

CALL TO ORDER

Mayor/Chair Krause called the meeting to order 5:31 p.m.

ROLL CALL

Councilmember/Chair 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

Barbara Higgins, 333 S. Hope Street, Los Angeles, representing S. Rao Jammalamadaka, stated that she was present for Closed Session Item 4A, and would be available should questions arise.

ORDER OF BUSINESS

A. Appointment of Real Property Negotiator

It was moved by Councilmember Luna, seconded by Councilmember Aguirre, to appoint City Manager Wally Bobkiewicz and Public Works Director/City Engineer Clifford G. Finley as the City's Real Property Negotiators relating to real property located at Assessor's Parcel Number 104-0-181-035. The Real Property Negotiators may negotiate the terms and conditions of purchase or lease of property. All were in favor, and the motion carried.

CLOSED SESSION

Mayor Krause announced that the Closed Session would be to discuss:

- A. Conference with Legal Counsel, Anticipated Litigation – Significant exposure to litigation. Pursuant to *Government Code §54956.9 (b)*. Facts or circumstances: Final Map No. 4903, S. Rao Jammalamadaka, applicant. Number of cases: One.
- B. Conference with Legal Counsel, Anticipated Litigation – Significant exposure to litigation. Pursuant to *Government Code §54956.9 (b)(3)(A)*. The following facts and circumstances known to plaintiff or plaintiffs regarding settlement agreement dated July 21, 1992 with the County of Ventura. Number of cases: One.

- C. Conference with Legal Counsel, Existing Litigation – Pursuant to *Government Code §54956.9 (a)*. *SP West LLC v. City of Santa Paula: City of Santa Paula Mobilehome Rent Review Commission, and Does 1 through 50*. United States District Court Case No. CIV050159; and *SP West LLC v. Santa Paula Mobilehome Rent Review Commission, and Does 1 through 50*. Ventura County Superior Court Case No. CIV226635.
- D. Conference with Real Property Negotiator - Pursuant to *Government Code §54956.8*. Property Address: Assessor's Parcel Numbers 104-0-181-035. Negotiating Parties: City of Santa Paula and Natural Resources Conservation Service. City Negotiator: City Manager Wally Bobkiewicz and Public Works Director/City Engineer Clifford G. Finley. Under negotiation: Terms and conditions of purchase or lease of property.
- E. Conference with Labor Negotiator - *Government Code 54957.6*. City Negotiator: City Manager Wally Bobkiewicz and 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), Ventura County Professional Firefighters Association, Mid-management, Confidential, Part-time, Temporary, and Seasonal Employees Groups.

Mayor Krause recessed the City Council to a Closed Session at 5:32 p.m. She declared a conflict of interest for Item 4C due to the proximity of her residence to Santa Paula West Mobilehome Park, and she was not present during discussion of this item.

Mayor Krause reconvened the City Council at 6:25 p.m. No reportable action was taken during the Closed Session.

Mayor Krause recessed the City Council at 6:15 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Krause reconvened the City Council/Redevelopment Agency at 6:37 p.m. Pastor Ron Dybvig offered the Invocation, and Mayor/ Chair Krause 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.

PRESENTATIONS

A. Proclamation Recognizing Public Works Week

Councilmember Aguirre presented a proclamation to Public Works Director/City Engineer Clifford G. Finley recognizing Public Works Week. Public Works Director/City Engineer Clifford G. Finley thanked the City Council for their consideration, and introduced staff in the audience: Street Foreperson Robert Howard, Public Works Superintendent Teresa Young, and Water Operations Supervisor Sam Hutton.

B. Proclamation Recognizing Older Americans Month

Mayor Krause presented a proclamation to Carol Boatner, Chair of the Commission on Aging, recognizing Older Americans Month. Ms. Boatner thanked the City Council for their consideration, and invited the community to take advantage of the programs offered at the Senior Center.

C. Presentation Regarding Armed Forces Day Dinner

City Manager Wally Bobkiewicz invited everyone to attend the Armed Forces Day Dinner scheduled for May 21, 2005, at the Masonic Lodge.

PUBLIC COMMENT

Eric Barragan, 1001 Elderberry Court, representing One Santa Paula, stated that this group was organized to educate the community regarding the Fagan Canyon project and to address the positive aspects that the project would bring into the community. He also addressed concerns with the petition process conducted by We Care Santa Paula, and urged the City Council to ask the County Clerk to verify each signature on the petition for authenticity.

Jack Phillips, 742 Foothill Road, representing We Care Santa Paula, stated that his group submitted 2,700 signatures on the petition drive that would require any development project involving more than 81 acres of land to be subject to a vote of the people. He asked the City Council to defer processing the environmental impact report and any final approval on the proposed Fagan Canyon project until after the election in order to allow the voters to vote on the initiative.

Jess Victoria, 134 Moultrie Place, stated that he was undecided regarding any development, and expressed his concerns with funding additional city services for any

proposed development. He also expressed concern that the public be notified of any increases in charges for city services. City Manager Wally Bobkiewicz addressed Mr. Victoria's concerns by stating that an environmental impact review report would include a fiscal impact study for any potential future development. He also reviewed the process for public hearings and publication of notices for any increase in fees for city services.

Kay Wilson-Bolton, 123 N. Tenth Street, stated that a housing summit would be held in a few weeks to discuss what can be done to increase the housing supply. She also provided an update on the local housing market.

John Dunn, 342 S. Borchard Drive, Ventura, representing SEIU, addressed concerns regarding City employee wages and asked the City Council not to create jobs that pay low wages or pay below prevailing wages.

Susan Nye, 2472 Eastman Avenue, Ventura, staff member of SEIU Local 998, addressed concerns with the amount of time taken during current employee negotiations; however, she noted that the membership was prepared to reach an agreement.

Delton Lee Johnson, 14 McKeveett Heights, addressed concerns with the amount of homes, types of housing, high density, and small lot sizes in the proposed Fagan Canyon development.

Roger Brower, 1007 E. Virginia Terrace, expressed concerns with potential fire hazards in the proposed Fagan Canyon development due to poor road planning, insufficient water supply for firefighting purposes, lack of parking, and lack of infrastructure. He recommended that only 450 to 500 homes be built. The City Council noted that Mr. Brower's concerns would be addressed in the environmental impact report.

John Wisda, 550 Monte Vista, spoke regarding the petition submitted by We Care Santa Paula and urged the City Council to bring the proposed Fagan Canyon project into balance and reduce traffic.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz noted that the Community Budget Workshop would be held on May 23, 2005, at 6:30 p.m. in the Council Chambers, and that the City Council would hold a Special City Council Meeting on May 31, 2005.

RECESS TO A BREAK

Mayor/Chair Krause recessed the City Council/Redevelopment Agency to a break at 7:20 p.m.

RECONVENE TO REGULAR MEETING

Vice Mayor/Vice Chair Cook reconvened the City Council/Redevelopment Agency at 7:50 p.m. City Manager Wally Bobkiewicz noted that Mayor Krause had departed for the remainder to the meeting in order to prepare for a business trip to Washington, D.C.

Councilmember Luna urged everyone to attend Santa Paula High School's production of *Once Upon a Mattress*.

Councilmember Procter urged everyone to participate in the Relay for Life on May 21 and 22, 2005, at the Santa Paula High School Football Field.

Councilmember Aguirre mentioned that he was absent from recent meetings due to his attending a Nuclear Weapons Free Zone Conference in Mexico City and the United Nations in New York City.

Vice Mayor Cook urged everyone to attend the Armed Forces Day Dinner in May 21, 2005, and noted that all proceeds would benefit the Fourth of July fireworks display.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz asked that Items 12E, F, G, H, I, and J be carried over to a future meeting.

CONSENT CALENDAR

Vice Mayor/Vice Chair Cook pulled Item 10J. It was moved by Councilmember/Director Procter, seconded by Councilmember/Director Aguirre, to approve the Consent Calendar as amended. All were in favor, and the motion carried.

- A. Waiver of Reading of Ordinances and Resolutions – Waived reading of Ordinances and Resolutions appearing on the Agenda.
- B. Minutes – Adopted the Minutes from the Special City Council Meeting of April 11, 2005.
- C. Compensation Modification for Reserve Police Officers and Fire Reserves Working Special Filming Detail – Adopted Resolution No. 6180 authorizing a Compensation Modification for all Reserve Police Officers and Fire Reserves working Special Filming Detail. **RESOLUTION NO. 6180**, A RESOLUTION

AMENDING RESOLUTION NO. 6092, WHICH AMENDS THE POSITION CLASSIFICATION AND COMPENSATION PLAN. Assistant to the City Manager Melissa Grisales' report dated May 9, 2005.

- D. Authorization for Writing Off Uncollectible Items – Authorized staff to write off: 1) the uncollectible returned checks per Exhibit A; and 2) the uncollectible utility billing accounts per Exhibit B. Finance Director Alvertina Rivera's report dated May 4, 2005.
- E. Investment Report for the Quarter Ending March 31, 2005 – Reviewed and filed the Investment Report for the quarter ending March 31, 2005. City Treasurer Sandra K. Easley's report dated May 6, 2005.
- F. Social Services Program for Fiscal Year 2005/2006 – 1) Authorized the Social Services Program for Fiscal Year 2005/2006, and 2) distributed funds for 2005/2006 based on prior years allocations. Finance Director Alvertina Rivera's report dated May 5, 2005.
- G. Approval of Task Order with RBF Consulting for Additional Scope of Work Associated with the Comstock Homes Residential Development - Approved the Task Order with RBF Consulting for additional scope of work associated with the Comstock Homes Residential Development, and authorized the Acting City Manager to execute the Amendment, in a form approved by the City Attorney, in an amount not to exceed \$12,350. Planning Director Janna Minsk's report dated May 9, 2005.
- H. Approval of Amendment No. 1 with Fugro West for Continued Geotechnical Services for the Water Recycling Facility – Approved Amendment No. 1 with Fugro West, Inc., for additional geotechnical services during the design phase of the Water Recycling Facility for the amount of \$22,700 and authorized the City Manager to execute Amendment No. 1 on behalf of the City. Public Works Director/City Engineer Clifford G. Finley's report dated May 2, 2005.
- I. Public Employees' Retirement System Contract Amendment – 1) Authorized the City Manager to execute an amendment to the Contract between the Board of Administration of the Public Employees' Retirement System (PERS), in a form approved by the City Attorney, to provide two-year additional service credit to the Customer Service Supervisor Position; 2) adopted **RESOLUTION NO. 6179**, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF SANTA PAULA; 3) introduced and waived first reading of **ORDINANCE NO. 1135**, AN ORDINANCE APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF SANTA PAULA AND THE CALIFORNIA PUBLIC EMPLOYEE'S RETIREMENT SYSTEM; and 4) scheduled

second reading and adoption of Ordinance No. 1135 for the June 20, 2005 Regular City Council Meeting. Assistant to the City Manager Melissa Grisales' report dated April 28, 2005.

CONSENT CALENDAR – SEPARATE ACTION ITEM

J. Glen Tavern Loan

City Manager/Executive Director Wally Bobkiewicz presented Economic Development Specialist Rochelle Margolin's report dated May 12, 2005.

Eric Barragan, 1001 Elderberry Court, spoke in support of the loan to the Glen Tavern Inn.

It was moved by Councilmember/Director Procter, seconded by Councilmember/Director Aguirre, that the City Council and Redevelopment Agency Board of Directors: 1) allocate \$46,000 from the Redevelopment Agency to fund a loan for the Glen Tavern Inn; and 2) authorize the City Manager/Executive Director and City Attorney to take such additional, related, action that may be desirable. All were in favor, and the motion carried.

PUBLIC HEARING

A. Hillsborough Open Space Maintenance District

Upon verification of proper notification and posting by the City Clerk, Vice Mayor Cook opened the Public Hearing at 8:06 p.m.

City Manager Wally Bobkiewicz recommended that this item be continued to the June 6, 2005 Regular City Council Meeting in order to notify the affected homeowners as the City has done so in the past.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Cook, to continue this item to the June 6, 2005 Regular City Council Meeting. All were in favor, and the motion carried.

B. Citizens Option for Public Safety (COPS) Program Fiscal Year 2004/2005 and Fiscal Year 2005/2006

Upon verification of proper notification and posting by the City Clerk, Vice Mayor Cook opened the Public Hearing at 8:07 p.m.

Police Chief Robert S. Gonzales' report dated April 29, 2005. There was no Public Comment.

It was moved by Councilmember Luna, seconded by Councilmember Aguirre, to approve the allocation of the FY 2004/2005 COPS funds of \$100,000 and expected COPS allocations of \$100,000 for FY 2005/2006, and all interest earnings (estimated at \$3,000 per fiscal year) towards the continued operation of the Las Piedras Park Community Policing Building, continued upgraded firearms training, part-time transcriber, and an interim Police Officer; and establish a budget under Fund 311 and authorize staff to allocate any additional interest earnings to the operation of the Las Piedras Park Community Policing Building. All were in favor, and the motion carried.

Vice Mayor Cook closed the Public Hearing at 8:09 p.m.

C. Tax Equity Fiscal Reform Act (TEFRA) Hearing for Santa Paula Family Apartments

Upon verification of proper notification and posting by the City Clerk, Vice Mayor Cook opened the Public Hearing at 8:10 p.m.

City Manager Wally Bobkiewicz's report dated May 9, 2005.

Ben Lingo, representing Corporation for Better Housing, stated that the development application had been submitted to the State and would be considered by the Housing and Community Development Board on June 20, 2005 for approval. He also stated that they hope to break ground in early Fall.

Vice Mayor Cook closed the Public Hearing at 8:13 p.m.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to adopt Resolution No. 6181 approving the issuance by the California Statewide Communities Development Authority Multifamily Housing Revenue Bonds not to exceed \$8,500,000. All were in favor, and the motion carried.

RESOLUTION NO. 6181

A RESOLUTION APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING
REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY

ORDER OF BUSINESS

A. Adoption of Personnel Rules and Regulations (continued)

City Manager Wally Bobkiewicz presented Assistant to the City Manager Melissa Grisales' report April 20, 2005.

Susan Nye, representing SEIU Local 998, stated that SEIU completed its review of the proposed Personnel Rules and Regulations and acknowledged city employee, Becky Bolanos, for her review. She also stated that SEIU still had concerns regarding the alcohol and substance abuse policy and the procedures for random drug testing.

City Attorney Karl H. Berger recommended that the City move forward with adopting the Personnel Rules and Regulations as presented, and address the concerns brought forth at a later date.

It was moved by Councilmember Luna, seconded by Councilmember Procter, to adopt Resolution No. 6176 which establishes Rules and Regulations governing the City of Santa Paula's personnel system. All were in favor, and the motion carried.

RESOLUTION NO. 6176

A RESOLUTION RESCINDING RESOLUTION NO. 1967 ADOPTING THE
PERSONNEL RULES AND REGULATIONS

B. Branding Program

Economic Development Specialist Rochelle Margolin's report dated May 10, 2005.

It was moved by Councilmember/Director Aguirre, seconded by Vice Mayor/Vice Chair Cook, that the City Council and the Redevelopment Agency: 1) accept the Economic Development Advisory Committee's recommendation for the branding design; and 2) direct staff to develop a signage program. All were in favor, and the motion carried.

RECESS TO A BREAK

Vice Mayor/Vice Chair Cook recessed the City Council/Redevelopment Agency to a break at 8:29 p.m.

RECONVENE TO REGULAR MEETING

Vice Mayor/Vice Chair Cook reconvened the City Council/Redevelopment Agency at 8:44 p.m.

C. Fiscal Year 2004/2005 Third Quarter Statement of Revenues and Expenditures and Capital Improvement Projects Status Update

Finance Director Alvertina Rivera presented the report dated May 9, 2005, and reviewed the Fiscal Year 2004/2005 Third Quarter Statement of Revenues and Expenditures. She responded to a question regarding the increase of \$50,000 in workers compensation by stating that the City would be reimbursed \$50,000 more than anticipated.

Public Works Director/City Engineer Clifford G. Finley presented the Capital Improvement Projects Status Update. He responded to a question regarding the application for a grant for The Mill by stating that the Ventura County Transportation Commission applied for the grant and the City was included only from a review standpoint. He further responded to a question regarding the status of the grant for the Route 150 bypass by stating that staff anticipates a response from the Ventura County Transportation Commission this summer; however, it is not likely that the City would receive any funding. He further responded to a question regarding well abandonment by stating that some of the City's old wells were never abandoned property.

The Statement of Revenues and Expenditures and Capital Improvement Projects Report was received and filed.

D. Third Quarter Budget Adjustments

Finance Director Alvertina Rivera report dated May 9, 2005.

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, to approve Resolution No. 6182 which authorized the budget adjustments as described in the Fiscal Impact section of the report. All were in favor, and the motion carried.

RESOLUTION NO. 6182

A RESOLUTION APPROVING ADJUSTMENTS TO THE OPERATING BUDGET FOR
FISCAL YEAR 2004-2005

- E. Alarm Permitting; False Alarm Response – This item was carried over to a future meeting.
- F. Update on Implementation of Police Management Audit - This item was carried over to a future meeting.
- G. Police Quality of Life Program – This item was carried over to a future meeting.
- H. Guidelines for City Councilmember Advocacy – This item was carried over to a future meeting.

- I. Schedule Quality Development Workshop – This item was carried over to a future meeting.
- J. Appointment to Economic Development Advisory Committee – This item was carried over to a future meeting.

CITY/AGENCY COMMUNICATIONS

City Manager Wally Bobkiewicz noted that he and Mayor Krause would be in Washington, D.C. May 17 through 20, 2005, and that Finance Director Alvertina Rivera would be the Acting City Manager.

City Attorney Karl H. Berger noted that he would be out of town next week and that Assistant City Attorney Bradley E. Wohlenberg would be the Acting City Attorney.

Councilmember Luna noted that the Santa Paula High School's presentation of *Once Upon a Mattress* would be held May 27 and 28, 2005.

FUTURE AGENDA ITEMS

It was moved by Councilmember Luna, seconded by Vice Mayor Cook, for a discussion on the policy of the Main Street Banner. All were in favor, and the motion carried.

ADJOURNMENT

There being no further business to come before the City Council/Redevelopment Agency, Vice Mayor/Vice Chair Cook adjourned the meeting at 8:59 p.m., in memory of Barbara Baker and Raymond Aguilar

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary