

CALL TO ORDER

Mayor/Chair Aguirre called the meeting to order at 5:34 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. Acting City Manager/Acting Executive Director Clifford G. Finley, City/Agency Attorney Karl Berger, and Deputy City Clerk Josephine G. Herrera were also present. City Clerk/Agency Secretary Steven J. Salas was absent. City Manager/Executive Director Wally Bobkiewicz was absent due to his attending a conference.

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency to a Closed Session at 5:35 p.m. to discuss:

- A. Conference with Labor Negotiator – Government Code § 54957.6. City Negotiator: Assistant to the City Manager Melissa Grisales. Employee Organizations: Santa Paula Police Commanders Unit, Santa Paula Community Service Officers Unit, Santa Paula Police Officers Association, Santa Paula Public Employees Association (SEIU Local 998), Santa Paula Fire Fighters Association, Ventura County Professional Firefighters Association, Mid-management, Confidential, Part-time, Temporary, and Seasonal Employees Groups.
- B. 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.

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency into Open Session at 6:09 p.m. No action was taken during the Closed Session.

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency at 6:09 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency at 6:33 p.m. 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. Acting City Manager/Acting Executive Director Clifford G. Finley, City/Agency Attorney Karl Berger, City Clerk/Agency Secretary Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

CLOSED SESSION REPORT

No action was taken during the Closed Session.

PRESENTATIONS

A. Proclamation – Mediation Week

Vice Mayor Krause presented a proclamation to James P. Lingl, President of the Ventura Center for Dispute Settlement Board of Directors, proclaiming the week of October 17 – 23, 2004, as Mediation Week. Mr. Lingl thanked the City Council for their consideration and for recognizing the importance of mediation.

B. Proclamation – Crime Prevention Month

Councilmember Procter presented a proclamation to Police Chief Robert S. Gonzales proclaiming the month of October as Crime Prevention Month. Police Chief Robert S. Gonzales thanked the City Council for their consideration, and spoke regarding a new program, donated by John Macik and Santa Paula Chevrolet, to provide photo identification cards for all children in the local schools. He thanked Mr. Macik and the Santa Paula Elementary School District for partnering in this program.

Police Chief Robert S. Gonzales also reported on the Police Reserve Officers' participation in the "11th Annual Best of the West Reserve Officers Shooting Competition." He noted that many of the participants placed in first and second place on many of the events. He introduced Chris Blankenship, Nick Crist, Dave Grove, Dave Manning, Dan Potter, and Jeremy Watson. He also recognized Police Sergeant Carlos Juarez and Senior Officer Jimmy Fogata for coordinating the Police Reserve Officer program.

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

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 noted that a barbecue would be held afterward at the Gazebo. He recognized the following for their donations: Automotive Racing Products, B/W Pipeline, Caltrans, ECO Resources, Heritage Hardware, Santa Paula Christmas Tree Farm, and Vons.

D. Presentation by Fire Department

Fire Chief Paul L. Skeels introduced newly hired Part-time Paid-call Firefighters Noel Kiesewetter, Maurice Patrykus, Gregorio Yzaguirre, and Basilico Yzaguirre. He also noted that Kevin Corbett, Dustin Rodriguez, and Morgan Montoya were also recently hired as Part-time Firefighters, but were unable to attend the City Council Meeting.

Fire Chief Paul L. Skeels introduced newly promoted Full-time Firefighter/EMT Manuel Morales and his wife Melissa Morales. He presented Firefighter/EMT Morales with this Firefighter badge.

Fire Chief Paul L. Skeels introduced newly promoted Fire Captain Steve Lazenby and his wife Susan Lazenby. He presented Fire Captain Lazenby with his Fire Captain badge.

E. Presentation by Community Services Director Brian J. Yanez Regarding the Community Services Department's 15th Annual Halloween Carnival, October 31, 2004

Community Services Director Brian J. Yanez invited everyone to the 15th Annual Halloween Carnival on October 31, 2004, beginning at 6:00 p.m. at the Community Center and sponsored by the Santa Paula Police Officers Association.

F. Presentation by Mary Alice Henderson on the 2004 Ghost Walk

Mary Alice Henderson was not present; however, Katie and Jeff Howard provided a presentation regarding the 2004 Ghost Walk, which would take place at the Teague-McKevett Ranch.

PUBLIC COMMENT

John Wisda, 550 Monte Vista, expressed his concerns with the proposed Fagan Canyon development. He recommended that the City Council hold a town hall meeting to allow input from the public and to discuss the project in an open forum. City Attorney

Karl H. Berger responded to Mr. Wisda's concerns by stating that the proposed project had not yet come before the City Council; staff is reviewing the specific plan application; and the environmental impact report is being developed. He also noted that there are two Councilmembers who have a conflict with this matter and cannot speak or influence the decision, and that once the environmental impact report process is complete the City will have much more influence in the process.

Shawn Megli, 1399 Parkhill Court, Camarillo, introduced herself as a candidate for the Ventura County Board of Education.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter apologized for not remembering Luis Romero's name during School Resource Officer Rich Randolph's presentation on September 20, 2004. He also expressed his condolences to the family of Polly Hengehold.

City Clerk Steven J. Salas reported that the Bilingual Voting Advisory Council had a developed an icon to ensure that no voter would be turned away at the polls. He also sent a plea to the members of the Chapel in the Canyon to keep their facility as a polling place on Election Day.

APPROVAL OF FINAL AGENDA

There were no changes to the Final Agenda.

CONSENT CALENDAR

It was moved by Councilmember/Director Cook, seconded by Vice Mayor/Vice Chair 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. Minutes – Adopted the Minutes from the Special City Council/Redevelopment Agency/Santa Paula Housing Authority Commission Meeting of September 27, 2004.
- C. This item was pulled from the agenda.
- D. Second Reading and Adoption of Ordinance No. 1122 – Waived second reading and adopted **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. Deputy City Clerk Josie G. Herrera's report dated October 12, 2004.

- E. California State Parks and Recreation Per Capita Grant Program – Approved Resolution No. 6132 allowing the Community Services Department to proceed with an application for the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002. **RESOLUTION NO. 6132**, A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002. Community Services Director Brian J. Yanez's report dated October 8, 2004.
- F. Monthly Report of Transactions/July – September 2004 – Reviewed and filed the monthly transactions report. Finance Director Alvertina Rivera's report dated October 5, 2004.
- G. Council Expense and City Manager Travel Monthly Report of Transactions August and September 2004 – Reviewed and filed the monthly transactions report for the months of August and September 2004. Finance Director Alvertina Rivera's report dated October 5, 2004.
- H. URS Corporation Contract for On-call Services Contract for On-call Planning Services – Approved the Agreement for Services with URS Corporation and authorized the City Manager to execute the Agreement on behalf of the City. Interim Planning Director Janna Minsk's report dated October 7, 2004.

PUBLIC HEARING

- A. Development Code Sections 1103 and 1105, Grading & Mining and Telecommunication (continued)

Acting City Manager Clifford G. Finley presented Associate Planner Heather Davis' report October 13, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to continue the hearing to November 8, 2004. All were in favor, and the motion carried.

- B. Refuse Collection Base Service Level and Fees for Additional Refuse Services

Mayor Aguirre opened the Public Hearing at 7:18 p.m.

Public Works Director/City Engineer Clifford G. Finley's report dated October 11, 2004.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to continue the Public Hearing to November 15, 2004. All were in favor, and the motion carried.

ORDER OF BUSINESS

A. Position on State Proposition 1A

Acting City Manager Clifford G. Finley presented City Manager Wally Bobkiewicz's report dated October 13, 2004.

Dave Mullinax, 829 Santa Barbara Street, Santa Barbara, representing the League of California Cities, spoke in support of Proposition 1A.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to adopt Resolution No. 6133 supporting State Proposition 1A on the November 2, 2004 general election ballot. All were in favor, and the motion carried.

RESOLUTION NO. 6133

A RESOLUTION SUPPORTING PROPOSITION 1A

B. Position on State Proposition 68

Acting City Manager Clifford G. Finley presented City Manager Wally Bobkiewicz's report dated October 13, 2004.

Brandon Stephenson, 11300 W. Olympic Boulevard, Los Angeles, representing the No on Prop. 68 Campaign, spoke in opposition to Proposition 68.

Dave Mullinax stated that the League of California Cities has taken the position in opposition to Proposition 68 and Proposition 70.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to adopt Resolution No. 6134 opposing State Proposition 68 on the November 2, 2004 general election ballot. All were in favor, and the motion carried.

RESOLUTION NO. 6134

A RESOLUTION OPPOSING PROPOSITION 68, THE GAMING REVENUE ACT OF 2004, ON THE NOVEMBER 2, 2004 STATESIDE BALLOT

C. Introduction of Ordinance 1125 Amending Chapter 95 of the Santa Paula Municipal Code Prohibiting Smoking in Certain Public Places

Acting City Manager Clifford G. Finley presented Police Chief Robert S. Gonzales' report dated October 13, 2004.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to introduce and waive first reading of Ordinance 1125, amending Chapter 95 of the Santa Paula Municipal Code, prohibiting smoking in certain public places; and schedule a second reading of Ordinance 1125 for the regular Council Meeting of November 8, 2004. All were in favor, and the motion carried.

ORDINANCE NO. 1125

AN ORDINANCE AMENDING CHAPTER 95 OF THE SANTA PAULA MUNICIPAL CODE TO ADD PROHIBITIONS ON SMOKING IN CERTAIN PUBLIC PLACES

D. Truck Route and Parking Restrictions

Public Works Director/City Engineer Clifford G. Finley's report dated October 11, 2004.

Rose Decaen, 405 E. Santa Barbara Street, expressed her concern with trucks parking in residential zones because they obstruct visibility for motorists. She also submitted a letter from Dr. Richard Tushla, Dr. Michael Tushla, and Dr. Alexander Meyer from Westside Family Practice expressing the same concerns.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding the definition of trucks by stating that trucks would include 10-wheelers and trucks over seven feet tall. He also mentioned that buses and utility trucks would be exempt.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to adopt Resolution No. 6135 establishing no truck parking along truck routes in the City. All were in favor, and the motion carried.

RESOLUTION NO. 6135

A RESOLUTION ESTABLISHING NO TRUCK PARKING ALONG TRUCK ROUTES IN THE CITY OF SANTA PAULA

E. Street Conditions

Public Works Director/City Engineer Clifford G. Finley's report dated October 12, 2004. He responded to a question regarding whether the City receives grants for street repairs

by stating that the City has received federal grants to repair arterial and collector streets. He also noted that the Santa Barbara Street repair project was performed with the use of grant funds. He further responded to a question regarding the type of street repair done for the Santa Barbara Street repair project by stating that it was a combination of reconstruction and grind and overlay. He further responded to a question regarding preventative measures by stating that the City is working on slurry seal projects as a preventative measure. He further responded to a question regarding the annual budget for street maintenance by stating that it is approximately \$600,000.

The report was received and filed.

F. Appointment of Commissioner to the Recreation Commission

Acting City Manager Clifford G. Finley presented City Manager Wally Bobkiewicz's report dated October 8, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to reappoint Timothy J. Hicks as Commissioner to the Santa Paula Recreation Commission for a three-year term to fill Seat Number 3, for a term to expire in October 2007. All were in favor, and the motion carried.

CITY COMMUNICATIONS

Councilmember Cook noted that the next City Council Meeting would be November 8, 2004, and stated that he hopes everyone votes on November 2.

FUTURE AGENDA ITEMS

It was moved by Councilmember Luna, seconded by Councilmember Cook, for a report on noise and dust complaints due to recreational and all-terrain vehicles south of Montebello Street. All were in favor, 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 8:13 p.m.

ATTEST:

Steven J. Salas
City Clerk/Agency Secretary