

CALL TO ORDER

Vice Mayor/Vice Chair Krause called the meeting to order at 5:35 p.m.

ROLL CALL

Councilmember/Director Richard C. Cook, Councilmember/Director John T. Procter, and Vice Mayor/Vice Chair Mary Ann Krause 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. Mayor/Chair Gabino Aguirre arrived at 6:05 p.m. Councilmember/Director Ray C. Luna and City Clerk/Agency Secretary Steven J. Salas were absent.

PUBLIC COMMENT

City Manager Wally Bobkiewicz noted that Mayor Aguirre was called back to work at the last minute and that he would arrive later in the evening.

ORDER OF BUSINESS

A. Interviews for Housing Authority Commission

Marjorie T. Fernandez stepped up for her interview. She stated that she was interested in being involved in the community, and that she has served on the Board of Directors for the Women of the Moose. She responded to a question regarding her availability to attend meetings and her experience in dealing with funding issues by stating that she was available to attend meetings and that she had experience dealing with funding while serving as a past Senior Regent for the Women of the Moose.

B. Interview for Recreation Commission

Monica Jacinto stepped up for her interview. She expressed her interest in becoming involved with City issues, and noted that she has volunteered at Barbara Webster School's Big Brother/Big Sister Program, Glen City School's Special Education Department, Twin Pines Health Care, and as a Catechism teacher.

CLOSED SESSION

Vice Mayor/Vice Chair Krause recessed the City Council/Redevelopment Agency to a Closed Session at 5:42 p.m. to discuss:

A. Conference with Real Property Negotiator. *Government Code 54956.8.*
Conference with Real Property Negotiators. Property: 917 Yale Street. City

Regular City Council/Redevelopment Agency Meeting
Monday, November 15, 2004
City Hall Administration Conference Room and Council Chambers

Negotiator: Wally Bobkiewicz. Negotiating Parties: Paul Leavens and Mary Schwabauer. Under Negotiation: Price and terms for property exchange.

- B. Conference with Labor Negotiator – Government Code §54957.6. City Negotiator: City Manager Wally Bobkiewicz. Employee Organization: Police Commanders Unit.
- C. Conference with Labor Negotiator - Government Code 54957.6. City Negotiator: City Manager Wally Bobkiewicz. 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.
- D. Public Employee Performance Evaluation. Government Code 54957. Title: City Manager.

Mayor/Chair Aguirre arrived at 6:05 p.m.

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency into Open Session at 6:42 p.m. No action was taken during the Closed Session.

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency at 6:42 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency at 6:48 p.m., and led the Flag Salute. He welcomed Luzmaria Espinosa's students to the meeting, who were present to observe the government process.

ROLL CALL

Councilmember/Director Richard C. Cook, 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. Councilmember/Director Ray C. Luna was absent due to his being out town. City Clerk/Agency Secretary Steven J. Salas had left a message indicating that he would be delayed in arriving; however, he was not present during the meeting.

CLOSED SESSION REPORT

No action was taken during the Closed Session Report.

PRESENTATIONS

A. Proclamation – National Family Week

Mayor Aguirre presented a proclamation to Bishop Andrew Oshita proclaiming November 21 through 27, 2004, as National Family Week. Bishop Oshita noted that the National Family Community Festival would be held on November 27, 2004, in Ventura, and that the families of Juan and Laura Cervantes and Steve and Pam Colvard were selected to represent the City of Santa Paula. He thanked the City Council for their consideration.

B. Presentation Regarding the Santa Paula Christmas Parade

Ron Merson, Christmas Parade Chair, provided a presentation regarding the Santa Paula Christmas Parade, and noted that Patty Fallini designed the artwork for the advertising. He also noted that Beverly Harding would be the Grand Marshal and Peggy Kelly would be the parade announcer. He thanked the City Council for their support.

C. Presentation Regarding Korean War Exhibit

Museum and Tourism Administrator Mike Nelson provided a presentation regarding the Santa Paula Union High School Student History Department's Korean War Exhibit at the California Oil Museum. He introduced Ed Arguelles, history instructor at Santa Paula High School.

Ed Arguelles introduced his students Miguel Magaña and Vanessa Zuida.

Miguel Magaña noted that he interviewed a Korean War Pilot who was shot down on his 53rd mission and taken prisoner of war, and who was one of the few traded back to the Americans. Mr. Magaña invited everyone to visit the exhibit at the Museum.

Vanessa Zuida noted that she interviewed a Navy Radio Seaman who provided his personal background while serving during the Korean War.

Ed Arguelles noted that this would be the sixth year the students from the Santa Paula High School Academies have worked on an exhibit. He also acknowledged Museum Curator John Nichols for his assistance.

D. Presentation Regarding Citrus Tree Giveaway

Public Works Director/City Engineer Clifford G. Finley stated that the City and Limoneira Company would be giving away 3,000 citrus trees to Santa Paula residents on November 20, 2004, from 9:00 a.m. to noon, at 600 S. Palm Avenue.

PUBLIC COMMENT

Bill Mensing, 500 W. Santa Maria Street, suggested that Public Works Director/City Engineer Clifford G. Finley give an "attaboy" to Public Works employees for a job well done during the recent Community Drop Off Event.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter noted that he would not be able to attend the Christmas Parade because he would be out of town.

City Attorney Karl H. Berger announced that a public auction was held earlier in the day for property owned adjacent to Santa Paula Memorial Hospital, and that the highest bidder was Comstock Homes with a bid of \$13.1 million. He noted that staff is in the process of setting up meetings to discuss the next steps with Comstock Homes, and has been in discussions with the County and the Creditors Committee with regard to filing the bankruptcy reorganization plan with the bankruptcy court. He also noted that hopefully the Creditors Committee would be satisfied by early next year, and that a hillside development project would be presented to the Planning Commission and the City Council for consideration in the same approximate timeframe.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz asked that Consent Calendar Item 10B be pulled for discussion and that Item 10C be removed. He also stated that there was not a quorum present of the City Council to discuss Order of Business Items 12H and 12I, and that those items would be brought back at a future meeting.

It was moved by Vice Mayor/Vice Chair Krause, seconded by Councilmember/Director Cook, to approve the final agenda with the changes indicated. 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 amended. 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.

- C. Resolution No. 6136 Accepting Public City Streets and Public City Alleys into the City Street System – This item was removed from the agenda.
- D. City Manager's Contract – Approved Employment Agreement with Walter J. Bobkiewicz, III for services as City Manager, and authorized the Mayor to execute the agreement.
- E. Waste Tire Amnesty Grant – 1) Adopted Resolution No. 6139 authorizing submittal of the application for the Waste Tire Amnesty Day Grant to the California Integrated Waste Management Board and authorizing the City Manager to execute associated documents. **RESOLUTION NO. 6139**, A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A FT 2004-2005 WASTE TIRE AMNESTY DAY GRANT; and 2) directed staff to forward a copy of the resolution to the California Integrated Waste Management Board. Public Works Director/City Engineer Clifford G. Finley's report dated November 5, 2004.
- F. Resolution No. 6137 Designating Motorcycle Only Parking Spaces in the Downtown Area on Main Street between Eighth Street and Tenth Street – Approved **RESOLUTION NO. 6137**, A RESOLUTION DESIGNATING MOTORCYCLE ONLY PARKING SPACES IN THE DOWNTOWN AREA ON MAIN STREET BETWEEN EIGHTH STREET AND TENTH STREET. Public Works Director/City Engineer Clifford G. Finley's report dated October 28, 2004.

CONSENT CALENDAR, SEPARATE ACTION ITEMS

- B. Request by Dave Wills to Rent City Property (Santa Paula Train Depot Parking Lot) for the Purpose of Selling Christmas Trees

City Manager Wally Bobkiewicz presented Community Services Director Brian J. Yanez's report dated November 4, 2004. He noted a correction to the staff report, which should indicate that the rent would be \$800, rather than \$750.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to approve the request by Dave Wills to rent space to operate a Christmas tree lot, on city property, from December 1, 2004 to December 27, 2004, with the corrected rental amount. All were in favor, and the motion carried.

PUBLIC HEARING

A. Proposed Refuse Collection Base Service Level and Fee Schedule for Additional Services (continued)

Public Works Director/City Engineer Clifford G. Finley's report dated November 9, 2004. He responded to a question regarding Section 2 of the ordinance which references establishing the amount of *wastewater* rates by stating that this was a clerical error which should indicate establishing the amount of *additional solid waste* rates.

City Attorney Karl H. Berger noted another clerical error in that Exhibit A begins on Page 7 and continues on Page 4.

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to introduce and waive first reading of Ordinance No. 1130 as amended approving proposed refuse collection base service level and fee schedule for additional services, and schedule a second reading and adoption on December 20, 2004. All were in favor, and the motion carried.

ORDINANCE NO. 1130

AN ORDINANCE PROVIDING REFUSE COLLECTION BASE SERVICE LEVEL AND SERVICE FEE FOR ADDITIONAL REFUSE SERVICES

Mayor Aguirre closed the Public Hearing at 7:32 p.m.

ORDER OF BUSINESS

A. Request for City Sponsorship – Sacred Mother Earth Ceremony, Fiesta de Tonantzin

City Manager Wally Bobkiewicz's report dated November 10, 2004.

Luz Maria Espinosa spoke in support of the City sponsoring the Sacred Mother Earth Ceremony.

It was moved by Councilmember Procter, seconded by Vice Mayor Krause, to approve the request from Danza Azteca Tonantzin for sponsorship of their Sacred Mother Earth Ceremony on Saturday, December 11, 2004. All were in favor, and the motion carried.

B. Branding Program - Image Contest

Economic Development Specialist Rochelle Margolin presented Economic Development Director Charmaine Stouder's report dated October 27, 2004. She shared the winning entries: photographs from Julian Zavala; drawing from Gabriel Chavez Vargas; and

honorable mention slogan *"Your parent's past, your present, your children's future are here in Santa Paula"* from Pearl Whitney.

It was moved by Vice Mayor/Vice Chair Krause, seconded by Councilmember/Director Procter, to approve the recommendations of the Economic Development Advisory Committee and authorize the City Manager/Executive Director to issue the two winners \$100 each. All were in favor, and the motion carried.

C. FY 2004-05 First Quarter Statement of Revenues and Expenditures and Capital Improvement Program Update Report

Finance Director Alvertina Rivera and Public Works Director/City Engineer Clifford G. Finley's report dated November 8, 2004.

Public Works Director/City Engineer Clifford G. Finley responded to a question regarding the delay of the Las Piedras Park Restroom Improvements Project by stating that the original contractor had defaulted on the contract; therefore, the City has entered into a contract with the second highest bidder. He noted that construction should begin after Thanksgiving.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to review and file the Statement of Revenues and Expenditures and Capital Improvement Program Update Report. All were in favor, and the motion carried.

D. Update on City's Outreach to Spanish-speaking Community

Community Services Director Brian J. Yanez's report dated November 2, 2004. He responded to a question regarding possible locations for an Open House/Community Fair by suggesting the Train Depot, Barbara Webster School, Casa del Mexicano, or any other location.

The City Council discussed including the Open House with another event in order to draw more people, and offering musical programs, cultural arts program, food, and raffle prizes for adults and youngsters. City Manager Wally Bobkiewicz suggested including the Open House with the Easter Egg Hung/Earth Day Event, and move the event to Las Piedras Park or Barbara Webster School.

The City Council also discussed including the Public Safety Fair with the Open House, and asked staff to consider Las Piedras Park as an appropriate location.

The progress report on City's Outreach Plan to Spanish-speaking population was received and filed.

E. Ordinance 1127 Regarding Alcohol Use on Public Property

Community Services Director Brian J. Yanez's report dated November 4, 2004.

City Attorney Karl H. Berger responded to a question regarding Section 3 of the ordinance regarding the reason for prohibition of temporary sales of alcoholic beverages within 1,000 feet of community street fairs, carnivals, festivals, and parades by stating that he believed the public policy behind this was to reduce the threat to public health and safety with alcohol consumption near these types of events.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to introduce and waive first reading of Ordinance No. 1127 regarding the consumption of alcohol on public property, which would amend Santa Paula Municipal Code §§95.02, 130.02, and 156.050 and repeal Resolution No. 3905 relating to consuming alcohol on public property, and schedule a second reading and adoption on December 20, 2004. All were in favor, and the motion carried.

ORDINANCE NO. 1127

AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE §§95.02, 130.02,
AND 156.050 AND REPEALING RESOLUTION NO. 3905 RELATING TO
CONSUMING ALCOHOL ON PUBLIC PROPERTY

F. Ordinance No. 1128 and 1129 Regarding Permits Authorizing Events Conducted in City Parks and Park Facilities and Special Event Permits

Community Services Director Brian J. Yanez's report dated November 4, 2004.

City Attorney Karl H. Berger noted that the City Parks and Park Facilities and Special Events Permits were intended to bring the Municipal Code up to date with current law, set a policy for outside groups to use park facilities, and address when it is appropriate to waive fees. He also suggested alternate language for Ordinance No. 1128, Section 101.09, to replace "RDA" with "Santa Paula Redevelopment Agency Program," and amend the subsequent sentence to read, "Also meetings of non-profit 501(c)(3) corporations consisting of less than 20 people where city staff is already present at the facility during regular operating hours." He responded to a question regarding the use of punctuation to separate the three categories of permittees in the Category 1 section by suggesting the use of semicolons to separate the categories of permittees. He further responded to a question regarding Category 5 and how staff would determine whether a permittee is located inside or outside the city's jurisdiction by suggesting that the words "outside city jurisdiction" be removed from this sentence.

City Manager Wally Bobkiewicz noted that the "3" should be removed from the last sentence of Category 2 which references 501(c) status.

City Attorney Karl H. Berger responded to a question regarding how a special event is defined in Section 101.02D3 by suggesting the following language, "Special events that use a park where the person conducting or sponsoring the special event possesses a special event permit issued pursuant to *the Special Events Permits Chapter of this Code.*"

It was moved by Councilmember Cook, seconded by Vice Mayor Krause, to introduce and waive first reading of Ordinance Nos. 1128 and 1129 as amended, and schedule a second reading and adoption on December 20, 2004. All were in favor, and the motion carried.

ORDINANCE NO. 1128

AN ORDINANCE ADDING A NEW CHAPTER 101 TO TITLE IX OF THE SANTA PAULA MUNICIPAL CODE ENTITLED "PERMITS AUTHORIZING EVENTS CONDUCTED IN CITY PARKS AND PARK FACILITIES"

ORDINANCE NO. 1129

AN ORDINANCE REPLACING CHAPTER 115 TO TITLE XI OF THE SANTA PAULA MUNICIPAL CODE ENTITLED "SPECIAL EVENT PERMITS"

G. **Using Technology to Better Communicate with the Public**

City Manager Wally Bobkiewicz's report dated November 10, 2004. He responded to a question regarding sending email to individual City Councilmembers by stating that the City Council may receive email at info@ci.santa-paula.ca.us. Also, under the terms of the State's open meeting laws, emails received by City Councilmembers are public record and could, under certain circumstances, be considered as serial meetings. He also explained that email sent to the City Council received through the "info" address is forwarded to all Councilmembers, and staff provides an appropriate reply.

RECESS TO A BREAK

Mayor/Chair Aguirre recessed the City Council/Redevelopment Agency to a break at 8:45 p.m.

RECONVENE TO REGULAR MEETING

Mayor/Chair Aguirre reconvened the City Council/Redevelopment Agency at 8:49 p.m.

The City Council discussed having Building and Safety handouts available on the City's web site, and spoke in support of a city blog site as long as it is kept current.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to move forward with the city blog site and to place Building and Safety documents on the city's web site. All were in favor, and the motion carried.

- H. Fagan Canyon Conflicts of Interest – This item was removed from the agenda due to a lack of quorum, and would be brought back at a future meeting.
- I. Proposed Joint City Council/Planning Commission Workshop on Fagan Canyon Specific Plan – This item was removed from the agenda due to a lack of quorum, and would be brought back at a future meeting.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz noted the following schedule of events: City Hall would be closed November 24, 25, and 26; Special City Council Meeting on December 2, 2004, at 6:30 p.m. to discuss Police and Fire issues, Proposition 172, and Police Management Audit Implementation Committee's report; Regular City Council Meeting on December 6, 2004, at 6:30 p.m., at the Community Center for Council Reorganization, swearing in of Councilmembers, City Clerk, and City Treasurer, and consider a General Plan amendment for property adjacent to Santa Paula Memorial Hospital; East Area 1 Master Plan Oversight Committee Meeting on December 7, 2004, at 6:30 p.m.; Special City Council Meeting on December 8, 2004, at 6:30 p.m. to discuss the Water Recycling Facility; Holiday Party and Open House at the Depot on December 11, 2004; United Way 2-1-1- Program on December 15, 2004, at the Community Center and Latino Town Hall Annual Event later that evening; Annual "Meet Santa" at the Community Center on December 16, 2004, at the Community Center; Regular City Council Meeting on December 20, 2004; and Chamber of Commerce Moonlight at the Mercantile on New Year's Eve.

Councilmember Procter noted that a tentative Harley Davidson Toy Run would be held on December 18, 2004, at Las Piedras Park, from 10:00 a.m. to 2:00 p.m.

Vice Mayor Krause noted that the Ventura Council of Governments would be meeting on December 9, 2004, at California State University Channel Islands for Leadership Training from 4:00 p.m. to 7:00 p.m. She also noted that she attended a joint meeting of Ventura Council of Governments, Santa Barbara County Organization of Governments, and Southern California Association of Governments, where they discussed transportation issues and a study regarding commuters between Santa Barbara and Ventura.

Mayor Aguirre noted that the City participated in an East Area 1 planning meeting on November 13, 2004. He also noted that the League of California Cities Regional Meeting would be held November 19, 2004, in Carpinteria.

FUTURE AGENDA ITEMS

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, for a report on how Police and Fire Departments are funded. 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 9:13 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk