

**CALL TO ORDER**

Mayor Krause called the meeting to order 6:10 p.m.

**ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Ray C. Luna, Councilmember John T. Procter, 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.

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION**

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

- A. Conference with Legal Counsel, Initiation of Litigation – Government Code §54956.9(c). Number of potential cases: One.

Mayor Krause recessed the City Council at 6:10 p.m., and reconvened the City Council at 6:18 p.m. No reportable action was taken during the Closed Session.

Mayor Krause recessed the City Council at 6:18 p.m.

**RECONVENE AND CALL TO ORDER**

Mayor Krause reconvened the City Council at 6:36 p.m. Reverend Audrey Vincent offered the invocation, and Mayor Krause led the Flag Salute

**ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Ray C. Luna, Councilmember John T. Procter, 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.

**CLOSED SESSION REPORT**

No reportable action was taken during the Closed Session.

### **PRESENTATIONS**

A. Presentation by Fire Chief Paul L. Skeels to Fire Chaplain Reverend Jose Vindel and Introduction of New Fire Chaplain Father Chris Jubinski

Fire Chief Paul L. Skeels reported that Fire Chaplain Reverend Jose Vindel was reassigned to San Bernardino, and that he assisted in bringing in new Fire Chaplain Father Chris Jubinski.

Councilmember Aguirre presented a proclamation to Fire Chaplain Reverend Jose Vindel. Reverend Vindel thanked the community for their help and support.

B. Overview by Fire Chief Paul L. Skeels of 4<sup>th</sup> of July Fireworks Task Force

Fire Chief Paul L. Skeels reported on the enforcement efforts for illegal fireworks: 1) signs posted at the entrances to the City indicating that fireworks are unlawful, would be confiscated, and violators cited; 2) public information through the news media and radio; 3) Fireworks Task Force patrolling the City seeking illegal fireworks.

C. Introduction of New Employees

Building and Safety Director Stephen R. Stuart introduced Senior Building Inspector Craig Fraki, and Planning Director Janna Minsk introduced Assistant Planner Jennifer Santos. Both Mr. Fraki and Ms. Santos stated that they were happy to be employed with the City.

### **PUBLIC COMMENT**

Carmen Guerrero introduced Rosa Navarro, a 15-year old Santa Paula High School student, who was selected to participate in the Junior State of America Program at Princeton University. She noted that Rosa was one of 320 students to be accepted in the program, and that Rosa is very involved at her high school and carries a 4.67 grade point average.

Rosa Navarro introduced her family members and thanked Santa Paula High School Principal Tony Gaitan and De Colores Art Group for their support. She also thanked Limoneira Company, Kay Wilson-Bolton, Mendez Concrete, Don Petty, Soroptimist International, Kiwanis Club, Cabrillo Economic Development Corporation, John Yeary, and the community for their generous donations, which would allow her to travel to Princeton.

Richard Francis, 711 S. A Street, Oxnard, representing We CARE Santa Paula, requested that the City Council place the We CARE initiative on the ballot or adopt the

ordinance. He distributed written information regarding cases involving placement of initiatives on the ballot.

Rick Bianchi, 27200 Tourney Road, representing Centex Homes, announced that Centex would be sponsoring a Job Fair on July 14, 2005, at the Community Center, from 2:00 p.m. to 8:00 p.m.

Bob Borrego, 524 Fourteenth Street, representing One Santa Paula, asked the City Council to reject any request to place the We CARE initiative on the ballot.

Yolie Cerda-Lee, 341 W. Santa Barbara Street, representing One Santa Paula, read from a prepared statement regarding Santa Paula's need for growth.

Lotar Ziesing, PO Box 9, expressed his concerns with the proposed asphalt plants near the Santa Clara River due to air pollution, truck traffic, noise, and nighttime glare. He asked the City Council to deny issuing any operating permits.

Jack Phillips, 742 Foothill Road, representing We CARE Santa Paula, stated that his group's legal staff was reviewing City Clerk Josie G. Herrera's letter rejecting the initiative, and that his group would take action to have the initiative placed on the ballot. He also stated that if the proposed Fagan Canyon development project is approved, his group would engage in the referendum process.

Larry Sagely, 585 Ridgecrest, representing We CARE Santa Paula, stated that group members formed a recipient committee who have volunteered time and donated money to address their concerns regarding the proposed Fagan Canyon project. He questioned whether the City Council had reviewed the Specific Plan to ensure it fits the City's Visioning Plan. He also expressed concerns with the proposed asphalt plants near the Santa Clara River.

David Stegman, M.D., 298 Cummings Road, expressed his concerns with the revitalization of the City and the closure of the hospital.

Pastor Ron Dybvig, 117 N. Seventh Street, representing Santa Paula Ministerial Association, distributed a copy of a written statement targeting prayer for community unity.

Janet Grant, 500 W. Santa Maria Street, read from Eric Barragan's prepared statement, in support of the City Council, in support of the City Clerk's decision to reject the We CARE initiative, and in support of the proposed Fagan Canyon development project.

Anita Pulido, 310 San Clemente Street, spoke in support of the proposed Fagan Canyon development project.

Dora Crouch, 739 Yale Street, spoke in support of the City Council.

Rodney Fernandez, 537 Glade Drive, representing One Santa Paula, spoke in support of the City Council

Ralph Fernandez, 636 Shasta Drive, expressed his concerns with the proposed Fagan Canyon development project. He encouraged the City Council to place the matter on the ballot.

John Wisda, 550 Monte Vista, expressed concerns with the rejection of the We CARE ballot initiative, and asked the City Council to place the matter on the ballot.

Victor Salas, 542 Bradley, representing Santa Paula Mexican-American Chamber of Commerce, expressed concerns with grading being done for the proposed asphalt plant projects. He also expressed concerns with the water line that runs along the property, air pollution, and potable water from the Santa Clara River. He responded to a question regarding whether the City had possession of the water line plans by stating that he believes the plans were destroyed; however, he worked for Santa Paula Water Works for 25 years and has knowledge of where the water lines are located. City Manager Wally Bobkiewicz noted that the City received an application for a proposed asphalt plant project, which is currently under environmental review. He also stated that no grading permit was issued; however, there could be work being done for the Santa Clara River restoration due to the winter storms. The City Council asked that staff follow-up regarding Mr. Salas' comments on the water lines.

Delton Lee Johnson, 14 McKeveitt Heights Road, asked the City Council to allow the voters to vote on the We CARE initiative.

Jess Victoria, 134 Moultrie Place, expressed concerns with the proposed Fagan Canyon development project and with the proposed asphalt plant projects.

City Attorney Karl H. Berger noted that there was no agenda item regarding the We CARE initiative, and that consideration to have the matter placed on the ballot would need to be placed on a future agenda. He commented on the City Clerk's ministerial duty to certify or reject initiatives under Elections Code 9201 and the City Council's ability to place matters on the ballot under Elections Code 9222. He noted that if the City Council wishes to place a land use matter on the ballot, this would be subject to environmental review, and he did not believe there would be sufficient time to place a land use matter on the November ballot. Lastly, he noted that the City Council, individual Councilmembers, nor the City Manager had any influence on the City Clerk's independent decision to reject the petition.

**RECESS TO A BREAK**

Mayor Krause recessed the City Council to a break at 8:20 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Krause reconvened the City Council at 8:42 p.m.

**CITY COUNCIL, STAFF COMMUNICATIONS**

City Manager Wally Bobkiewicz noted the following upcoming meetings and events: June 21, 2005 staff community meeting regarding the Fagan Canyon Draft Environmental Impact Report; June 22, 2005 public meeting for input on Park Master Plan; June 27, 2005 Special City Council Meeting for budget adoption; July 28, 2005 meeting at the Depot for public input regarding the Police Chief recruitment; July 4, 2005 Oddfellows and City of Santa Paula Pancake Breakfast at the Depot; and July 4, 2005 fireworks display at 9:00 p.m.

**APPROVAL OF FINAL AGENDA**

Councilmember Procter suggested that Order of Business Item 12A be considered prior to the Public Hearing. City Manager Wally Bobkiewicz suggested that Order of Business Items 12F and 12G be moved up on the agenda. Mayor Krause suggested that the agenda be reordered as follows: 12A, 11A, 12F, and 12G, followed by the Public Hearing.

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

**CONSENT CALENDAR**

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to approve the Consent Calendar as presented. 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 of the Regular City Council/Redevelopment Agency Meeting of May 16, 2005.
- C. Adoption of Ordinance No. 1137 – Waived second reading and adopted **ORDINANCE NO. 1137**, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT FOR THE RIDGEVIEW AT VISTA GLEN RESIDENTIAL SUBDIVISION IN ACCORD WITH GOVERNMENT CODE §65867. City Clerk Josie G. Herrera's report dated June 13, 2005.

- D. Co-sponsorship of 38<sup>th</sup> Annual Santa Paula Citrus Festival – Approved co-sponsorship of the 38<sup>th</sup> Annual Santa Paula Citrus Festival and authorized the City Manager to execute a co-sponsorship agreement with the Santa Paula Kiwanis Club in a form approved by the City attorney. City Manager Wally Bobkiewicz's report dated June 15, 2005.
- E. Council Expense and City Manager Travel Monthly Report to Transactions – Reviewed and filed the monthly transactions report for May 2005. Finance Director Alvertina Rivera's report dated June 8, 2005.
- F. Acceptance of Sewer Maintenance Agreement with Santa Paula Self Storage, LLC – Accepted the Sewer Maintenance Agreement with Santa Paula Self Storage, LLC, and directed the City Manager to execute said Agreement. Public Works Director/City Engineer Clifford G. Finley's report dated June 13, 2005.

### **ORDER OF BUSINESS**

- A. Agreement with Santa Paula Rotary for Donation of Fountain and Other Improvements Adjacent to St. Francis Dam Memorial

City Manager Wally Bobkiewicz's report dated June 15, 2005.

Roy Wilson, Jr., 947 Cliff Drive, spoke in support of the installation of the fountain, and noted that the Rotary Club would act as the pass through agency for accepting tax-exempt donations. He also noted that after the project is completed, the City would maintain the fountain.

It was moved by Councilmember Procter, seconded by Councilmember Luna, to adopt Resolution No. 6196 authorizing installation of a fountain and other improvements adjacent to the St. Francis Dam Monument located at Tenth and Santa Barbara Streets, and authorize the City Manager to execute a contract in form approved by the City Attorney with the Santa Paula Rotary Club. All were in favor, and the motion carried.

### **RESOLUTION NO. 6196**

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE INSTALLATION OF A FOUNTAIN AND OTHER IMPROVEMENTS TO THE LOT ADJACENT TO ST. FRANCIS DAM MONUMENT PURSUANT TO GOVERNMENT CODE 830.6 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH SANTA PAULA ROTARY CLUB WITHOUT THE NEED FOR COMPETITIVE BIDDING AS OTHERWISE REQUIRED BY THE SANTA PAULA MUNICIPAL CODE

### **PUBLIC HEARING**

A. Proposed Fee Increases for City Services

Upon verification of proper notification and posting by the City Clerk, Mayor Krause opened the Public Hearing at 9:00 p.m.

Public Works Director/City Engineer Clifford G. Finley's report dated June 13, 2005.

Jess Victoria, 134 Moultrie Place, spoke against the proposed rate increases and referred to Ordinance No. 706 adopted in 1978 establishing sewage, liquid waste, and industrial waste discharge revenue fund. He questioned how funds are distributed toward labor, equipment, and kept in reserve. City Manager Wally Bobkiewicz responded by giving a summary of the estimated revenue and expenses from the three enterprise funds for the next fiscal year. He noted that the proposed increase would go toward the \$50 million that is needed for the new water recycling facility, and that the purpose for raising rates is not to cover operations but to help to begin to pay the construction costs for the new plant.

City Manager Wally Bobkiewicz responded to a question regarding impacts if the proposed increases are not approved by stating that residents could see a 110% increase in 2008 if the proposed increases are not approved at this time.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to introduce and waive the first reading of Ordinance No. 1138 setting the amount of Wastewater Rates and Charges and Ordinance No. 1139 setting the amount of Refuse Rates and Charges. All were in favor, and the motion carried.

**ORDINANCE NO. 1138**

AN ORDINANCE SETTING THE AMOUNT OF WASTEWATER RATES AND CHARGES PURSUANT TO HEALTH AND SAFETY CODE §5471 AND SANTA PAULA MUNICIPAL CODE 51.680

**ORDINANCE NO. 1139**

AN ORDINANCE SETTING THE AMOUNT OF REFUSE RATES AND CHARGES PURSUANT TO HEALTH AND SAFETY CODE §5471 AND SANTA PAULA MUNICIPAL CODE 50.190

Mayor Krause closed the Public Hearing at 9:20 p.m.

**ORDER OF BUSINESS**

F. Approval of the Water Supply Assessment for the Fagan Canyon Development

Councilmember Aguirre and Councilmember Procter declared conflicts of interest because their residences are within 500 feet of the proposed Fagan Canyon Development project. They exited the Council Chambers at 9:25 p.m.

Public Works Director/City Engineer Clifford G. Finley's report dated June 15, 2005.

City Attorney Karl H. Berger noted that any development that proposes 500 dwelling units or more must have a water supply assessment.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to adopt Resolution No. 6195 adopting the Water Supply Assessment for the Fagan Canyon Project. All were in favor, and the motion carried.

**RESOLUTION NO. 6195**

A RESOLUTION ADOPTING WATER SUPPLY ASSESSMENT REGARDING THE PROPOSED FAGAN CANYON DEVELOPMENT PROJECT PURSUANT TO WATER CODE 10911(c) AND GOVERNMENT CODE §66473(b)(1)

Councilmember Aguirre and Councilmember Procter returned to the Council Chambers at 9:48 p.m.

G. Approval of Plans and Specifications for the Green Street Improvement Project

Public Works Director/City Engineer Clifford G. Finley's report dated June 15, 2005.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to adopt Resolution No. 6194 approving the plans and specifications for the Green Street Improvement Project and authorize staff to advertise for bids for the project. All were in favor, and the motion carried.

**RESOLUTION NO. 6194**

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE GREEN STREET IMPROVEMENT PROJECT PURSUANT TO GOVERNMENT CODE SECTION 930.6

**PUBLIC HEARING**

B. Weed Abatement Report and Request for Authority to Clear Non-Complying Properties

Upon verification of proper notification and posting by the City Clerk, Mayor Krause opened the Public Hearing at 9:56 p.m.

Fire Chief Paul L. Skeels' report dated June 13, 2005.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to receive the report and direct the Fire Department to contract for the clearance of non-complying properties. All were in favor, and the motion carried.

Mayor Krause closed the Public Hearing at 10:04 p.m.

C. Transfer of Delinquent Sewer, Refuse, and Water Charges to Tax Roll

Upon verification of proper notification and posting by the City Clerk, Mayor Krause opened the Public Hearing at 10:04 p.m.

Finance Director Alvertina Rivera's report dated June 9, 2005. She submitted a revised Exhibit "A" for the resolution.

It was moved by Councilmember Aguirre, seconded by Councilmember Cook, to accept the delinquent charges as described in the report as final, and adopt a resolution authorizing the City Clerk to record the obligations with the County Recorder, County of Ventura, and forward a copy of the resolution to the County Auditor, County of Ventura, for inclusion of the delinquent charges on the 2005-06 tax roll. All were in favor, and the motion carried.

**RESOLUTION NO. 6187**

A RESOLUTION ORDERING THE DELINQUENT CHARGES FOR  
SEWER/REFUSE/WATER SERVICES UPON CERTAIN PROPERTIES IN THE CITY  
OF SANTA PAULA BE ASSESSED AGAINST THE PROPERTY OWNERS AND  
PROPERTIES AND SUCH CHARGES BE TRANSFERRED TO THE COUNTY TAX  
ROLLS

Mayor Krause closed the Public Hearing at 10:10 p.m.

**ORDER OF BUSINESS**

B. Proposed Fiscal Year 2005/2006 Budget Deliberations

City Manager Wally Bobkiewicz provided an oral report. He noted that the Public Works Department presented the Capital Improvements Program to the Planning Commission, and because of the discussion at the Planning Commission Meeting, staff would propose an increase of \$50,000 to the Capital Improvement Program budget for a

Citywide Drainage Master Plan. He stated that this would be reflected in the final budget resolution at the next City Council meeting.

C. Guidelines for Councilmember Advocacy

City Manager Wally Bobkiewicz's report dated May 10, 2005.

After much discussion, it was moved by Vice Mayor Cook, seconded by Councilmember Luna, to bring back this item in the near future with more explanation. All were in favor, and the motion carried.

**RECESS TO A BREAK**

Mayor Krause recessed the City Council to a break at 10:36 p.m. City Attorney Karl H. Berger was excused from the remainder of the meeting.

**RECONVENE TO REGULAR MEETING**

Mayor Krause reconvened the City Council at 10:43 p.m.

**COUNCIL CONSENSUS TO EXTEND THE MEETING**

As business had not concluded at 10:43 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Vice Mayor Cook, seconded by Councilmember Luna, to suspend the rules and continue considering new business. All were in favor, and the motion carried.

D. Schedule Quality Development Workshop

City Manager Wally Bobkiewicz provided an oral report.

A discussion ensued regarding having local architects provide a presentation and obtaining a copy of the videotape of Dave Sargent's East Area One presentation. The City Council discussed having a workshop that focuses on breezeways, open space areas, lot lots, courtyards, visual presentation of apartment size, types of density, types of housing, quality of life issues, and condominium and apartment units.

City Manager Wally Bobkiewicz suggested a two to three hour workshop on a weeknight in the Fall dealing with multifamily development and issues of density design associated with multifamily developments.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Cook, to direct the City Manager to put together a Quality Development Workshop. All were in favor, and the motion carried.

E. Action Minutes

City Clerk Josie G. Herrera's report dated June 13, 2005.

Mayor Krause read Laura Flores Espinosa's written comments in opposition to action minutes format.

City Manager Wally Bobkiewicz responded to a question regarding the archiving of audio and videotapes of City Council Meetings by stating that staff would be archiving videotapes on DVD format this summer.

The City Council discussed whether Planning Commission Minutes should remain as summary minutes, support for action minutes due to the City Clerk's workload, desire to have Public Comment done as a short synopsis, and the possibility of identifying items on the minutes that should be summary rather than merely action. City Clerk Josie G. Herrera suggested that when action minutes are presented for adoption, the City Council could pull the minutes and ask that certain items be redone as summary minutes.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, for the City Clerk to bring back a resolution for adoption of action minutes format and include that when action minutes are being considered for adoption that a Councilmember may pull the minutes and ask that they be prepared as summary minutes. All were in favor, and the motion carried.

H. Appointment to Economic Development Advisory Committee

City Manager Wally Bobkiewicz's report dated June 13, 2005.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to reappoint Luiz A. Diaz, Anna Marie Manzano, Michael W. Miller, and Peter Wright as members to the Economic Development Advisory Committee to fill scheduled vacancies for Seat Nos. 5, 6, 7, and 10 for terms that will expire in June 2009. All were in favor, and the motion carried.

I. Appointment to Planning Commission

City Manager Wally Bobkiewicz's report dated June 13, 2005.

It was moved by Councilmember Luna, seconded by Councilmember Procter, to reappoint Gary L. Nasalroad to the Planning Commission to fill a scheduled vacancy for

Seat No. 5 for a four-year term that will expire in June 2009. All were in favor, and the motion carried.

### **CITY COMMUNICATIONS**

There were no City Communications.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Procter for a report to look at alternatives of bringing the failed initiative to the ballot. The motion failed for lack of a second.

It was moved by Councilmember Luna, seconded by Councilmember Procter, on how the City awards contracts for auto repair for city-owned vehicles. All were in favor, and the motion carried.

It was moved by Mayor Krause, seconded by Councilmember Luna, for the City Council and Redevelopment Agency to consider sponsorship of the Home Partnership Conference in September. All were in favor, and the motion carried.

It was moved by Vice Mayor Cook, seconded by Councilmember Procter, for the process for classifications within the Fire Department for in-house promotions. All were in favor, and the motion carried.

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Krause adjourned the meeting at 11:18 p.m.

ATTEST:

---

Josie G. Herrera  
City Clerk