

CALL TO ORDER

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

ROLL CALL

Councilmember/Director Gabino Aguirre, Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Chair Richard C. Cook, and Mayor/Chair Mary Ann Krause responded to roll call. City Manager/Executive Director Wally Bobkiewicz, City/Agency Attorney Karl H. Berger, and City Clerk/Agency Secretary Josie G. Herrera were also present.

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION

City Attorney Karl H. Berger announced that the Closed Session would be to discuss:

- A. Conference with Real Property Negotiator. *Government Code 54956.8.* Conference with Real Property Negotiators. Property: 917 Yale Street. City Negotiator: Wally Bobkiewicz. Negotiating Parties: Paul Leavens and Mary Schwabauer. Under Negotiation: Price and terms for property exchange.
- B. Conference with Legal Counsel, Liability Claims – *Government Code 54956.95.* Name of Insurance JPA: California Joint Powers Insurance Authority. Claimants: Edward Barron et. al., John Davidson, Pascual Escoto, Timothy Jones, Octavio Maldonado, Elaine Malzacher, Maria Meza, Lorenzo Montes, Phillip H. Romney, Pam Strautman. Agency Claimed Against: City of Santa Paula.
- C. Conference with Legal Counsel, Anticipated Litigation – Significant exposure to litigation. Pursuant to *Government Code §54956.9 (b)*. Facts and circumstances exist that may result in litigation, but which the City believes are not yet known to potential plaintiffs. Number of cases: One.
- D. Conference with Legal Counsel, Initiation of Litigation – Pursuant to *Government Code § 54956.9(c)*. Initiation of Litigation. Number of potential cases: One.

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

Regular City Council/Redevelopment Agency Meeting
Monday, February 28, 2005
City Hall Administration Conference Room and Council Chambers

Mayor/Chair Krause reconvened the City Council/Redevelopment Agency into Open Session at 6:25 p.m. No reportable action was taken during the Closed Session.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 6:25 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Krause reconvened the City Council at 6:38 p.m. Councilmember Luna led the Flag Salute.

ROLL CALL

Councilmember/Director Gabino Aguirre, Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Chair Richard C. Cook, and Mayor/Chair Mary Ann Krause responded to roll call. City Manager/Executive Director Wally Bobkiewicz, City/Agency Attorney Karl H. Berger, and City Clerk/Agency Secretary Josie G. Herrera were also present.

CLOSED SESSION REPORT

No reportable action was taken during the Closed Session.

PUBLIC COMMENT

Dora Crouch, 739 Yale Street, Apt. 6B, urged everyone to attend the second annual "The Road Ahead Conference," a forum on growth in Ventura County, which would be held on March 24, 2005, at California State University Channel Islands.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter noted that the Santa Paula Airport would proceed with its First Sunday of the Month event, and urged everyone to attend.

Mayor Krause noted that the City Council held its Team Building Workshop on February 26, 2005. She also mentioned that she met with the Methodists Women's group last week and discussed housing and jobs.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Aguirre, seconded by Councilmember Cook, to approve the final agenda as presented. All were in favor, and the motion carried.

CONSENT CALENDAR

Councilmember Luna pulled item 9B for discussion.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, 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.

CONSENT CALENDAR – SEPARATE ACTION ITEMS

- B. Additional Allocation of Funds to Complete the Design and Administer the Grant for the Green Street Alley Paseo Improvement Project

Public Works Director/City Engineer Clifford G. Finley's report dated February 22, 2005.

City Manager/Executive Director Wally Bobkiewicz responded to a question regarding the timeline for this project by stating that construction would begin in June and the project should be completed by the end of the summer.

It was moved by Councilmember/Director Luna, seconded by Councilmember/Director Cook, that the Redevelopment Agency Board reallocate \$10,000 from the Harvard Boulevard Specific Plan project to complete the design and administer the grant for the Green Street Alley Paseo Improvement Project. All were in favor, and the motion carried.

ORDER OF BUSINESS

- A. Assistance of Federal Legislative Advocate in Support of Flood Damage Recovery Efforts

City Manager Wally Bobkiewicz's report dated February 23, 2005.

Rene Salas, Deputy Public Works Director, reported on cleanup efforts in Santa Paula Creek, which is being coordinated by the Ventura County Watershed Protection Agency and the U. S. Army Corps of Engineers. He also noted that federal funding had been secured for repair work to install groins on the embankment of the Santa Clara River next to Santa Paula Airport.

City Manager Wally Bobkiewicz responded to a question regarding whether staff had contacted Congressman Elton Gallegly's office for assistance by stating that he had

spoken with Congressman Gallegly's representatives regarding seeking funding for both Santa Paula Creek and the airport. He also noted that he had spoken with representatives from Senator George Runner and Assemblymember Audra Strickland's office for assistance in working with Caltrans, who is responsible for airport runways.

It was moved by Councilmember Luna, seconded by Councilmember Procter, to direct staff to work with the City's federal legislative advocate and Congressman Gallegly's office in support of flood damage recovery efforts. All were in favor, and the motion carried.

B. Revision of Personnel Rules and Regulations

City Manager Wally Bobkiewicz noted that in 1996 the City Council changed from a City Council/City Administrator form of government to a City Council/City Manager form of government. He also noted that the personnel rules were adopted before the City Manager was authorized to hire and terminate personnel without involvement of the City Council. Lastly, he noted that copies of Ordinance Nos. 294 and 1008 were left at the dais for the City Council's information.

Assistant to the City Manager Melissa Grisales' report dated February 23, 2005, and Power Point Presentation

The City Council discussed the *Anti-harassment Policy* and the need to train supervisors. City Manager Wally Bobkiewicz noted that staff would track supervisor training.

The City Council discussed the *Drug and Alcohol Policy* and questioned the definition of "incident" and "accident" and the threshold for controlled substances. City Manager Wally Bobkiewicz stated that staff would review the definitions and follow-up on the thresholds.

The City Council discussed the *Personnel Files Policy* and questioned whether supervisors could be issued a discipline letter if they fail to perform employee evaluations. City Manager Wally Bobkiewicz stated that staff would bring back language to include this in the policy.

City staff responded to questions regarding the *Outside Employment and Activities Policy*.

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 7:55 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 8:05 p.m.

The City Council questioned whether there was a policy for long-term disability. Staff noted that this was addressed in *Section 7.6 Sick and Industrial Leave*.

The City Council discussed the *Leave for School Visitations Policy* and questioned whether this policy could be more user-friendly by extending the policy to employees who are grandparents. City Manager Wally Bobkiewicz stated that the policy could be extended to grandparents.

The City Council discussed the *Employee Conduct Policy* and questioned whether language could be added regarding legal orders in the section regarding insubordination. City Attorney Karl H. Berger stated that the language could be amended as appropriate to include legal and reasonable orders of one's supervisors. He also responded to a question regarding the interpretation of language regarding employees failing to work cooperatively with fellow employees by stating that staff could provide clarifying language. He also responded to a question regarding the language in Section 8.1.A.8 on conduct on or off the job by stating that he did not recommend amending the language in this section; however, staff could review the language.

The City Council discussed the *Grievance Procedure* and questioned whether employees could make complaints against a supervisor. City Manager Wally Bobkiewicz stated that staff would bring back clarifying language. He also responded to a question regarding whether an employee should report an automobile accident within 24 or 48 hours by stating that staff would bring back clarifying language.

City Manager Wally Bobkiewicz suggested that the City Council consider Item 10D at this time.

D. Promotional Procedures

Assistant to the City Manager Melissa Grisales' report dated February 23, 2005. City Manager Wally Bobkiewicz referred to *Section 3.1 Recruitment & Appointment* and *Section 3.4B Promotions/Transfers* of the draft Personnel Rules and Regulations.

The City Council addressed concerns with past practice for promotions in the Police Department, and asked whether a separate policy could be implemented for the Police Department. The City Council also asked to have an item come back regarding special assignments within the Police Department. City Manager Wally Bobkiewicz stated that staff would follow-up.

City Manager Wally Bobkiewicz stated that staff would complete the meet and confer with the employee unions and bring back the follow-up items at a later meeting.

C. Adoption of Revised Employee-Employer Resolution

Assistant to the City Manager Melissa Grisales' report dated February 23, 2005. She noted that the resolution was not ready for adoption because staff was still in the process of conferring with the employee unions.

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

E. Review of Proposed By-laws and Legislative Agenda Ventura Council of Governments (VCOG)

City Manager Wally Bobkiewicz's report dated February 23, 2005.

It was moved by Vice Mayor Cook, seconded by Mayor Krause, to approve the Mayor voting in favor of the proposed Ventura Council of Governments Bylaws. All were in favor, and the motion carried.

It was moved by Councilmember Procter, seconded by Councilmember Luna, to authorize the Mayor to offer City Council support of the Ventura Council of Governments Legislative Agenda. All were in favor, and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz reminded everyone of the following upcoming meetings: Joint City Council/Planning Commission Meeting on March 7, 2005 at the Community Center; Special City Council Meeting on March 14, 2005; Regular City Council Meeting on March 21, 2005; and Regular City Council Meeting on April 4, 2005 at the Santa Paula High School Auditorium. He noted that Mayor Krause would be absent from the March 21, 2005 meeting. He also noted that the Limoneira Mercantile grand opening was scheduled for March 5, 2005, and that Assemblymember Audra Strickland would tour the airport on that same day.

Councilmember Procter mentioned that he enjoyed the City Council Teambuilding Workshop.

Mayor Krause mentioned that she attended the Clarence Darrow production at the Santa Paula Theater.

Councilmember Luna mentioned that he attended the one-act plays at Santa Paula High School.

FUTURE AGENDA ITEMS

It was moved by Councilmember Procter, seconded by Vice Mayor Cook, to consider a resolution regarding the threat of losing Community Development Block Grant Funds at the federal level. All were in favor, and the motion carried.

ADJOURNMENT

There being no further business to come before the City Council/Redevelopment Agency, Mayor/Chair Krause adjourned the meeting at 9:33 p.m.

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary