to complete the project; 3) re-allocate \$9,264 from the fund balance of the Parks/Recreation Facilities Fund 200; and 4) reprogram \$22,059.96 of CDBG funds from the completed railroad depot rehabilitation and fire sprinkler projects. All were in favor, and the motion carried.

K. Reduce the Membership of the Santa Paula Planning Commission

City Manager Wally Bobkiewicz and City Attorney Karl H. Berger's report dated September 14, 2004.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to introduce and waive first reading of Ordinance No. 1124 reducing the membership of the Santa Paula Planning Commission, and schedule second reading for the October 4, 2004 Regular City Council Meeting. All were in favor, and the motion carried.

ORDINANCE NO. 1124

AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE §32.80 TO REDUCE THE MEMBERSHIP OF THE SANTA PAULA PLANNING COMMISSION FROM SEVEN TO FIVE PERSONS

M. Appointment of Recreation Commissioner

Deputy City Clerk Josie G. Herrera's report dated September 10, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to reappoint Dennis Katz to the Recreation Commission for a three-year term to fill Seat Number 4, with term to expire August 2007. All were in favor, and the motion carried.

N. Appointment of Members to the Appeals Board

Deputy City Clerk Josie G. Herrera's report dated September 10, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to reappoint Dennis Katz to the Appeals Board for a four-year term to fill Seat No. 5, with term to expire June 2008. All were in favor, and the motion carried.

A discussion ensued regarding the vacancy for Seat No. 3 and the fact that the current member filling Seat No. 3 presented correspondence to the City Council the night of his interview, however, he was not present during the interview process.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to reopen the recruitment process to fill the one remaining vacancy on the Appeals Board.

City Attorney Karl H. Berger responded to a question regarding vacancies on boards and commissions by stating that there was a change in the ordinance that allows current incumbents to remain in their seats until such time as a new appointed member is assigned, or the City Council may declare the seat vacant.

Councilmember Cook amended his motion to consider Seat No. 3 vacant. There was no second to the amended motion.

Councilmember Cook stated for the record that Wayne Allee did not appear for his interview, and he emphasized the importance of applicants appearing for their interview

as an indication of continued interest. He also suggested that Mr. Allee could reapply to continue serving on the Appeals Board.

City Manager Wally Bobkiewicz responded to a question regarding whether Mr. Allee would have another opportunity to appear for an interview by stating that the City Council could either declare Seat No. 3 vacant to end Mr. Allee's term and allow Mr. Allee to reapply, or seek additional candidates and allow Mr. Allee to remain in his seat until the City Council appoints a new member. He further responded to a question regarding when the term expired by stating that the current term expired in June.

It was moved by Vice Mayor Krause, seconded by Mayor Aguirre, to request additional applicants and not declare the seat vacant.

Peggy Kelly, representing the *Santa Paula Times*, noted that she had erred on a story she had written a few weeks ago regarding appointments to the Appeals Board, and that she had assumed that the incumbents who had not appeared for their interviews were reappointed. She apologized for any misunderstanding.

Councilmember Procter, Vice Mayor Krause, and Mayor Aguirre were in favor. Councilmember Cook and Councilmember Luna were opposed. The motion carried.

O. Consideration of Rescheduling November 1, 2004 Regular City Council Meeting

City Manager Wally Bobkiewicz's report dated September 15, 2004.

It was moved by Mayor Aguirre, seconded by Councilmember Cook, to reschedule the November 1, 2004 Regular City Council Meeting to Monday, November 8, 2004. All were in favor, and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz noted that a joint meeting would be held with the Santa Paula Housing Authority Board of Commissioners on September 27, 2004, and that Regular City Council Meetings would be held on October 4 and October 18, 2004.

Councilmember Luna thanked everyone who sent cards and phoned him after his recent surgery.

Mayor Aguirre invited everyone to attend the Ojai Peacefest on September 26, 2004.

FUTURE AGENDA ITEMS

It was moved by Councilmember Luna, seconded by Councilmember Procter, for a report for discussion by the City Council on options for rate reductions for seniors or

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low-income residents for city water, trash, and sewer, bring back information on discounts offered by other communities and other utilities providers, and bring back rate comparisons from other jurisdictions in the county. All were in favor, and the motion carried.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to consider amending the Development Code to allow dwelling units of 500 square feet or more in size as opposed to the new Development Code's minimum of 600 square feet. All were in favor, and the motion carried.

Vice Mayor Krause asked for a discussion at the September 27, 2004 Special City Council Meeting with the Santa Paula Housing Authority Board of Commissioners regarding their meeting times.

ADJOURNMENT

There being no further business to come before the City Council/Redevelopment Agency, Mayor/Chair Aguirre adjourned the meeting at 10:09 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk