

CALL TO ORDER

Mayor Krause called the meeting to order 5:32 p.m.

ROLL CALL

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. Councilmember Gabino Aguirre arrived at 5:40 p.m.

PUBLIC COMMENT

No Public Comment.

CLOSED SESSION

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

- A. Conference with Labor Negotiator - Pursuant to *Government Code §54957.6*. Employee Organization: Unrepresented Employees (Management, Mid-management, Confidential, Part-time, Temporary, and Seasonal Employees).
- B. Public Employee Performance Evaluation – Pursuant to *Government Code §54957*. Position: City Attorney.
- C. Conference with Legal Counsel - Pursuant to *Government Code §54956.9(c)*. Initiation of Litigation. Number of potential cases: One (Ventura County Watershed Protection District versus California Department of Fish and Game).

Mayor Krause recessed the City Council at 5:32 p.m., and reconvened the City Council at 6:20 p.m. No reportable action taken.

Mayor Krause recessed the City Council at 6:20 p.m.

RECONVENE AND CALL TO ORDER

Mayor Krause reconvened the City Council at 6:35 p.m. Reverend Margaret Braughton 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.

PRESENTATIONS

A. Presentation by Public Works Director/City Engineer Clifford G. Finley Regarding Santa Paula Beautiful, October 22, 2005

Public Works Director/City Engineer Clifford G. Finley spoke regarding the Santa Paula Beautiful event scheduled for October 22, 2005.

B. Announcement by Police Chief Robert S. Gonzales Regarding Santa Paula Weed and Seed Grant Program Status

Police Chief Robert S. Gonzales announced that the City would receive a Weed and Seed Grant in the amount of \$100,000, which would be used toward the Las Piedras Park Police Storefront.

C. Presentation by Police Chief Robert S. Gonzales of Newly Promoted Employees

Police Chief Robert S. Gonzales introduced newly promoted Police Sergeant Troyce Reynolds and presented him with his Sergeant's badge. Police Chief Robert S. Gonzales also announced that Mark Hanson was promoted to Assistant Police Chief; however, he was not in attendance due to a scheduled vacation.

D. Presentation to Assistant Fire Chief Richard Araiza for 19 Years of Service to the Santa Paula Fire Department

The City Council presented a City tile to Assistant Fire Chief Richard Araiza in recognition of his 19 years of service to the Santa Paula Fire Department.

E. Presentation to Police Chief Robert S. Gonzales for 33 Years of Service to the Santa Paula Police Department

The City Council presented a City tile to Police Chief Robert S. Gonzales for 33 years of service to the Santa Paula Police Department.

PUBLIC COMMENT

Dora Crouch, 739 Yale Street, #6B, invited everyone to attend the League of Women Voters' general meeting on September 24, 2005, in Camarillo.

Jess Victoria, 134 Moultrie, acknowledged the Labor Day Parade Committee for their efforts. He also complimented the City for conducting the management audits of City departments.

CITY COUNCIL, STAFF COMMUNICATIONS

Mayor Krause announced that the County of Ventura signed the close of escrow papers earlier in the day for taking control of Santa Paula Memorial Hospital. She acknowledged City Manager Wally Bobkiewicz and City Attorney Karl H. Berger for their efforts in working with the Creditors Committee and the County of Ventura.

Councilmember Aguirre expressed his pleasure in seeing the reopening of the hospital.

APPROVAL OF FINAL AGENDA

No changes to final agenda.

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. Minutes – Adopted the Minutes of the Regular City Council Meeting of August 1, 2005.
- C. Minutes – Adopted the Minutes of the Regular City Council Meeting of September 6, 2005.
- D. Approval of Parsons Task Order No. 1A for Completion of the Water Recycling Facility Project Report – Approved Task Order No. 1A for additional services required to complete the Water Recycling Facility Project Report, and authorize the City Manager to execute Task Order No. 1A on behalf of the City. Public Works Director/City Engineer Clifford G. Finley's report dated September 12, 2005.

- E. Approval of Traffic Safety Committee Recommendations, Resolution No. 6215 – Adopted **RESOLUTION NO. 6215**, A RESOLUTION APPROVING THE TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS. Public Works Director/City Engineer Clifford G. Finley's report dated September 9, 2005.
- F. Agreement for Maintenance of Drainage Facilities within the State Highway Right-of-Way on Freeway 126, Post Mile 10.04 – Authorized the City Manager to enter: 1) a Maintenance Agreement with Caltrans for the proposed Drainage Facilities within Highway 126 at the end of Faulkner Road, and 2) execute Indemnification Agreement for the construction of the drainage facilities with Ilan Bender. Said Agreements shall be in forms approved by the City Attorney. Public Works Director/City Engineer Clifford G. Finley's report dated September 9, 2005.

ORDER OF BUSINESS

- A. Presentation of Revised Fagan Canyon Development Plan

Councilmember Procter declared a conflict of interest due to the proximity of his residence to the Fagan Canyon project, and exited and Council Chambers at 7:08 p.m.

Rick Bianchi, representing Centex Homes, provided a Power Point® presentation of the revised Fagan Canyon Development Plan.

Mary Doll, 919 Loma Vista Place, expressed her concern with traffic and the number of homes for the proposed Fagan Canyon development project.

Larry Sagely, 585 Ridgecrest, representing We CARE Santa Paula, spoke in opposition to the proposed Fagan Canyon development project due to traffic, water resources, and the number of homes. He stated that his group plans to use the initiative and referendum processes to allow the voters to vote on the project.

Yolie Lee, 341 W. Santa Barbara Street, spoke in support of the proposed Fagan Canyon development project, and asked the City Council not to delay the adoption of the proposed Fagan Canyon Development Plan.

Eric Barragan, 1001 Elderberry Court, spoke in support of the proposed Fagan Canyon development project.

John Wisda, 550 Monte Vista, suggested that the developer consider constructing a hotel and golf course, providing for a two-phased project, removing Areas 5 and 6 to eliminate 500 homes, and having the developer pay an in-lieu fee rather than providing affordable units. He also addressed concerns with the proposed number of homes, traffic, water flow, and urban runoff.

Delton Lee Johnson, 14 McKeveitt Heights, expressed his concern that the proposed Fagan Canyon development project would provide an unbalanced housing mix.

Ralph Fernandez, 636 Shasta Drive, spoke in opposition to the proposed Fagan Canyon development project, and suggested the developer place a bond to mitigate future traffic problems and infrastructure needs.

Pat Tumamait, 992 El Camino Corto, Ojai, representing Native Chumash, shared Chumash artifacts found in the Ventura County area, and asked that a native cultural monitor and an archaeologist be on-site during construction of the proposed Fagan Canyon development project in order to conserve cultural resources.

Anita Pulido, 310 San Clemente, spoke in support of the proposed Fagan Canyon development project in order to meet housing and economic needs.

Bob Borrego, 524 Fourteenth Street, spoke in support of the proposed Fagan Canyon development project in order to meet housing and economic needs.

Bob Orlando, 933 E. Pleasant Street, spoke in support of the proposed Fagan Canyon development project.

Catherine Girod, 4308 Los Feliz Boulevard, Los Angeles, representing Compass Rose Archaeological, encouraged the City Council to allow a Native American consultant during construction of the proposed Fagan Canyon development project.

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 8:29 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 8:48 p.m.

City Manager Wally Bobkiewicz proposed changes to the agenda: move Item 11C prior to 11B, layover Items 11E, 11F, 11G, and 11H to a future meeting, and consider 11I and 11J this evening.

Discussion included decreased size of parks; decreased size of the Future Farmers of America area; traffic mitigation measures; prohibition of left turns from Ojai Road; water resources; parking areas; 20-foot driveway setbacks; potential for a bond for future traffic mitigation measures; lot sizes; increased house prices; beautification of entryways; recreational vehicle storage; number of homes; reduction in public services; number of larger homes; reduction in school size; reduction in funding for the high school; deviating from what the community designed through the charrette; insufficient

inclusionary housing ordinance numbers in the revised plan; keeping the village core; preservation of Native American artifacts; affordable high quality housing; and Cemetery Road access.

Councilmember Procter returned to the Council Chambers at 9:12 p.m.

C. Police Traffic Enforcement Update

Police Chief Robert S. Gonzales distributed a copy of a report with information from 2000 to 2005 regarding investigated traffic collisions, issued citation for moving violations, moving violations issued, and traffic enforcement most frequent violations. He stated that Motorcycle Officer Allan Macias has been assigned to enforce traffic in school areas, and that Officers Ryan Smith and Jeremy Watson are assisting with traffic patrol.

Motorcycle Officer Allan Macias reported on traffic enforcement efforts.

B. Fagan Canyon Fiscal Report

Councilmember Procter declared a conflict of interest due to the proximity of his residence to the proposed Fagan Canyon development project, and exited the Council Chambers at 9:32 p.m.

Debbie Kern, representing Keyser Marston Associates, Inc., presented City Manager Wally Bobkiewicz's report dated September 13, 2005, and a Power Point® presentation.

Discussion included the trend toward homeowners associations and assessment districts, and receiving an evaluation of a public safety assessment.

Jess Victoria, 134 Moultrie Place, expressed concerns with cost for additional city services. City Manager Wally Bobkiewicz responded that costs for additional city services would be the developer's responsibility, and that infrastructure costs would be paid through development impact fees.

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 10:00 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 10:08 p.m. Councilmember Procter returned to the Council Chambers

D. Revisions to the Inclusionary Housing Ordinance No. 1142 and Adoption of Resolution No. 6213 Calculating In-Lieu Fees

Planning Director Janna Minsk and Management Analyst Elisabeth Amador's report dated September 13, 2005, and Power Point® presentation.

John Franklin, representing Franklin Real Estate Development, expressed concerns with the in-lieu fee calculation methodology.

Discussion included adopting an inclusionary housing ordinance in order to construct dwelling units, discourage developers from paying into a trust fund, and set a policy for an affordable housing plan. There was also discussion regarding developer agreements for larger projects.

Management Analyst Elisabeth Amador noted a typographical error in Resolution No. 6213, Section 2A, in which the word "complied" should be compiled."

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to introduce and waive first reading of Ordinance No. 1142 which would amend the Inclusionary Housing Ordinance, schedule second reading and adoption of Ordinance No. 1142 for October 17, 2005, and adopt Resolution No. 6213 as amended to establish a method for calculating in-lieu fees. All were in favor, and the motion carried.

ORDINANCE NO. 1142

AN ORDINANCE AMENDING CHAPTER 16.13.400 TO THE SANTA PAULA MUNICIPAL CODE, ENTITLED "INCLUSIONARY HOUSING," TO IMPLEMENT AFFORDABLE HOUSING REQUIREMENTS SET FORTH IN HEALTH AND SAFETY CODE §33413

RESOLUTION NO. 6213

A RESOLUTION ADOPTED PURSUANT TO CHAPTER 16.13.400 OF THE SANTA PAULA MUNICIPAL CODE, APPROVING INCLUSIONARY HOUSING IN-LIEU FEE CALCULATION

- E. Discussion of Kelo Versus City of New London – This item was postponed to a future meeting.
- F. Fiscal Year 2004/05 Year-End Statement of Revenues and Expenditures – This item was postponed to a future meeting.
- G. Five-Year Financial Plan for General Fund – This item was postponed to a future meeting.

H. Plan to Showcase City's Mural Program – This item was postponed to a future meeting.

I. Appointment of Commissioners to the Santa Paula Commission on Aging

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

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, to reappoint Carol Boatner as Commissioner on the Commission on Aging for Seat No. 4 for a two-year term that will expire in August 2007. All were in favor, and the motion carried.

It was moved by Councilmember Procter, seconded by Vice Mayor Cook, to reappoint Norma Henderson as Commissioner on the Commission on Aging for Seat No. 5 for a two-year term that will expire in August 2007. All were in favor, and the motion carried.

J. Appointment of Youth Representative to the Santa Paula Recreation Commission

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

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, to reappoint Derek Luna as Youth Representative on the Santa Paula Recreation Commission for Seat No. 6 for a one-year term that will expire in August 2006. All were in favor, and the motion carried.

CITY/AGENCY COMMUNICATIONS

City Manager Wally Bobkiewicz noted the following upcoming meetings: October 3, 2005 Regular City Council Meeting; October 4, 2005 Joint City Council/Santa Paula Union High School District Board of Trustees Meeting; October 17, 2005 Regular City Council Meeting; October 24 and 26, 2005 Joint City Council/Planning Commission Meetings at the Community Center; and perhaps a Special City Council Meeting on October 10, 2005.

Mayor Krause stated that she would be attending a conference on September 23 and 24, 2005.

FUTURE AGENDA ITEMS

It was moved by Councilmember Luna, seconded by Vice Mayor Cook, for an update on Santa Paula Creek. All were in favor, and the motion carried.

ADJOURNMENT

Regular City Council Meeting
Monday, September 19, 2005
City Hall Administration Conference Room and Council Chambers

Mayor Krause adjourned the meeting at 10:54 p.m.

ATTEST:

Josie G. Herrera
City Clerk