

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

No Public Comment.

ORDER OF BUSINESS

A. Commission on Aging Interviews

Norma Henderson spoke regarding her accomplishments and goals as Commissioner on the Commission on Aging. She distributed a copy of the Senior Center's newsletter entitled *The Cat's Meow*.

Carol Boatner spoke regarding important issues facing senior citizens, and spoke regarding her goals for the Commission on Aging.

B. Police Management Audit Implementation Committee Interviews – Applicants Mark Bermudez and Calla Dominguez-Larson did not show for their interviews.

C. Recreation Commission Interviews

Derek J. Luna spoke regarding his accomplishments and goals as Youth Representative on the Recreation Commission.

Mayor Krause recessed the City Council at 6:30 p.m.

RECONVENE AND CALL TO ORDER

Mayor Krause reconvened the City Council at 6:41 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. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and City Clerk Josie G. Herrera were also present.

CLOSED SESSION REPORT

No Closed Session held.

PUBLIC COMMENT

Fire Chief Paul L. Skeels spoke regarding disaster preparedness.

City Clerk Josie G. Herrera asked for the community's assistance in contacting the Pastor from the Chapel in the Canyon to ensure that the site at 3452 N. Ojai Road would be available as a polling place for the November 2005 election.

CITY COUNCIL, STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz announced that the City Council and the Santa Paula Union High School District Board of Trustees would meet jointly on October 4, 2005, in the Council Chambers. He also spoke regarding recent telephone polling taking place within the city.

Mayor Krause commended everyone involved in the recent Labor Day Parade.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Luna, seconded by Councilmember Procter, to consider Item 10A followed by Items 10C, 10D, and 10E. All were in favor, and the motion carried.

CONSENT CALENDAR

It was moved by Councilmember Procter, 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. Adoption of Resolution for Revised Housing Rehabilitation Policies and Procedures – 1) Approved **RESOLUTION NO. 6212**, A RESOLUTION ADOPTING THE REVISED ADMINISTRATIVE POLICIES AND PROCEDURES FOR HOUSING REHABILITATION PROGRAM; and 2) directed staff to further develop and implement the Program Policies and Procedures. Building and Safety Director Stephen R. Stuart's report dated September 1, 2005.

ORDER OF BUSINESS

- A. Water Softening Facility - Source Control Study Updates and Authorization for Preparation of Project Report

Public Works Director/City Engineer Clifford G. Finley's report dated August 25, 2005, and Power Point presentation[®].

Discussion included that the City would be fined \$25,000 per day if it does not meet the requirements from the Regional Water Quality Control Board.

It was moved by Vice Mayor Cook, seconded by Councilmember Procter to: 1) receive the final Source Control Study prepared by Boyle Engineering Corporation; 2) approve Amendment No. 1 to Boyle Engineering's On-Call Agreement for Services dated November 11, 2003, to increase maximum Task Order not-to-exceed limit from \$25,000 to \$200,000; and 3) request allocation of funds in the amount of \$137,950 from the Water Fund and approve Task Order No. 21 with Boyle Engineering Corporation to prepare the Water Softening Facility Project Report for the amount of \$137,950. All were in favor, and the motion carried.

- C. Report on Status of City Council's Housing Creation Goals and Housing Element Priority Policies Implementation

Management Analyst Elisabeth Amador presented City Manager Wally Bobkiewicz's report dated September 1, 2005 and Power Point presentation[®].

Ellen Brokaw, 3430 Ojai Road, representing Santa Paula Farmworker Housing Group, spoke in support of farmworker housing and stated that her group was anxious to work with the City Council to implement the Housing Creation Goals and Housing Element Priority Policies.

Discussion included bringing back the Housing Element at the next status report in order to review M-1 zones and to prioritize projects.

The report was received and filed.

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 8:02 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 8:10 p.m.

D. Mobilehome Park Owner and Resident Protection Ordinance

Management Analyst Elisabeth Amador's report dated August 31, 2005.

Greg Jones, Ventura, California, attorney representing Coriot, Inc., addressed the following concerns with the proposed ordinance: private attorney general provision which allows any member of the public to bring an action against a mobile home park owner for itself, its members, or the general public seeking injunctive relief or damages; reference to vacancy and attrition rate and placing the burden of proof on the park owner to prove that an increase in vacancy rate is due to a decrease rate in market demand for mobile homes; and whether the ordinance should apply to tenants as opposed to owners of mobile home parks.

Tony Kramer, 1500 Richmond Road #12, expressed concern with the proposed lump sum calculation defined in Section 16.77.150.C.2 for price paid for a mobilehome for mobilehomes that cannot be moved or relocated.

Macrina Hinojosa, 135 N. Thirteenth Street, #36, spoke in support of the proposed ordinance.

Gabriela Vega, 338 S. A Street, Oxnard, representing California Rural Legal Assistance, spoke in support of the proposed ordinance.

Joseph Donohue, 15433 Telegraph Road, spoke in support of the proposed ordinance and asked that the procedure and process for determining an appraised value for a mobilehome be defined.

Barbara Macri-Ortiz, Oxnard, attorney representing Homeowners West, submitted her written statement with suggested changes to the proposed ordinance. She recommended that the City have an approved list of appraisers to conduct a comparable value for appraising mobilehomes. She also expressed concerns with Mr. Jones' comments regarding private attorney general provision and concerns with vacancy rates.

Discussion included recovery of administrative expenses for administering the ordinance; ensuring that appraisal language in the ordinance relates to full in place

value; concerns regarding the private attorney general provision; concerns regarding excessive intentional vacancy; and methods of appraising mobilehomes.

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 9:03 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 9:15 p.m.

Discussion included whether tenants of mobilehomes should receive benefits of relocation costs.

City Attorney Karl H. Berger was asked to provide a report from an appraiser; provide information on tenants of mobilehome parks given first right of refusal to purchase the park; provide information on artificial deflation that might occur when a park is sold; and provide clear language in the private attorney general enforcement provision so that persons must have a standing interest in the ordinance to enforce the code.

E. Rent Control Overview

City Attorney Karl H. Berger's report dated July 12, 2005.

Nina Remensberger, 145 N. Fourth Street, #229, spoke in support of rent control and in support of a public workshop.

Terry Moore, 138 S. Mill Street, spoke in support of rent control.

Barbara Macri-Ortiz spoke in support of rent control.

It was moved by Mayor Krause, seconded by Vice Mayor Cook, for staff to explore resources from the League of California Cities in terms of which cities have or had rent control and why some cities abandoned rent control, explore which ordinances have stood the test of time in allowing communities to keep rent control, compare similarities of cities with rent control with Santa Paula, explore whether cities have rent control only for senior housing, and for staff to conduct a public workshop. All were in favor, and the motion carried.

F. Mobilehome Rent Stabilization Ordinance

City Attorney Karl H. Berger's report dated August 23, 2005.

Barbara Macri-Ortiz spoke in support of the mobilehome rent stabilization ordinance in its present form.

Joseph Donohue spoke in support of the mobilehome rent stabilization ordinance in its present form.

Tony Kramer spoke in support of the mobilehome rent stabilization ordinance in its present form.

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, to receive and file the report.

Discussion included placing an initiative on the ballot to include an appeals process in the mobilehome rent stabilization ordinance.

Councilmember Aguirre, Councilmember Procter, and Vice Mayor Cook were in favor of the motion. Councilmember Luna and Mayor Krause were opposed. The motion carried.

G. Mobilehome Park Inspections

Building and Safety Director Stephen R. Stuart's report dated September 1, 2005.

Tony Kramer recommended that City staff meet with mobilehome park owners and residents to receive input on whether the City should take on this project.

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, to direct staff to further research the potential for the City to assume responsibility from the State of California for all Mobilehome Park Inspections. All were in favor, and the motion carried.

B. Wastewater Treatment Plant Operations and Maintenance – Due to the late hour, this item was postponed to a future meeting.

H. Rental Housing Inspection Programs – Due to the late hour, this item was postponed to a future meeting.

I. Composition of Santa Paula Housing Authority Commission – Due to the late hour, this item was postponed to a future meeting.

J. Appointment of City Council Representatives on Chief of Police Interview Panel

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to appoint Mayor Krause and Vice Mayor Cook to serve on the interview panel for the Police Chief recruitment. All were in favor, and the motion carried.

CITY/AGENCY COMMUNICATIONS

Councilmember Aguirre mentioned that he was appointed to the Commission on Human Concerns.

FUTURE AGENDA ITEMS

Vice Mayor Cook noted that a crosswalk warning sign that was knocked down at the intersection of Ojai Road and High Street had not been reinstalled. City Manager Wally Bobkiewicz stated he would follow-up with staff.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, for a report regarding the City's preparedness for storms. All were in favor, and the motion carried.

ADJOURNMENT

Mayor Krause adjourned the meeting at 11:23 p.m.

ATTEST:

Josie G. Herrera
City Clerk