

Deputy City Clerk Josephine G. Herrera declared a lack of quorum at 5:30 p.m., and postponed the meeting time to 6:00 p.m.

CALL TO ORDER

Mayor Aguirre called the meeting to order at 6:03 p.m.

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 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.

CLOSED SESSION

Mayor Aguirre recessed the City Council to a Closed Session at 6:03 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.

Mayor Aguirre reconvened the City Council into Open Session at 6:30 p.m. No reportable action was taken during the Closed Session.

Mayor Aguirre recessed the City Council at 6:30 p.m.

RECONVENE AND CALL TO ORDER

Mayor Aguirre reconvened the City Council at 6:35 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 Berger, City Clerk Steven J. Salas, and Deputy City Clerk Josephine G. Herrera were also present.

CLOSED SESSION REPORT

No reportable action was taken during the Closed Session Report.

PRESENTATIONS

A. **Presentation by City Clerk Steven J. Salas to Recognize Student Pollworkers –**

City Clerk Steven J. Salas presented Certificates of Appreciation to Santa Paula High School students who participated in the Student Election Officer Program for the November 2, 2004 General Municipal Election. The following students were present to receive their certificates: Ayla Rodriguez, Victoria Salas, Oscar Rodriguez, Ulysses Martinez, Marilee Rust, Deysi Luna, Vanesa Medrano, and Jesse Leidig. He also presented a Certificate of Appreciation to Principal J. Antonio Gaitan, and recognized students who were not present to receive their certificates: Geronimo Rico, Yesenia Contreras, Esthefany Polanco, Guadalupe Martinez, Ledsy Garcia, Mayra Tellez, Edith Guzman, Michelle Padilla, Rosalinda Villalon, and Byanka Gaxiola.

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 Final Agenda.

CONSENT CALENDAR

City Attorney Karl H. Berger noted that a revised Resolution 6143 declaring election results was presented, which included the City Clerk's Certification of Election Results.

It was moved by Vice Mayor Krause, seconded by Councilmember Procter, to adopt the Consent Calendar as presented, including the revised Resolution No. 6143. 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 a Resolution Reciting the Fact of a Regular Municipal Election and Declaring the Results Thereof – Adopted revised Resolution No. 6143 reciting the fact of the Regular Municipal Election held on November 2, 2004, and declaring the results and such other matters as provided by law. **RESOLUTION NO. 6143**, A RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 2, 2004. City Clerk Steven J. Salas' report dated November 22, 2004.
- C. Award of Bid – Printing Services – Confirmed the award of bid for printing services to Ojai Printing in the amount of \$8,477.06 for the first year, with an option to extend for an additional two years, and authorized the City Manager or his designee to sign the purchase order on behalf of the City. Finance Director Alvertina Rivera's report dated November 16, 2004.
- D. Award of Bid – Screenprinting – Confirmed the award of bid for screenprinting to R & R/Ventura Screenprinting in the amount of \$10,082.50 for the first year, with an option to extend for two additional years, and authorized the City Manager or his designee to sign the purchase order on behalf of the City. Finance Director Alvertina Rivera's report dated November 16, 2004.

ORDER OF BUSINESS

- A. Police and Fire Departments Enhancement Plan

City Manager Wally Bobkiewicz's report dated November 29, 2004, and Power Point Presentation.

- B. Report of the Police Management Audit Implementation Committee

City Manager Wally Bobkiewicz's report dated November 29, 2004.

Marisue Eastlake, representing the Police Management Audit Implementation Committee, stated that the Committee considered that Santa Paula Police Officers are underpaid, expressed concern that morale is low and staff might seek employment elsewhere, and noted that they appreciate the work performed by the Police Officers. She indicated that the Committee recommended that the Police Officers be given a small increase and that the City Council consider how to build voter confidence. She also noted that the Committee discussed changes to the Fire Department; however, the discussion was brief because this was not within the scope of their assignment.

Linda Fike, 500 W. Santa Maria Street, #131, noted that she was involved with Santa Paulans for a Safe Community. She stated that the committee failed to communicate to the community the necessity for additional funding for Police and Fire, and she asked the City Council to support the Police and Fire Departments.

Victor Salas, 542 Bradley Street, noted that he served the City of Santa Paula for seven years as a Planning Commissioner and as the City Clerk. He questioned why Police Officers have not been awarded raises for 11 years whereas other City employees have received raises, and why the term "Water Enterprise" is used rather than "Water Department." He suggested that the City Council consider borrowing funds from the Water Enterprise to fund public safety similar to when the Redevelopment Agency previously borrowed funds several years ago.

City Manager Wally Bobkiewicz responded to a question regarding Mr. Salas' concerns by stating that the City operates water, refuse, and wastewater utilities, and that under state law the City is only allowed to charge enterprise customers the necessary costs to maintain and operate the enterprises. Also, the City does not have the ability to utilize Water Enterprise funds to fund the Police or Fire Departments because these funds may only be used on the water system. He further responded to a question regarding the concept of borrowing from the Water Enterprise fund by stating that if the City Council chooses to borrow funds, the City Council would need to identify the means to repay the loan. He also stated that borrowing from enterprise funds is generally done under extraordinary circumstances, such as infrastructure improvements or a large capital need, and that he would not recommend that the City Council borrow funds for ongoing annual expenses.

Assistant to the City Manager Melissa Grisales responded to a question regarding whether the Police Officers have gone 11 years without a raise by stating that the Police Officers have received increases, with the last increase being awarded in 2003.

Chris Mahon, representing the Santa Paula Full-time Firefighters, thanked the City Council, the business community, and all employee unions for their efforts in promoting Measures J and K. He stated that the Full-Time Firefighters have expressed tempered support for staff's proposals to add three Fire Captains, and recognize that the proposals call for sacrifices from other City departments. He also stated that for safety purposes they wish to see a minimum of three personnel stationed at Fire Station 2, and that minimum training and performance standards be established and maintained for Reserve Firefighters.

Dave Manning, 2426 E. Main Street, Ventura, distributed and read a letter from Ron Fogalti, retired FBI SWAT Team Member, in support of maintaining the Police Department's Special Response Team. He also expressed his support of the Special Response Team.

Willie Barnes, 411 Lucada, City employee, expressed his concern with possible employee layoffs and demotions, and urged the City Council to table the City Manager's recommendations until he meets with the employees to discuss this issue.

Anita Pulido, 310 San Clemente, expressed her concern with the comments made to the City Manager after the election regarding the failure of Measures J and K. She also noted that her family has pledged their \$24 per month to a fund for the Police Department, and challenged everyone who voted in favor of Measure J to make the same pledge.

Gary Marshall, 1220 Forest Street, spoke in support of maintaining the Police Department's Special Response Team, and expressed his concern that Police Sergeant's salaries are 34.9% behind the county average. He asked the City Council to consider including salary increases to Police and Fire Department staff.

C. Proposition 172 Update

City Manager Wally Bobkiewicz's report dated November 29, 2004.

The City Council discussed asking the City Attorney to address the issue of the City's Proposition 172 allocation with County Counsel and with Senator-elect George Runner.

RECESS TO A BREAK

Mayor Aguirre recessed the City Council to a break at 8:14 p.m.

RECONVENE TO REGULAR MEETING

Mayor Aguirre reconvened the City Council at 8:33 p.m.

The City Council discussed the proposed cuts recommended by the City Manager.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 9:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Vice Mayor Krause, seconded by Councilmember Procter, to extend the meeting for one hour. All were in favor, and the motion carried.

City Clerk Steven J. Salas departed from the meeting at 9:30 p.m.

The City Council continued to discuss the proposed cuts recommended by the City Manager, and unanimously approved the proposed budget reallocations in Building and Safety, Finance, and Planning. It was the consensus of the City Council to keep the budget allocation in Administration for an IT Assistant and IT furniture, and to approve the proposed budget reallocation for Building and Property Insurance. In Community Services, it was the consensus of the City Council to keep the budget allocation for Community Special Events. Under roll call vote to cut the proposed budget reallocation

for the 4th of July fireworks, Councilmember Cook, Councilmember Procter, and Mayor Aguirre were in favor. Councilmember Luna and Vice Mayor Krause were opposed. The majority of the City Council voted in favor of cutting fireworks. The City Council also approved the remaining proposed budget reallocations in Community Services. In Public Works, it was the consensus of the City Council to keep the budget allocation for the Maintenance Worker III position. In the matter of reclassifying the Maintenance Worker III to Custodian, Councilmember Cook, Council Procter, Vice Mayor Krause, and Mayor Aguirre were in favor. Councilmember Luna was opposed. The majority of the City Council was in favor of the budget reallocation to reclassify a Maintenance Worker III position to Custodian. In the matter of budget reallocations for Fire, it was the consensus of the City Council to approve the budget reallocation to add three Fire Captain positions, and to eliminate the budget reallocation for the Fire Station 2 improvements because funding could be allocated from other resources.

The City Council discussed the budget reallocations for the Police Department.

RECESS TO A BREAK

Mayor Aguirre recessed the City Council to a break at 10:30 p.m.

RECONVENE TO REGULAR MEETING

Mayor Aguirre reconvened the City Council at 10:41 p.m.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:41 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember Procter, seconded by Councilmember Luna, to extend the meeting for 45 minutes. All were in favor, and the motion carried.

It was moved by Councilmember Cook to come back at the first meeting in January to consider hiring two additional Police Officers and have the City Manager find \$34,409 to make up the difference. There was no second to the motion, and the motion failed.

It was moved by Vice Mayor Krause, seconded by Councilmember Luna, to not hire two Police Officers and keep the net amount of \$115,591 of the budget reallocation in abeyance and come back when the City is further along in the collective bargaining negotiations. Councilmember Luna, Vice Mayor Krause, and Mayor Aguirre were in favor. Councilmember Procter and Councilmember Cook were opposed. The motion carried.

The City Council expressed an interest in revisiting the budget reallocation for the Police Department Special Response Team in the future.

D. Options for Future Elections: Police and Fire Funding

City Manager Wally Bobkiewicz's report dated November 29, 2004.

The City Council expressed their concerns with performing another poll. City Manager Wally Bobkiewicz suggested that the City Council could consider the use of a focus group, and that he could bring back information on different scenarios and costs.

It was moved by Vice Mayor Krause, seconded by Mayor Aguirre, to have staff bring back an explanation on focus groups in January or February. All were in favor, and the motion carried.

E. Letter to California Department of Health Services Endorsing the Purchase of Santa Paula Memorial Hospital by the County of Ventura

City Manager Wally Bobkiewicz and City Attorney Karl H. Berger's report dated November 29, 2004.

It was moved by Vice Mayor Krause, seconded by Councilmember Cook, to authorize the Mayor to send a letter to the California Department of Health Services endorsing the purchase of Santa Paula Memorial Hospital by the County of Ventura. All were in favor, and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz noted the following upcoming events: Regular City Council Meeting on December 6, 2004, at 6:30 p.m., at the Community Center, to install the newly reelected Councilmembers and City Treasurer and newly elected City Clerk, Council reorganization, and consider a General Plan Amendment for property adjacent to Santa Paula Memorial Hospital; Special City Council Meeting on December 8, 2004, at 6:30 p.m., regarding the Water Recycling Facility; Holiday Open House on December 11, 2004, from 5:00 p.m. to 8:00 p.m., at the Depot. He also noted that a best cookie contest would be held at the Holiday Community Celebration.

Vice Mayor Krause noted that an East Area 1 Master Plan Oversight Committee Meeting would be held on December 7, 2004, at 6:30 p.m.

Councilmember Luna commended City Manager Wally Bobkiewicz for bringing back fireworks display in Santa Paula, thanked the City Council for their hard work in the past year, and thanked the student pollworkers for their efforts.

City Attorney Karl H. Berger thanked the Fire Department for allowing his family to ride a fire engine during the Christmas Parade.

Mayor Aguirre commented on the beautiful Christmas Parade held on November 27, 2004.

FUTURE AGENDA ITEMS

There were no Future Agenda Items.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Aguirre adjourned the meeting at 10:56 p.m.

ATTEST:

Josephine G. Herrera
Deputy City Clerk