

CALL TO ORDER

Mayor/Chair Krause called the meeting to order 5:52 p.m.

ROLL CALL

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. Councilmember/Director Gabino Aguirre and Councilmember/Director Ray C. Luna were absent.

PUBLIC COMMENT

There was no Public Comment.

ORDER OF BUSINESS

A. Appointment of Real Property Negotiator

It was moved by Vice Mayor/Vice Chair Cook, seconded by Councilmember/Director Procter, to appoint Executive Director Wally Bobkiewicz and Agency Attorney Karl H. Berger as the Redevelopment Agency's Real Property Negotiators relating to real property located at Assessor's Parcel Numbers 101-0-214-145, 101-0-214-135, 101-0-214-125, 101-0-214-115, 101-0-214-105, and 101-0-214-025 to negotiate both price and terms. All were in favor, and the motion carried.

CLOSED SESSION

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

- A. Conference with Real Property Negotiator - Pursuant to *Government Code §54956.8*. Property Address: Assessor's Parcel Numbers 101-0-214-145, 101-0-214-135, 101-0-214-125, 101-0-214-115, 101-0-214-105, and 101-0-214-025. Negotiating Parties: Florence Elwell Trust. Agency Negotiator: Executive Director Wally Bobkiewicz and Agency Attorney Karl H. Berger. Under negotiation: Both price and terms.
- 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.*

- C. 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, Ventura County Professional Firefighters Association, Mid-management, Confidential, Part-time, Temporary, and Seasonal Employees Groups.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 5:33 p.m., and reconvened the City Council/Redevelopment Agency at 6:18 p.m. No reportable action was taken during the Closed Session.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 6:18 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Krause reconvened the City Council/Redevelopment Agency at 6:32 p.m. Pastor Ron Dybvig offered the Invocation, and Vice Mayor/Vice Chair Cook led the Flag Salute

ROLL CALL

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. Councilmember/Director Gabino Aguirre and Councilmember/Director Ray C. Luna were absent.

CLOSED SESSION REPORT

No reportable action was taken during the Closed Session.

PRESENTATIONS

- A. Presentation by Police Chief Robert S. Gonzales of Citizen's Medal of Merit to Tim Martinez

Police Chief Robert S. Gonzales noted that Tim Martinez, Water Maintenance Foreperson, who came to the aid of Police Officer Daniel Kiernan during a traffic stop that had become violent. He presented Mr. Martinez with the Santa Paula Police Department's Medal of Merit. Mr. Martinez thanked Police Chief Robert S. Gonzales and the City Council for their recognition.

- B. Report of 4th of July Fireworks Task Force

Fire Chief Paul L. Skeels reported on the enforcement efforts taken by the Fourth of July Fireworks Task Force, who seized 40 cubic feet of illegal fireworks and issued 20 citations.

C. Presentation Regarding 38th Annual Santa Paula Citrus Festival

Bill Grant, representing the Kiwanis Club, invited everyone to attend the 38th Annual Santa Paula Citrus Festival on July 15, 16, and 17, 2005, at Harding Park.

PUBLIC COMMENT

Marsha Rea, representing the Santa Paula Hospital Foundation, spoke regarding the hospital's art collection, whose ownership was transferred from the hospital to the foundation. She stated that the art collection was moved to a storage facility during the closure of the hospital. She also stated that the Creditors Committee laid claim and demanded possession of the art collection and challenged the transfer from the hospital to the foundation due to the fact that certain members of the hospital board were also members of the foundation. She stated that given the fact that the foundation could not fund litigation, she sought assistance from the City to assist with a resolution that would safeguard the integrity of the art collection. She reported that the foundation quit claimed its total ownership interest of the art collection to the City. City Attorney Karl H. Berger added that the City entered into a stipulation with the Creditor Committee's representative whereby the City would retain custody of the art collection until the bankruptcy case is concluded, and that according to the terms of the stipulation, the art collection would be placed at the bottom of the list of all assets, which would need to be exhausted before the Creditors Committee would attempt to liquidate the art collection.

Kathy Entrekin, 840 Encino Place, owner of Kathleen on Main Home Furnishing, expressed concern regarding previous comments made by members of We CARE Santa Paula regarding the downtown's economy, and spoke in support of growth in the City.

Bill Mensing, 500 W. Santa Maria Street, shared black and white photographs taken 85 years ago depicting a family and the house they built.

Dora Crouch, 739 Yale Street, Apt. 6B, addressed previous comments regarding the size of lots for the proposed Fagan Canyon project, and spoke in support of the project.

Cheryl Baudizzon, 341 W. Santa Barbara Street, representing One Santa Paula, responded to previous comments made by members of We CARE Santa Paula and stated that advertisements placed by One Santa Paula have been paid by individual donations from individuals.

Esther Marquez, 634 W. Santa Barbara Street, President of the Downtown Merchants Association, expressed concern with previous comments made by members of We CARE Santa Paula regarding the downtown's economy.

Pamela Colvard, 15315 Ojai Road, owner of Pamela's, spoke regarding the efforts taken by downtown merchants to encourage business in the downtown, and spoke in support of a better future for Santa Paula.

Delton Lee Johnson, 14 McKeveitt Road, stated that he did not feel a business should rely on city government to make a business grow. He mentioned that he shops at many local businesses, and suggested that One Santa Paula file as a committee with the Fair Political Practices Commission.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter mentioned that he enjoyed performing with his band during the recent Cruise Night.

City Attorney Karl H. Berger stated that an opinion letter was received from the Fair Political Practices Commission indicating that Councilmember Gabino Aguirre, Planning Commissioner Michael Sommer, and Planning Commissioner Gary Nasalroad may participate in discussions regarding the proposed Fagan Canyon development; however, Councilmember John T. Procter has a conflict on interest regarding this matter.

Mayor Krause complimented the Oddfellows and City staff for the Fourth of July Pancake breakfast, and also mentioned that she enjoyed the City's fireworks display.

APPROVAL OF FINAL AGENDA

Mayor Krause asked that Item 11G be moved up on the agenda prior to Item 11A. City Manager Wally Bobkiewicz suggested that Item 11E be postponed to a future meeting due to Councilmembers Aguirre and Luna's absence.

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

CONSENT CALENDAR

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

Regular City Council/Redevelopment Agency Meeting
 Tuesday, July 5, 2005
 City Hall Administration Conference Room and Council Chambers

- A. Waiver of Reading of Ordinances and Resolutions – Waived reading of Ordinances and Resolutions appearing on the Agenda.
- B. Warrants and Certifications – - Reviewed, approved, and filed the attached warrants and certifications. Finance Director Alvertina Rivera’s report dated June 23, 2005.

Invoices	06/03/05	\$ 170,525.56
Wire Transfers	06/09/05	\$ 5,955.53
Invoices	06/09/05	\$ 765,080.91
Wire Transfers	06/08/05	\$ 33,679.42
Invoices	06/17/05	\$ 22,760.28
Wire Transfers	06/16/05	\$ 5,955.53
Invoices	06/23/05	\$ 284,612.67
Wire Transfers	06/22/05	\$ 41,165.34
Salaries	06/03/05 & 06/17/05	<u>\$ 657,736.11</u>
TOTAL		<u>\$1,987,671.65</u>

- C. Minutes – Adopted the Minutes of the Special City Council/Redevelopment Agency Meeting of May 14, 2005.
- D. Minutes – Adopted the Minutes of the Special City Council Meeting of May 31, 2005.
- E. Adoption of Ordinance No. 1138 – Waived second reading and adopted **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. City Clerk Josie G. Herrera’s report dated June 27, 2005.
- F. Adoption of Ordinance No. 1139 – Waived second reading and adopted **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 §51.690. City Clerk Josie G. Herrera’s report dated June 27, 2005.
- G. Action to Consider Canceling August 15, 2005 Regular City Council Meeting – Canceled the August 15, 2005 Regular City Council Meeting. City Manager Wally Bobkiewicz’s report dated June 28, 2005.
- H. Revised Memorandum of Understanding with SEIU Local 998, Contract Years 2005/06 – Authorized the City Manager to execute agreement in a form approved by the City Attorney revising the Memorandum of Understanding with the Santa

Paula Public Employees Association (SEIU) for Contract Years 2005/06.
Assistant to the City Manager Melissa Grisales' report dated June 28, 2005.

- I. Approval of First Amendment to Agreement for Services with Parsons Infrastructure, Inc., for Performing a Plant Audit on the Existing Wastewater Treatment Plant – Approved the First Amendment to the approved Agreement for Services dated June 22, 2004, with Parsons Water and Infrastructure, Inc., for preparation of a Plant Audit of the existing wastewater treatment plant, and authorized the City Manager to execute the Amendment on behalf of the City. Public Works Director/City Engineer Clifford G. Finley's report dated June 28, 2005.
- J. Approval of a Three-Year On-Call Agreement for Services with Willdan – Approved the Three-Year On-Call Agreement for Professional Consulting Services related to Engineering, Project Management, and Solid Waste Operations. Public Works Director/City Engineer Clifford G. Finley's report.

ORDER OF BUSINESS

G. Update on Court Hearing

City Attorney Karl H. Berger provided an oral report on the litigation of *We CARE – Santa Paula versus Josie G. Herrera, City Clerk, et al. Ventura County Superior Court Case No. CIV234520*. He stated that at the court hearing held in the afternoon before The Honorable Steven Hintz, the court ruled that the City Clerk acted correctly in rejecting the petition based upon defects in the petition.

Larry Sagely, 585 Ridgecrest, representing We CARE Santa Paula, stated that although he respects the court's decision, his group would use the referendum process to veto the proposed Fagan Canyon development project. He asked the City Council to allow the matter to be placed on the ballot.

Eric Barragan, 1001 Elderberry, representing One Santa Paula, stated that he was pleased with the court's decision.

Delton Lee Johnson, 14 McKeveett Heights, stated that he disagreed with the court's decision and questioned who authorized the expenditure for the City Attorney's legal research against the initiative.

Steve Colvard, 15315 Ojai Road, owner of Pamela's, spoke in support of the proposed Fagan Canyon project.

RECESS TO A BREAK

Mayor/Chair Krause recessed the City Council/Redevelopment Agency to a break at 7:56 p.m.

RECONVENE TO REGULAR MEETING

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

A. Co-sponsorship of Santa Paula Airport 75th Anniversary Airfair

City Manager Wally Bobkiewicz's report dated June 29, 2005.

Bruce and Janice Dickenson, representing the Aviation Museum, asked the City Council to approve co-sponsorship of the Airfair. They presented the 75th Anniversary Airfair poster and invited everyone to attend the Airfair on August 6 and 7, 2005.

It was moved by Vice Mayor Cook, seconded by Councilmember Procter, to approve co-sponsorship of the Santa Paula Airport 75th Anniversary Airfair and authorize the City Manager to execute a co-sponsorship agreement with the Santa Paula Airport Association and Aviation Museum of Santa Paula in a form approved by the City Attorney. All were in favor, and the motion carried.

B. Façade Demonstration Project Design Contract

Economic Development Specialist Rochelle Margolin's report dated June 27, 2005.

It was moved by Vice Mayor/Vice Chair Cook, seconded by Council/Director Procter, that the City Council and Redevelopment Agency Board of Directors: 1) authorize the City Manager/Executive Director to negotiate a contract in a form approved by the City Attorney, with RRM Design Group, Inc., not to exceed \$70,000 for the project design of several downtown storefront facades; and 2) direct staff to contact building owners from 934 to 944 E. Main Street to participate in the demonstration project. All were in favor, and the motion carried.

C. Economic Development Advisory Committee Letter

Economic Development Specialist Rochelle Margolin's report dated June 27, 2005.

Peter Wright, Chair of the Economic Development Advisory Committee, read the letter attached to the staff report regarding the proposed Economic Summit.

It was moved by Councilmember/Director Procter, seconded by Vice Mayor/Vice Chair Cook, to support the effort of an Economic Summit. All were in favor, and the motion carried.

D. Update on Implementation of City Vision Plan

City Manager Wally Bobkiewicz's report dated June 29, 2005.

It was moved by Vice Mayor Cook to receive and file the report and add the creation of a Teen Center as a goal to the City's Vision Implementation Plan.

A discussion ensued regarding adding to the City's Vision Implementation Plan: 1) attract new retail stores that provide desired goods at competitive prices; 2) expand goods and services of existing small businesses; and 3) attract new, quality grocery store or expand food choices at existing grocery stores.

Vice Mayor Cook amended his motion to include the three items discussed. Councilmember Procter seconded by motion. All were in favor, and the motion carried.

E. Future Uses of 735 E. Santa Barbara Street – This item was postponed to a future meeting.

F. Federal SAFER Grant for Firefighter Funding

Fire Chief Paul L. Skeels' report dated June 27, 2005.

The City Council discussed concerns with risks involved with accepting this grant funding and with making a decision without the full Council present.

It was moved by Vice Mayor Cook, seconded by Councilmember Procter, to have the item come back once there is a full Council and to have staff continue to pursue the grant. All were in favor, and the motion carried.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz noted the following meetings and events: July 13, 2005 Joint City Council/Planning Commission Meeting at the Community Center to review the Fagan Canyon Draft Environmental Impact Report; July 18, 2005 Regular City Council Meeting; August 1, 2005 Regular City Council Meeting; August 15, 2005 canceled City Council Meeting; September 6, 2005 Regular City Council Meeting.

Mayor Krause mentioned that she attended the opening of the Fires and Floods exhibit at the California Oil Museum.

FUTURE AGENDA ITEMS

Regular City Council/Redevelopment Agency Meeting
Tuesday, July 5, 2005
City Hall Administration Conference Room and Council Chambers

It was moved by Councilmember Procter, seconded by Vice Mayor Cook, to bring back for discussion the operating expenses of the Las Piedras Park Police Storefront. All were in favor, and the motion carried.

It was moved by Vice Mayor Cook, seconded by Councilmember Procter, for a report on information regarding Proposition 172 and pursuing with the State on changing the formula. All were in favor, and the motion carried.

It was moved by Mayor Krause, seconded by Vice Mayor Cook, for a discussion of the City Council Rules regarding Councilmembers needing to notify when they will be out of the area. 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 8:50 p.m.

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary