

### **CALL TO ORDER**

Mayor Krause called the meeting to order 6:36 p.m. Margaret Braughton offered the Invocation, and Councilmember Luna led the Flag Salute.

### **ROLL CALL**

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

### **PRESENTATIONS**

- A. Presentation by Public Works Director/City Engineer Clifford G. Finley Regarding Santa Paula Beautiful

Public Works Director/City Engineer Clifford G. Finley invited everyone to participate in the Santa Paula Beautiful event scheduled on March 12, 2005, at Veterans Memorial Park. He noted that cleanup activities would include installing landscaping, cleaning the tot lot, removing weeds, and cleaning the entrances to the park.

### **PUBLIC COMMENT**

Elaine Malzacher, 15325 Todd Lane, expressed her concerns with the site of the proposed water recycling facility due to the site being in the 100-year flood plain. She asked the City Council to refer to the flood plain map and review recent flooding in the area.

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.

Jess Victoria, 134 Moultrie, asked the City Council to be mindful as they listen to the citizens of the community.

### **CITY COUNCIL, STAFF COMMUNICATIONS**

City Attorney Karl H. Berger noted that Councilmembers Aguirre and Procter declared conflicts of interest related to the Fagan Canyon project due to the proximity of their residences to the proposed project, and for this reason they were not present at tonight's meeting.

City Manager Wally Bobkiewicz noted that Santa Paula Airport has reopened on a limited operation basis. He also noted that County Supervisor Kathy Long and Assemblymember Audra Strickland were exploring opportunities to assist with flooding issues in Santa Paula Creek.

Vice Mayor Cook mentioned that this past weekend he was present during the tour given to Supervisor Long and Assemblymember Strickland of the airport and Santa Paula Creek.

Councilmember Aguirre mentioned that he attended the grand opening of the Limoneira Mercantile and the First Sunday at the Airport event.

Mayor Krause mentioned that she attended the opening of the Women's History exhibit at the California Oil Museum. She also congratulated City Manager Wally Bobkiewicz for receiving the Rotary Club's Paul Harris Fellowship award.

### **APPROVAL OF FINAL AGENDA**

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

### **CONSENT CALENDAR**

It was moved by Vice Mayor Cook, seconded by Councilmember 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. Minutes – Adopted the Minutes of the Special Joint City Council/Planning Commission Meeting of February 15, 2005.
- C. Warrants and Certifications - Reviewed, approved, and filed the attached warrants and certifications. Finance Director Alvertina Rivera's report dated February 28, 2005.

Invoices	02/02/05	\$ 123,626.97
Wire Transfers	02/02/05	\$ 37,892.82
Invoices	02/11/05	\$ 43,700.76
Wire Transfers	02/10/05	\$ 6,180.29
Invoices	02/17/05	\$ 271,382.68
Wire Transfers	02/16/05	\$ 38,058.17

Invoices	02/25/05	\$ 67,423.90
Wire Transfers	02/24/05	\$ 7,180.29
Salaries	02/11/05 & 02/25/05	\$ <u>630,579.14</u>
<b>TOTAL</b>		<b>\$<u>1,226,025.02</u></b>

- D. Second Reading and Adoption, Ordinance No. 1103 – Waived second reading and adopted **ORDINANCE NO. 1103**, AN ORDINANCE REPEALING VARIOUS SECTIONS OF SANTA PAULA MUNICIPAL CODE CHAPTER 156 AND ADDING NEW CHAPTERS 16.96 THROUGH 16.104 TO TITLE 16 TO REGULATE GRADING, DRAINAGE AND EROSION CONTROL, AND MINING AND RECLAMATION WITHIN THE CITY OF SANTA PAULA. City Clerk Josie G. Herrera's report dated February 28, 2005.
- E. Second Reading and Adoption, Ordinance No. 1126 – Waived second reading and adopted **ORDINANCE NO. 1126**, AN ORDINANCE APPROVING A ZONE CHANGE FROM GENERAL COMMERCIAL (C-G) TO GENERAL COMMERCIAL PLANNED DEVELOPMENT (C-G-PD) ZONE FOR PROPERTY LOCATED AT 622 E. MAIN STREET, APN 103-0-220-565. City Clerk Josie G. Herrera's report dated February 28, 2005.

### **PLANNING COMMISSION CALL TO ORDER**

Vice Chair Ornelas called the Planning Commission to order at 6:51 p.m.

### **ROLL CALL**

Commissioner Jennifer A. Matos, Commissioner Gary L. Nasalroad, Commissioner John A. Turturro, and Vice Chair Jesse R. Ornelas were present. Chair Michael E. Sommer was absent.

Commissioner Nasalroad recused himself from the remainder of the meeting at 6:51 p.m. due to a conflict of interest due to the proximity of his residence to the proposed development in Fagan Canyon.

City Attorney Karl H. Berger noted that Planning Commission Chair Sommer also declared a conflict of interest and for this reason he was not present at tonight's meeting.

### **ORDER OF BUSINESS**

- A. Fagan Canyon Workshop #2

City Manager Wally Bobkiewicz noted that this was the second in a series of workshops related to the proposed development in Fagan Canyon. He acknowledged members of

the Recreation Commission who were in the audience: Richard Barnett, William Grant, Timothy Hicks, and Derek Luna. He also introduced staff from RBF Consulting: Margit Allen, Ken Bell, and Jim Brezak.

Margit Allen provided a presentation on parks, trails, open space, and schools

### **RECESS TO A BREAK**

Mayor Krause recessed the City Council and Planning Commission to a break at 7:16 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Krause reconvened the meeting at 7:27 p.m.

Margit Allen provided a presentation on affordable housing and fire protection.

Jim Brezek provided a presentation on waste and wastewater.

Margit Allen provided a presentation on the fiscal impact analysis. She responded to questions regarding the number of parking spaces in the proposed parks and assessment districts for unpaved trails.

Ken Bell responded to a question regarding the need for a third fire station as recommended in the fire suppression study.

Jim Brezak responded to a question regarding the water supply assessment, which is limited by the State to be done in three consecutive dry years. He further responded to a question regarding water conservation measures during drought conditions by stating that an analysis could be made.

The Planning Commission addressed concerns with alternate routes for waste management, water supply and source, lack of architectural detail and landscaping in the park design, lack of trail surrounding the project, downstream flow, lack of a high school, and lack of low-income and entry-level housing.

Margit Allen responded to a question regarding whether 200-foot fire protection buffers would be adequate by stating that the fire protection study deemed that a 200-foot fire protection buffer would be adequate and generous.

The Recreation Commissioners addressed concerns with the City's insufficient amount of tennis courts and infrastructure for basketball and soccer. They also expressed a desire for sand pits for volleyball.

The City Council addressed concerns with the amount of parking spaces at the proposed parks and the need for more than just a Police storefront.

Margit Allen responded to concerns regarding the proposed parks by stating that there would be a Park Master Plan and that the parks depicted this evening were at a concept level and meant to be generic in nature.

City Manager Wally Bobkiewicz noted that staff would soon be working on the Community Services Department Management Audit, which would address infrastructure needs for parks.

### **RECESS TO A BREAK**

Mayor Krause recessed the City Council and Planning Commission to a break at 8:21 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Krause reconvened the meeting at 8:29 p.m.

Patrick Tumamait, 992 E. Camino Corto, Ojai, representing the Native Chumash Committee, noted that Fagan Canyon is native Chumash area and asked the City and the developer to require a monitor during excavation and environment impact review. He also expressed his desire to meet with the developer so that the project will represent the Chumash heritage.

Norm Wilkinson, 959 Loma Vista Place, addressed the proposed facilities within Fagan Canyon and Impact Fees, which would be used to fund facilities to keep up with growth and improve existing facilities. He also stated that if the Fagan Canyon project were to be downsized, the fees for infrastructure would also be downsized.

Delton Johnson, 14 McKeveitt Heights Road, addressed concerns with the number of units, housing mix, and traffic issues. He also stated that when the people approved the Save Open and Agricultural Resources (SOAR) initiative, the people anticipated 450 homes in Fagan Canyon, and that the number of units proposed in Fagan Canyon exceed the number of units rejected for Adams Canyon.

John Wisda, 550 Monte Vista, representing We Care Santa Paula, commented on narrow streets and fire engine access; soccer fields sharing space with baseball fields in the proposed community parks; suggestion to downsize the project in order to accommodate parks; the need for more affordable housing units; the need for a third fire station; suggestion to put in a resort or an equestrian center; concerns with transfer of water away from agricultural use; and increased taxes.

Kay Wilson-Bolton, 123 N. Tenth Street, stated that the city has not been able to keep up with building enough homes to accommodate the housing market, and that she hopes that the City will do a better job defining housing affordability.

Esther Marquez, 972 E. Main Street, President of the Downtown Merchants Association, expressed her concern with construction of a bypass to Highway 126 that would divert needed traffic from the downtown.

Laura Flores Espinosa, 233 Corte Linda, Chapter President of League of United Latin American Citizens (LULAC), stated that LULAC would analyze city documents, such as the General Plan, and ensure that the analysis would reflect community input. She suggested that the City impose a park siting fee, and she expressed her concerns with restrictions on the use of community parks.

Brain Hayworth, 509 N. Tenth Street, expressed his concerns with traffic impacts and that the project is masked as a bedroom community.

Mike Miller, 226 N. Eighth Street, expressed his concerns with lack of creativity in designing the proposed parks. He also expressed the need to provide an opportunity for a full range of affordable housing. He also encouraged the City Council to stay engaged in traffic issues.

The following written questions were submitted during the meeting:

*Will the open space as proposed be deed restricted?* Margit Allen responded that the intention of staff would be to condition the developer to have a conservation space easement, making sure it would be perpetually preserved as open space.

*Is the City considering a perpetual easement with the developer?* City Manager Wally Bobkiewicz noted that the answer to this question was answered in the previous question.

*What would preclude a future owner of the agricultural open space from deciding they no longer care to farm and make an application to start construction for residential units?* Margit Allen responded that the owner of the property could always submit an application to the City for a specific plan for something that was 263 acres of agriculture to five units. This would require a specific plan amendment and a zone change, and would be a discretionary action on the City Council's part.

*Does water transfer mean that water would be transferred away from agricultural uses?* Jim Brezak responded that the City has an ordinance in place for acquiring water to make transfers. He explained that there was a stipulated judgment within the basin identifying the total amount of water available to members of the Santa Paula Basin

Pumpers Association, and that water is allocated in certain amounts to the City and to individual members. Once land becomes developed, a request to transfer membership is submitted to the Santa Paula Basin Pumpers Technical Advisory Committee in order to allow the City to acquire the water transfer from that property owner.

*When we voted for the CURB boundary, did that include limiting Fagan Canyon to 450 homes?* City Manager Wally Bobkiewicz responded no, the CURB (City Urban Restriction Boundary) is a geographical line. There is no limit to housing.

### **CITY COMMUNICATIONS**

Commissioner Turturro stated that he was pleased to receive public commentary and to receive input from the Chumash community.

Councilmember Luna thanked the public for their input.

### **FUTURE AGENDA ITEMS**

There were no Future Agenda Items.

### **ADJOURNMENT**

There being no further business to come before the City Council/Planning Commission, Mayor Krause adjourned the meeting at 9:17 p.m.

ATTEST:

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Josie G. Herrera  
City Clerk