

CALL TO ORDER

Mayor/Chair Krause called the meeting to order 6:04 p.m.

ROLL CALL

Councilmember/Director Gabino Aguirre, Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Mayor 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

Mayor/Chair Krause announced that the Closed Session would be 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.
- B. Conference with Legal Counsel, Existing Litigation. *Government Code Section 54956.9(a).* Name of Case: We CARE – Santa Paula versus Josie G. Herrera, City Clerk, et al. Ventura County Superior Court Case No. CIV234520.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 6:04 p.m., and reconvened the City Council/Redevelopment Agency at 6:20 p.m. No reportable action was taken during the Closed Session.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 6:20 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Krause reconvened the City Council/Redevelopment Agency at 6:36 p.m. Councilmember/Director Procter led the Flag Salute

ROLL CALL

Councilmember/Director Gabino Aguirre, Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Mayor 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. Overview of Fourth of July Events in Santa Paula

City Manager Wally Bobkiewicz noted that the Oddfellows would hold a Pancake Breakfast on July 4, 2005, at 9:00 a.m., at the Depot, and the City would have a fireworks display at Harding Park at 9:00 p.m. Fire Chief Paul L. Skeels spoke regarding enforcement efforts for illegal fireworks.

B. Presentation of 38th Annual Santa Paula Citrus Festival Poster

Mary Mata presented the 38th Annual Santa Paula Citrus Festival poster, and provided a summary of scheduled events.

C. Presentation of Remodeling Plans – Santa Paula Vons

City Manager Wally Bobkiewicz provided an overview and a video of remodeling plans for Vons grocery store, and read a letter from Deborah Adams, Vons Area Real Estate Manager.

Frank Ybarra, Manager of Santa Paula Vons, thanked the City Council and noted that Vons would remain open during the remodeling.

D. Information on Public Meeting for Qualities of New Police Chief – Tuesday, June 28, 2005

City Manager Wally Bobkiewicz noted that a public meeting would be held on June 28, 2005, at 6:30 p.m., at the Depot, with Richard Perry, who is working with the City on the new Police Chief recruitment.

PUBLIC COMMENT

Larry Sagley, 585 Ridgecrest Drive, representing We CARE Santa Paula, spoke regarding the upcoming court hearing to have their ballot initiative placed on the ballot, and stated that regardless of the judge's decision, his group plans to use the referendum process if the proposed Fagan Canyon project is approved. He expressed

concerns with the City Council's actions to prevent the initiative from being placed on the ballot, irreversible impacts noted in the Environmental Impact Report, and the square footage and amount of apartments and dwellings proposed for Fagan Canyon.

Jess Victoria, 134 Moultrie Place, spoke in opposition to the proposed asphalt plant projects near the Santa Clara River.

John Wisda, 550 Monte Vista, representing We CARE Santa Paula, addressed concerns with Letters to the Editor written by members of One Santa Paula. He stated that currently the City has a strong real estate market and businesses are thriving in the downtown. He asked the City Council to delay any decision on the proposed Fagan Canyon project until after the November election.

Yolie Cerda-Lee, 341 W. Santa Barbara Street, representing One Santa Paula, provided a written statement in support of the City Council.

Eric Barragan, 1001 Elderberry Court, representing One Santa Paula, expressed his support for the City Council.

City Manager Wally Bobkiewicz responded to a request to review the application process for the proposed asphalt plants by stating that the two proposed projects require full environmental impact reports, and that both projects would be presented first to the Planning Commission and then to the City Council in the Fall.

City Attorney Karl H. Berger responded to a question regarding what has been approved for Fagan Canyon by stating that no issues regarding the proposed Fagan Canyon project have been brought to the Planning Commission or the City Council other than issues regarding conflicts of issues currently being reviewed by the Fair Political Practices Commission.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter mentioned that he and his band would be performing during Cruise Night on July 1, 2005. He also noted that Dana Elcar, founder of the Santa Paula Theater Center, and George Espinosa, "The Singing Cowboy," recently passed away.

Vice Mayor Cook addressed comments made by members of We CARE Santa Paula. He also stated that the City Council had not yet received a presentation on the proposed asphalt plants. Councilmember Luna echoed Vice Mayor Cook's comments.

Mayor Krause stated that she attended the grand reopening of the Glen Tavern Inn, which was also a fundraiser for Hospice for the Adult Daycare Center.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Procter, seconded by Councilmember Aguirre, to move Item 11B prior to consideration of Item 11A in order to accommodate the audience. All were in favor, and the motion carried.

CONSENT CALENDAR

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, 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. Amendment #4 to P&D Consultants Contract No. 99485, P&D Three-Year On-Call Agreement and Task Order #1 - 1) Approved Amendment No. 4 to P&D Consultant's Contract No. 99485 for additional services in the preparation of the Environmental Impact Report (EIR) increasing the contract amount by \$33,656.09; 2) approved Three-Year On Call Agreement with P&D Consultants for future On-Call Environmental Professional Services; 3) approved Task Order #1 for \$32,498.60 with P&D Consultants for environmental services relating to the annexation of land for the new Water Recycling Facility (West Area 2). Public Works Director/City Engineer Clifford G. Finley's report dated June 21, 2005.
- C. Approve Purchase John Deere JD210LE Loader from Coastline Equipment Company - Approved the purchase of a John Deere Loader from Coastline Equipment Company for \$50,568.38, and authorized the City Manager or his designee, to sign purchase order on behalf of the City for \$50,568.38 to Coastline Equipment for a John Deere JD210LE Loader. Public Works Director/City Engineer Clifford G. Finley's report dated June 21, 2005.

ORDER OF BUSINESS

- B. Partnership with Padres Adelante!

City Manager Wally Bobkiewicz's report dated June 22, 2005.

Eric Barragan, 1001 Elderberry Court, representing Latino Town Hall responded to a question regarding a sentence under *Community Demographics* that refers to the City being segregated by race and ethnicity by stating that this section of the proposal was obtained from the Santa Paula Elementary School District's Local Education Agency Report.

Special City Council/Redevelopment Agency Meeting
Monday, June 27, 2005
City Hall Administration Conference Room and Council Chambers

Anita Pulido, 310 San Clemente, spoke in support of the Padres Adelante program, and expressed her gratitude to Latino Town Hall for putting together this program.

Eric Barragan responded to a question regarding whether the program would include students from Mupu and Briggs Schools by stating that although Latino Town Hall did not outreach to these school districts, they could be included and he would follow-up on displaying information at these schools.

The City Council discussed concerns with a sentence under *Educational Attainment in the Community* that states that only two-thirds of Santa Paula students graduate from the public high school and whether this information was accurate. Eric Barragan addressed the City Council's concerns and stated that this sentence could be stricken from the proposal.

The City Council discussed concerns with a sentence under *Community Safety Issues* that states that Santa Paula's rate of violent crimes is nearly double the national average. City Manager Wally Bobkiewicz noted that according to data collected from the Federal Bureau of Investigations, Santa Paula's average of violent crimes is less than half of the national average. Eric Barragan stated that this sentence could be stricken from the proposal.

The City Council expressed concerns with the Santa Paula Elementary School District's document that appears to contain incorrect information. City Manager Wally Bobkiewicz stated that he would address the City Council's concerns with Superintendent Luis Villegas.

The City Council recommended that Latino Town Hall strike out the three statements that were discussed from their proposal.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to co-sponsor the initiative and consider the potential use of the Community Center and Las Piedras Park Storefront for parent meetings to kick off the project, and ask Latino Town Hall to amend the background information by striking out the three statements as recommended. All were in favor and the motion carried.

A. Proposed Budgets for City of Santa Paula and Redevelopment Agency of the City of Santa Paula for Fiscal Year 2005-2006

City Manager Wally Bobkiewicz presented Finance Director Alvertina Rivera's report dated June 21, 2005.

Finance Director Alvertina Rivera noted a change to Resolution No. 6192, Section 1C that should read "... June 12, 20, and 27, 2005" rather than "... June 12, 20, and 27,

2004.”

It was moved by Councilmember/Director Procter, seconded by Vice Mayor/Vice Chair Cook, to approve Resolution No. 6192 as amended and Resolution No. 2005-08(R) adopting the City of Santa Paula and Redevelopment Agency Budgets for Fiscal Year 2005-2006. All were in favor, and the motion carried.

RESOLUTION NO. 6192

A RESOLUTION ADOPTING THE 2005-2006 FINAL OPERATING BUDGET FOR THE CITY OF SANTA PAULA AND ADOPTING THE 2005-2006 CAPITAL IMPROVEMENT BUDGET

RESOLUTION NO. 2005-08R

A RESOLUTION ADOPTING THE 2005 - 2006 OPERATING BUDGET FOR THE SANTA PAULA REDEVELOPMENT AGENCY.

RECESS TO A BREAK

Mayor/Chair Krause recessed the City Council/Redevelopment Agency to a break at 7:54 p.m.

RECONVENE TO REGULAR MEETING

Mayor/Chair Krause reconvened the City Council/Redevelopment Agency at 8:07 p.m.

C. Code Enforcement for Neglected Rental Property

Building and Safety Director Stephen R. Stuart's report dated June 3, 2005.

A discussion ensued regarding inspections made by City staff, the administrative warrant process, and enforcement efforts for overcrowded units.

City Attorney Karl H. Berger responded to a question regarding the possibility of assessing a tax for rental properties by stating that such a tax would require voter approval. He further responded to a question regarding the possibility of requiring a business license for rental properties by stating that the business license certificate process is not regulatory in terms of the requirements to obtain a business license, and that any increase or change to the type of business license scheme would also require voter approval. He further responded to a question regarding whether out of area landlords could vote on a tax by stating that participants of the vote would be those affected by the tax as opposed to the city at large.

City Manager Wally Bobkiewicz suggested that staff could bring back a report in September with information regarding an education program similar to a program offered by the City of Los Angeles and assessing a tax for rental properties.

It was moved by Councilmember Luna, seconded by Councilmember Aguirre, for staff to provide further information on the four options listed in the staff report, with minimal information for Option 4. All were in favor, and the motion carried.

D. Discussion on Policy of Dumpsters in Residential Areas

Public Works Director/City Engineer Clifford G. Finley reported that currently the City allows commercial franchise containers that are typically used during home improvement projects; however, the City's code does not restrict the length of time. He also noted that commercial bins must be picked up weekly unless they are being used for home improvement projects.

The City Council discussed concerns with the use of dumpsters for single-family residences and hillside properties and for home-based businesses. City Manager Wally Bobkiewicz responded that staff could bring back a report with what other communities are doing for temporary bins and permitting requirements for temporary dumpsters in residential zones.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to bring back a report on commercial dumpsters and roll-off containers in residential zones. All were in favor, and the motion carried.

E. Sponsorship of Fourth Annual Ventura County Housing Conference

City Manager Wally Bobkiewicz's report dated June 22, 2005.

It was moved by Councilmember/Director Procter, seconded by Councilmember/Director Aguirre, that the City Council and Redevelopment Agency Board of Directors approve sponsorship of the Fourth Annual Ventura County Housing Conference at the \$500 level, with City staff given first priority for tickets to the conference, and if Councilmembers wish to attend, that the cost of their tickets come from each Councilmember's budget. All were in favor, and the motion carried.

F. Policy on Displaying Banners on Main Street

City Manager Wally Bobkiewicz's report dated June 22, 2005.

A discussion ensued regarding the policy for allowing banner display, the possibility of allowing multiple organizations to advertise on both sides of the banner, and restricting the type of events that could be advertised.

City Manager Wally Bobkiewicz reviewed the current policy. City Attorney Karl H. Berger stated that the City Council could restrict the policy to allow banner display for City and/or City-sponsored events.

A discussion ensued regarding limiting the banner display for City and City-sponsored events. Another discussion ensued regarding keeping the policy in its current form.

The report was received and filed.

CITY COMMUNICATIONS

Councilmember Luna expressed a desire to adjourn the City Council Meeting in memory of Sally Solis, who was at one time a City employee and who recently worked for the Santa Paula Housing Authority.

FUTURE AGENDA ITEMS

There were no Future Agenda items.

ADJOURNMENT

There being no further business to come before the City Council/Redevelopment Agency, Mayor/Chair Krause adjourned the meeting at 9:12 p.m., in memory of Sally Solis.

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary