

CALL TO ORDER

Mayor/Chair Aguirre called the meeting to order at 5:36 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/General Counsel Karl H. Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk/Agency/Authority Secretary Steven J. Salas was absent.

PUBLIC COMMENT

There was no Public Comment.

ORDER OF BUSINESS

A. Interviews for Recreation Commission

Timothy J. Hicks stepped up for his interview. He stated that during his current term serving on the Recreation Commission he has assisted with giving direction to move projects forward such as the Skate Park. He also stated that he would like to provide input on setting up areas that may be reserved in city parks and provide input on city programs.

CLOSED SESSION

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency/Community Healthcare Authority to a Closed Session at 5:41 p.m. to discuss:

- A. 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.
- B. Conference with Legal Counsel: Initiation of Litigation. – *Government Code § 54956.9(c).* Initiation of Litigation. Number of potential cases: One.
- C. Conference with Labor Negotiator. *Government Code 54957.6.* City Negotiator: City Manager Wally Bobkiewicz. Employee Organization: Police Commanders Unit.

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency/Community Healthcare Authority into Open Session at 6:35 p.m. No action was taken during the Closed Session.

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency/Community Healthcare Authority at 6:35 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency/Community Healthcare Authority at 6:44 p.m. Mayor/Chair Aguirre dedicated the meeting in the memory of John A.F. Melton who passed away on September 27, 2004, and who served on the City Council for 24 years. Pastor Ron Dybvig 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/General Counsel Karl H. Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk/Agency/Authority Secretary Steven J. Salas was absent due to his having car trouble in Los Angeles.

CLOSED SESSION REPORT

No action was taken during the Closed Session.

PRESENTATIONS

A. **Presentation by Police Department Regarding Calls for Service and Gang Awareness Education Program**

Police Chief Robert S. Gonzales spoke regarding the partnership between the City and the Ventura County Probation Agency. He introduced Police Officer Robert Cooper and Tony Machuca, Tracy Merrick, and Lisa McGowan from the Ventura County Probation Agency.

Tony Machuca, Deputy Probation Officer, provided a Power Point Presentation on gang awareness, which would also be presented to Isbell Middle School students.

Officer Robert Cooper stated that the Police Department engages in a zero tolerance policy regarding gang activities, and that the Police Department and the Ventura County Probation Agency interact with juveniles and their family members to seek alternatives

to a gang lifestyle. He also noted that Tracy Merrick helps the youth by providing counseling on drug and alcohol abuse and gang prevention, and coordinating field trips.

Police Chief Robert S. Gonzales provided a presentation on calls for service for Part I and Part II Crimes. He noted that Police staff has only increased from 28 Police Officers in 1978 to 31 Police Officers in 2004, and that many of the increased positions are funded through grants.

B. Proclamation – Fire Prevention Week

Councilmember Luna presented a proclamation to Fire Chief Paul L. Skeels proclaiming the week of October 3 – 9 as Fire Prevention Week. Fire Chief Paul L. Skeels thanked the City Council for their consideration, and noted that the Fire Department is involved with providing education, summer and autumn weed abatement, general inspections, hazardous materials inspections, and inspections at schools.

C. Proclamation – California-Mexico Binational Health Week

Mayor/Chair Aguirre presented a proclamation to Fernando Gamboa from the Mexico Consulate recognizing the week of October 10 – 17, 2004, as California-Mexico Binational Health Week. Mr. Gamboa stated that it was an honor to receive the proclamation on behalf of the people who have worked for several months to improve the health of the community.

Elvia Guizar, Coordinator for the California-Mexico Binational Health Week, invited everyone to participate in the Tri-counties Binational Health Week, and noted that the local task force would provide medical screenings countywide at clinics and hospitals. She also noted that a health conference entitled “Health Promotion – A Change” would be held on October 11, 2004, at the Courtyard Marriott.

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

Deputy Public Works Director Rene Salas noted that the Santa Paula Beautiful Event would be held October 23, 2004, from 8:00 a.m. to 12:00 p.m. He asked for volunteers to help clean sidewalks, curbs, and gutters, and help with small landscaping projects. He recognized Auto Racing Products for its \$1,000 donation, and ECO Resources for donated t-shirts. Lastly, he noted that a barbecue would be held afterward at the Gazebo.

PUBLIC COMMENT

John Masteller, 125 E. Eliot Street, expressed his concerns with the proposed Plaza Amistad development project on Santa Barbara Street between Dean Drive and Palm

Avenue. He asked the City Council to consider the impact this project would have on the immediate neighborhood. He also asked the City Council to consider denying this project due to negative consequences from high-density development, high crime rates, traffic congestion, children's safety, and impacts on the quality of life. City Manager Wally Bobkiewicz noted that Cabrillo Economic Development Corporation had not yet submitted an application for this project.

**CITY COUNCIL/REDEVELOPMENT AGENCY/COMMUNITY HEALTHCARE
AUTHORITY, STAFF COMMUNICATIONS**

Councilmember/Director Procter sent his best wishes to the family of John A.F. Melton.

Deputy City Clerk Josie G. Herrera stated that the City has a sufficient number of bilingual pollworkers; however, more are welcome in case of last minute cancellations. She asked that anyone interested in serving as a pollworker call the City Clerk's office at 933-4208 or call City Clerk Steven J. Salas at 525-0601. She also reminded everyone that the last day to register to vote would be October 18, 2004, and that voter registration forms were available at City Hall. Lastly, she stated that a form to request voting materials in Spanish was available at City Hall.

APPROVAL OF FINAL AGENDA

City Manager/Executive Director Wally Bobkiewicz asked that Item 11F be moved to after Item 11B.

It was moved by Councilmember/Director Luna, 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 Luna, 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. Warrants and Certifications - Reviewed, approved, and filed the attached warrants and certifications. Finance Director Alvertina Rivera's report dated September 27, 2004.

Regular City Council/Redevelopment Agency/Community Healthcare Authority Meeting
Monday, October 4, 2004
City Hall Administration Conference Room and Council Chambers

Invoices	09/02/04	\$ 465,140.46
Wire Transfers	09/01/04	\$ 30,767.06
Invoices	09/10/04	\$ 84,662.19
Wire Transfers	09/10/04	\$ 6,643.01
Invoices	09/16/04	\$ 204,134.27
Wire Transfers	09/15/04	\$ 37,321.50
Wire Transfers	09/23/04	\$ 6,363.17
Salaries	09/10/04 & 09/24/04	<u>\$ 634,942.05</u>
TOTAL		\$1,469,973.71

- C. Minutes – Adopted the Minutes from the September 20, 2004 Regular City Council/Redevelopment Agency Meeting.
- D. Adoption of Ordinance No. 1120 – Waived second reading and adopted **ORDINANCE NO. 1120**, AN ORDINANCE ADDING SECTION 91.015 TO THE SANTA PAULA MUNICIPAL CODE REQUIRING THE REMOVAL OF DOG WASTE. Deputy City Clerk Josie G. Herrera’s report dated September 27, 2004.
- E. Adoption of Ordinance No. 1124 – Waived second reading and adopted **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. Deputy City Clerk Josie G. Herrera’s report dated September 27, 2004.
- F. Resolution Establishing General Guidelines Regarding Responding to Requests for Public Records – Adopted **RESOLUTION NO. 6129**, A RESOLUTION ESTABLISHING GENERAL GUIDELINES REGARDING RESPONDING TO REQUESTS FOR PUBLIC RECORDS. City Manager Wally Bobkiewicz’s report dated September 29, 2004.
- G. Approval of a Planning Service Agreement with RBF Consultants for the Santa Paula Community Healthcare Authority Planning Projects – The Santa Paula Community Healthcare Authority authorized the Executive Director to execute an Agreement in a form approved by General Counsel. Interim Planning Director Janna Minsk’s report dated September 28, 2004.
- H. School Resource Officer Contract – Santa Paula Elementary School District – Approved a three-year contract in a form approved by the City Attorney with the Santa Paula Elementary School District for a grant funded School Resource Officer at Isbell Middle School. Police Chief Robert S. Gonzales’ report dated September 21, 2004.

ORDER OF BUSINESS

A. Co-sponsorship of the 55th Annual Santa Paula Optimist Club Christmas Parade

City Manager/Executive Director Wally Bobkiewicz's report dated September 28, 2004.

Ron Merson, representing the Santa Paula Optimist Club, noted that the parade would be held November 27, 2004, at 10:00 a.m., with the theme *The Night Before Christmas*. He stated that the Christmas Parade would have more advertising and would be filmed by Adelphia Cable. Lastly, he invited everyone to attend the parade.

It was moved by Vice Mayor/Vice Chair Krause, seconded by Councilmember/Director Luna, to: 1) approve co-sponsorship of the 55th Annual Santa Paula Optimist Club Christmas Parade; 2) authorize the City Manager to execute a sponsorship agreement with the Santa Paula Optimist Club; 3) authorize use of one of five annual cablecasts by Adelphia Cable Company for the parade, and 4) that the Redevelopment Agency Board of Directors donate \$1,500 for the purchase of a reusable Main Street banner and advertising for the parade. All were in favor, and the motion carried.

B. Update of the Development Code – Sign Ordinance

Associate Planner Heather Davis' report dated September 20, 2004, and Power Point Presentation.

The City Council discussed a typographical error in Section 1E which should read, "distract drivers" rather than "district drivers;" and ensuring that the dates for all religious and secular holiday periods are included in Section 16.48.200 Roof Signs. The City Council also discussed concerns with Section 16.48.230J Professional and Business Shingles and whether an allowance should be made to allow commercial signs in a live/work area. City Attorney Karl H. Berger responded to the discussion by stating that a subsequent ordinance could be adopted to amend the zone designation.

City Attorney Karl H. Berger responded to a question regarding handheld signs and free speech implications by stating that the general rule is to create regulations that are content neutral and that the ability to regulate signage must be based on the time, place, and manner in which signs are erected rather than the content of the message of the signs. Further, the City Council may restrict vendors with handheld commercial signs for traffic, public health, and safety reasons. Also, persons waving free speech signs have the right to do so as long as they do not interfere with pedestrians and vehicle traffic.

It was moved by Councilmember Cook, to introduce and waive first reading of Ordinance No. 1122 which regulates signs.

City Attorney Karl H. Berger noted that the City Council had commented on the typographical error on Section 1E which should read “distract drivers,” and Section 16.48.200 Roof Signs to include all holiday time periods. Vice Mayor Krause suggested that the holiday time period be designated as November 14 through January 14.

Councilmember Cook amended his motion to correct the typographical error on Section 1E to read “distract drivers” and to designate November 14 through January 14 as the holiday time period for Section 16.48.200 Roof Signs. Vice Mayor Krause seconded the amended motion. All were in favor, and the motion carried.

ORDINANCE NO. 1122

AN ORDINANCE REPEALING CHAPTER 153 OF THE SANTA PAULA MUNICIPAL CODE AND ADDING A NEW CHAPTER 16.48 TO TITLE 16 FOR REGULATING THE TIME, PLACE, AND MANNER THAT SIGNS ARE ERECTED AND CONSTRUCTED WITHIN THE CITY’S JURISDICTION

F. Policies for Using, Retaining, and Purging Electronic Communications Including Electronic Mail and Voicemail

City Manager Wally Bobkiewicz’s report dated September 28, 2004.

City Attorney Karl H. Berger noted a correction to the title of Resolution No. 6128 which should read, “A Resolution Establishing a Policy for Using Electronic Communications Including Electronic Mail and Voicemail.”

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to adopt Resolution No. 6128 as amended, and to adopt Resolution No. 6127. All were in favor, and the motion carried.

RESOLUTION NO. 6128

A RESOLUTION ESTABLISHING A POLICY FOR USING ELECTRONIC COMMUNICATIONS INCLUDING ELECTRONIC MAIL AND VOICEMAIL

RESOLUTION NO. 6127

A RESOLUTION ESTABLISHING A POLICY FOR RETAINING AND PURGING ELECTRONIC MAIL AND VOICEMAIL

RECESS TO A BREAK

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency/Community Healthcare Authority to a break at 8:36 p.m. City/Agency Attorney/General Counsel Karl H. Berger departed from the meeting during the break.

RECONVENE TO REGULAR MEETING

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency/Community Healthcare Authority at 8:49 p.m. Councilmember/Director Cook was not present.

C. FY 2003/04 Year End Report

Finance Director Alvertina Rivera's report dated September 27, 2004, and Power Point Presentation.

Councilmember/Director Cook returned to the Council Chambers at 8:53 p.m.

The Statement of Revenues and Expenditures was received and filed.

D. FY 2004/05 City Council Goals and Priority Projects Update

City Manager Wally Bobkiewicz provided a Power Point Presentation. The report was received and filed.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 9:32 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember/Director Cook, seconded by Councilmember/Director Procter, to extend the meeting for one hour. All were in favor, and the motion carried.

E. Information Technology Division Upgrades

City Manager Wally Bobkiewicz's report dated September 28, 2004.

The City Council discussed concerns with the use of reserve funds and with the workload and work hours of the current employee in charge of information technology.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to: 1) allocate \$80,145 from the Reserve Fund to the General Fund – Information Technology Division for upgrades in hardware, software, and personnel, and 2) adopt Resolution No. 6130 adding an Information Technology Assistant position to the Position Control Listing of Authorized Positions. All were in favor, and the motion carried.

RESOLUTION NO. 6130

A RESOLUTION AMENDING RESOLUTION 5598 WHICH AMENDS THE POSITION
CONTROL PLAN

G. Customer Service Standards and Service Delivery Education Program City Manager Wally Bobkiewicz suggested that this item be rescheduled to a future meeting.

H. Appointment of Representative to Ventura County Transportation Commission

City Manager Wally Bobkiewicz's report dated September 28, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to appoint Councilmember Procter as the representative member and Councilmember Luna as the alternate member to represent Santa Paula on the Ventura County Transportation Commission (VCTC) beginning November 5, 2004. All were in favor, and the motion carried.

I. Membership in Ventura County Regional Energy Alliance and Appointment of City Representative and Alternate

City Manager Wally Bobkiewicz's report dated September 28, 2004.

It was moved by Councilmember Cook, seconded by Councilmember Luna, to adopt Resolution No. 6126 which authorizes the City to join the Ventura County Regional Energy Alliance. All were in favor, and the motion carried.

RESOLUTION NO. 6126

A RESOLUTION ADOPTED BY THE SANTA PAULA CITY COUNCIL TO JOIN THE
VENTURA COUNTY REGIONAL ENERGY ALLIANCE

It was moved by Councilmember Luna, seconded by Vice Mayor Krause, to appoint Councilmember Procter as the representative and Vice Mayor Krause as the alternate to the Ventura County Regional Energy Alliance Board of Directors. All were in favor, and the motion carried.

J. Appointment of Commissioner to the Santa Paula Commission on Aging

City Manager Wally Bobkiewicz's report dated September 24, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to reappoint Grace Dominick to the Commission on Aging to fill seat No. 3 for a two-year term, with term to expire on August 31, 2006. All were in favor, and the motion carried.

K. Appointment of Commissioner to the Santa Paula Mobile Home Rent Review Commission

City Manager Wally Bobkiewicz's report dated September 24, 2004.

It was moved by Councilmember Luna, seconded by Vice Mayor Krause, to reappoint Timothy J. Hicks to the Mobile Home Rent Review Commission to fill Seat No. 1 for a two-year term, with term to expire on August 31, 2006. All were in favor, and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz stated that the elementary and high school district Board of Trustees would be invited to meet jointly with the City Council to discuss the Visioning Implementation Plan and receive an update from the school boards, and that the proposed meeting would be held and televised on November 16, 2004, at 6:30 p.m., at the Community Center. He also noted that he would be out of the office October 6 through 10, 2004, and October 18 through 20, 2004, and that Public Works Director/City Engineer Clifford G. Finley would be the Acting City Manager.

FUTURE AGENDA ITEMS

It was moved by Councilmember Procter, seconded by Mayor Aguirre, to consider a resolution to oppose Proposition 68. All were in favor, and the motion carried.

It was moved by Councilmember Procter, seconded by Vice Mayor Krause, to consider a resolution to support Proposition 1A. All were in favor, and the motion carried.

ADJOURNMENT

There being no further business to come before the City Council/Redevelopment Agency/Community Healthcare Authority, Mayor/Chair Aguirre adjourned the meeting at 9:58 p.m. in honor of John A.F. Melton.

ATTEST:

Josephine G. Herrera
Deputy City Clerk