

CALL TO ORDER

Mayor Krause called the meeting to order 6:03 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.

ORDER OF BUSINESS

A. **Interview for Economic Development Advisory Committee**

Carla Ferrante di Ruffano stepped up for her interview. She provided information regarding her business development experience, and presented her ideas for bringing commercial development into Santa Paula.

Connie Tushla spoke in support of the appointment of Carla Ferrante di Ruffano to the Economic Development Advisory Committee.

B. **Interview for Mobile Home Rent Review Commission**

Ron Merson stepped up for his interview. He noted that he previously served on the Commission, and that he sees a need for someone who is objective, unbiased, and able to review information to make a fair decision regarding applications for rent increase.

C. **Interview for Recreation Commission**

Ron Merson stepped up for his interview. He stated that he is involved with youth activities, including AYSO soccer, Boys Scouts, and Little League.

Karen Lynn Berry stepped up for her interview. She noted that she has been a teacher for 14 years and has a degree in Recreation. She spoke regarding the need for a variety of sporting programs for youth of all ages.

Mayor Krause recessed the City Council at 6:25 p.m.

RECONVENE AND CALL TO ORDER

Mayor Krause reconvened the City Council at 6:48 p.m., and Councilmember Procter 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. Planning Commissioner Jennifer A. Matos, Planning Commissioner Gary L. Nasalroad, Planning Commissioner John A. Turturro, Planning Commission Vice Chair Jesse R. Ornelas, and Planning Commission Chair Michael E. Sommer also responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and City Clerk Josie G. Herrera were also present.

PRESENTATION

A. **Presentation Regarding 38th Annual Santa Paula Citrus Festival**

City Manager Wally Bobkiewicz noted that Bill Grant, Chair of the Citrus Festival Committee, had not yet arrived and asked that the presentation be delayed upon his arrival.

PUBLIC COMMENT

Bill Mensing, 500 W. Santa Maria Street, gave a continuation of his previous presentation regarding black and white photographs taken 85 years ago depicting a family and the house they built. He noted that the family members were his parents and sisters.

John Wisda, 550 Monte Vista, representing We CARE Santa Paula, thanked all of the volunteers who assisted during the We CARE initiative process, and expressed his disappointment that the initiative failed to meet the qualifications to be placed on the ballot. He stated that We CARE would continue to work toward giving the final vote of the proposed Fagan Canyon development project to the people.

PRESENTATION

A. **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 at Harding Park. He summarized the scheduled events.

CITY COUNCIL, PLANNING COMMISSION, STAFF COMMUNICATIONS

Police Commander Mark Hanson noted that the United States Department of Justice had changed the format for granting the Bureau of Justice Assistance grant, which previously required a Public Hearing but which now merely requires a public announcement to satisfy the grant requirements.

APPROVAL OF FINAL AGENDA

There were no changes to the Final Agenda.

CONSENT CALENDAR

It was moved by Councilmember Luna, seconded by Councilmember Procter, 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. Wireless 9-1-1 Program – 1) Waived bidding requirements pursuant to Santa Paula Municipal Code 41.120 and authorize the City Manager, or designee, to contract with Trac-Net Corporation of Pacific Grove, California, to upgrade the Police Department's 9-1-1 telephone equipment and Computer Aided Dispatch system to accept wireless 9-1-1 telephone calls; and 2) allocated \$30,000 for the Wireless 9-1-1 Project in Account No. 319.045.4504.8610 and a corresponding revenue allocation in the same fund coming from the State of California 9-1-1 Program. Police Chief Robert S. Gonzales' report dated June 30, 2005.
- C. Revenue & Cost Specialist (RCS) Amendment No. 1 to Existing Contract Agreement dated February 22, 2005 – Approved Amendment #1 for \$38,000 to existing RCS Professional Services Agreement to perform a Water and Wastewater cost of service and rate design study relating to the Water Recycling Facility (WRF). Public Works Director/City Engineer Clifford G. Finley's report dated July 5, 2005.
- D. Annual Contract for VISTA Bus Service – Approved the 2005/2006 Addendum to the Cooperative Agreement (FY 2001/2002) with the Ventura Intercity Service Transit Authority (VISTA) for the Highway 126 Bus service and the Santa Paula and Fillmore Dial-a-Ride service, and authorized the Mayor to sign the Addendum. Public Works Director/City Engineer Clifford G. Finley's report dated June 29, 2005.

ORDER OF BUSINESS

A. Suggestions for Santa Paula Hospital Foundation Board of Directors

City Manager Wally Bobkiewicz's report dated July 6, 2005.

It was moved by Councilmember Aguirre, seconded by Councilmember Luna, to invite people to contact the City Council if interested in serving on the Santa Paula Hospital Foundation Board of Directors; that the City Council forward the names of interested people to the City Clerk; that the City Council select two members at a future meeting; and that the City Council receive information on the bylaws and articles of incorporation for the Santa Paula Hospital Foundation. All were in favor, and the motion carried.

B. Fagan Canyon Draft Environmental Impact Report

Planning Commission Chair Sommer read from his prepared statement in response to the opinion letter received from the Fair Political Practices Commission regarding his participation in discussions regarding the proposed Fagan Canyon development. He stated that based on the opinion letter, he believes the public generally exception applies to him and that he would submit his written statement to the City Clerk.

Planning Commissioner Nasalroad read from his prepared statement in response to the opinion letter received from the Fair Political Practices Commission regarding his participation in discussions regarding the proposed Fagan Canyon development. He stated that based on the opinion letter, he believes the public generally exception applies to him and that he would submit his written statement to the City Clerk.

Councilmember Aguirre read from his prepared statement in response to the opinion letter received from the Fair Political Practices Commission regarding his participation in discussions regarding the proposed Fagan Canyon development. He stated that based on the opinion letter, he believes the public generally exception applies to him and that he would submit his written statement to the City Clerk.

Councilmember Procter responded to the opinion letter received from the Fair Political Practices Commission regarding his participation in discussions regarding the proposed Fagan Canyon development. He stated that based on the opinion letter, he would not qualify under the public generally exception rule for discussions regarding the proposed Fagan Canyon development. He declared a conflict of interest due to the proximity of his residence to the proposed Fagan Canyon development, and exited the auditorium at 7:26 p.m.

Kevin Thomas, representing RBF Consulting, provided a Power Point® Presentation of the Fagan Canyon Draft Environmental Impact Report (DEIR).

RECESS TO A BREAK

Mayor Krause recessed the City Council and Planning Commission to a break at 8:10 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council and Planning Commission at 8:25 p.m.

Ken Chapman, 15119 Todd Lane, expressed concerns with the availability of water resources, and suggested that the baseline used to calculate water usage and the average of both wet and dry years be reconsidered. He also expressed concern that the new water recycling facility would not have the capability of generating recycled water.

Ellen Evenow, 1214 Mariposa Drive, expressed concerns with the proposed new traffic signals on Ojai Road.

Anita Pulido, 310 San Clemente Road, asked the community to support the proposed Fagan Canyon development project.

Jeanne Wade, 798 Foothill Road, expressed concerns with traffic impacts should Foothill Road be considered as an alternate route for the proposed Fagan Canyon development project.

Jeff Nelson, 498 Dana Drive, expressed concerns with the hydrology study and questioned the statement that indicates there would be no negative increase in runoff to the drainage system. He also questioned whether the catch basins could hold storm water.

Mary Doll, 919 Loma Vista Place, encouraged the City Council and Planning Commission to study the DEIR in depth and review it against the City's Visioning Plan.

Roger Brower, 1007 E. Virginia Terrace, submitted copies of his written comments regarding issues involving fire safety, traffic, and ingress and egress for the proposed Fagan Canyon development project.

Sally Knight, 1007 E. Virginia Terrace, submitted copies of her written comments regarding concerns for traffic mitigation measures and compliance with the California Environmental Quality Act (CEQA). She also questioned whether the City has complied with the County of Ventura's requests for mitigation of site impacts on County roads, and whether the project is in accordance with the Southern California Compass established by the Southern California Association of Governments (SCAG).

Wendy Beam, 434 Bradley Street, expressed concerns with traffic from the proposed Fagan Canyon development project.

Lana Rogers, 703 N. Tenth Street, questioned whether the DEIR took into account traffic from the proposed Comstock Homes residential project and the hospital.

Jennifer Dumas, 18450 South Mountain Road, introduced Teresa Savaidie, Santa Clara River Alliance Coordinator. Ms. Savaidie questioned whether the Environmental Impact Report addresses impacts to the Santa Clara River and protection of the watershed, and suggested that cumulative impacts should be addressed. She also stated that the Western Pond Turtle would need to be relocated from the project site.

Lotar Zeising, PO Box 9, Santa Paula, questioned whether water resource allocation had been addressed for Adams Canyon, Fagan Canyon, and East Area one.

Jim Beam, 434 Bradley Street, questioned whether Santa Paula residents would receive advantages or incentives for purchasing homes in Fagan Canyon.

Patricia Wisda, 550 Monte Vista, expressed concerns with air quality due to construction and grading activities from the Fagan Canyon project.

Larry Sagely, 585 Ridgecrest, representing We CARE Santa Paula, expressed concerns with cumulative impacts for water resources and traffic; allocating more time for public comment during City Council/Planning Commission meetings; the terms "significant and unavoidable impacts" in the DEIR; and whether written letters expressing concerns with the DEIR would be addressed individually or globally.

Norm Wilkinson, 959 Loma Vista Road, stated that the State requires cities to comply with environmental laws and mandates city growth. He noted that the City adopted its Housing Element, and if project were downsized, the City would need to build housing elsewhere and sooner. He urged the City Council and Planning Commission to approve the project as proposed, and to use Fagan Canyon to the maximum extent possible.

Delton Lee Johnson, 14 McKeveett Heights Road, spoke against the proposed Fagan Canyon development project, and asked the City Council and Planning Commission to consider the cumulative impacts from the proposed Comstock Homes project, Fagan Canyon, Adams Canyon, and East Area One.

Martha Brown, 811 Ojai Road, expressed concerns with traffic, dust, and noise due to the proposed Fagan Canyon development project.

Eric Barragan, 1001 Elderberry, representing One Santa Paula, spoke in support of the project, and stated that One Santa Paula would like to call a meeting with We CARE Santa Paula, Centex Homes, Pinnacle Group, two members of the City Council, two members of the Planning Commission, and two members of the school boards to

discuss the impacts from proposed development in Fagan Canyon, Adams Canyon, and East Area One.

Audrey Vincent, 1001 June Street, submitted her written comments suggesting that a graphic be provided of existing Santa Paula roadways to show the proposed changes. She also expressed concerns with storm runoff and air quality.

John Wisda, 550 Monte Vista, expressed concerns with the nine significant and unavoidable impacts addressed in the DEIR.

Rick Bianchi, representing Centex Homes, stated that Centex Homes began this project over two years ago and met with 1,500 residents during the seven-day charrette. He spoke regarding the possible benefits that the project would provide, and stated that a DVD was available that addresses traffic impacts. He also invited everyone to attend the Job Fair on July 14, 2005, at the Community Center.

Orville Garrison, Bradley Road, expressed concerns with traffic impacts and traffic calming methods, and asked the City Council and Planning Commission to consider downsizing the project.

Lorna Curtis, 1005 Laurel Road, spoke in opposition to the proposed Fagan Canyon development project.

Shannon Andrade, 553 N. Mill Street, expressed concerns with traffic and noise due to the proposed Fagan Canyon development project, and asked the City Council and Planning Commission to consider the cumulative impacts from the proposed Comstock Homes project and East Area One.

Pat Tumamait, 992 El Camino Corto, Ojai, representing Native Chumash, requested that a Native American consultant be required on-site to address cultural resources during construction of the proposed Fagan Canyon development project.

RECESS TO A BREAK

Mayor Krause recessed the City Council and Planning Commission to a break at 9:31 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council and Planning Commission at 9:38 p.m.

Kevin Thomas addressed concerns regarding cumulative impacts by stating that RBF Consulting would provide written responses to questions submitted in writing.

George Rhyner, representing Crain and Associates, noted that they conducted the traffic study by using the model for growth used in five counties and SCAG's model. He stated that the study compared growth to related projects as they were known at the time and that they would conduct a reevaluation due to the new projects.

Jim Brezak, representing RBF Consulting, responded to concerns regarding the use of calculations for a seven-year rain cycle by stating that basin yield data from the Santa Paula Basin Pumpers Association was used in order to extract this information.

Kevin Thomas responded to concerns regarding traffic, dust, and noise mitigation measures for Ojai Road by stating that the DEIR addresses construction and long term impacts. George Rhyner added that Ojai Road was reviewed as a comprehensive route, and mitigation measures include changes to Tenth Street to the main access road of the project, traffic signals to allow access and to break up traffic, and installation of a second lane at Tenth/Ojai/Santa Paula Street junction to improve traffic flow.

George Rhyner responded to a question regarding whether creation of one-way corridors along High Street, Orchard Street, or Saticoy Street had been considered by stating that this could be considered as an alternative measure to evaluate effectiveness.

Kevin Thomas responded to a question regarding compliance with SCAG's Compass Plan by stating that the DEIR is consistent with the compass plan.

City Manager Wally Bobkiewicz responded to a question regarding whether Santa Paula residents would receive advantages to purchase homes in the proposed Fagan Canyon development by responding no.

Kevin Thomas responded to a question regarding the definition of "significant and unavoidable impacts" in the DEIR by stating that these would be unavoidable impacts that cannot be mitigated, and that the City would need to make a statement of overriding consideration in order to comply with the CEQA requirement for all unavoidable impacts. He further responded to a question regarding whether letters submitted would be answered individually or globally by encouraging written comments on the DEIR's environment issues to be submitted by August 5, 2005. He further responded to a question regarding the need for a General Plan amendment for Phase 2 of the project by stating that the Specific Plan includes Phase 2, and that as long as Phase 2 is consistent with the General Plan density, a General Plan amendment would not be required. He also stated that any proposed increase in density would require a General Plan amendment and another Environmental Impact Report. He further responded to a question regarding the use of a Native American consultant by stating that the DEIR would comply with State law for the use of a Native American consultant. He further responded to a question regarding the relocation of the Western Pond Turtle

be stating that mitigation measures would be done pursuant to the requirements of the Department of Fish and Game.

Darin Johnson, representing RBF Consulting, responded to a question regarding street widths by stating that new internal streets would be 36 feet wide for all two-way streets with on-street parking.

Kevin Thomas responded to a question regarding runoff from a 100-year storm by stating that the project would be designed to comply with city and county drainage requirements for 100-year and 10-year storms.

Aaron Pfannenstiel, representing RBF Consulting, responded to a question regarding how the proposed Fagan Canyon development would meet the Regional Housing Needs Assessment (RHNA) goals by stating that the project would give the city a surplus of units based on the 2002 Housing Element.

The City Council and Planning Commission provided comments regarding the need for city growth and housing, and concerns regarding traffic, water resources, fire hazards, loss of wetlands, air quality, and density. They also expressed support for having a Native American consultant on-site and for a community meeting to come to a consensus.

CITY/PLANNING COMMISSION COMMUNICATIONS

City Manager Wally Bobkiewicz encouraged everyone to attend the Citrus Festival.

Mayor Krause noted that the *San Diego Tribune* published an article regarding the Arnold Vinick for President campaign.

FUTURE AGENDA ITEMS

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, for a discussion on how to reduce the overall impacts of the proposed Fagan Canyon development. Councilmember Luna, Vice Mayor Cook, and Mayor Krause were in favor. Councilmember Aguirre was opposed. The motion carried.

ADJOURNMENT

There being no further business to come before the City Council and Planning Commission, Mayor Krause adjourned the meeting at 10:58 p.m.

ATTEST:

Josie G. Herrera
City Clerk