

CALL TO ORDER

Mayor/Chair Krause called the meeting to order 6:02 p.m.

ROLL CALL

Councilmember/Director Gabino Aguirre Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Chair Richard C. Cook, and Mayor/Chair Mary Ann Krause responded to roll call. City Manager/Executive Manager Wally Bobkiewicz, City/Agency Attorney Karl H. Berger, and City Clerk/Agency Secretary Josie G. Herrera were also present.

PUBLIC COMMENT

No Public Comment.

CLOSED SESSION

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

- A. Conference with Labor Negotiator - Pursuant to *Government Code §54957.6*. City Negotiator: Wally Bobkiewicz. Employee Organization: Unrepresented Employees (Management, Mid-management, Confidential, Part-time, Temporary, and Seasonal Employees).
- B. 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.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 6:02 p.m., and reconvened the City Council/Redevelopment Agency at 6:16 p.m. No reportable action taken.

Mayor/Chair Krause recessed the City Council/Redevelopment Agency at 6:6:16 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Krause reconvened the City Council at 6:35 p.m. Deacon Al Guilin offered the Invocation, and Councilmember/Director Luna led the Flag Salute.

ROLL CALL

Councilmember/Director Gabino Aguirre Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, Vice Mayor/Vice Chair Richard C. Cook, and Mayor/Chair Mary Ann Krause responded to roll call. City Manager/Executive Manager 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.

PRESENTATIONS

A. Introduction of New Employees

Building and Safety Director Stephen R. Stuart introduced Building Inspector Miguel Lagunas and Community Services Director Brian J. Yanez introduced Custodian Leo Estrada.

B. Downtown "Dinner and a Movie" Promotion/Santa Paula Redevelopment Agency

Economic Development Specialist Rochelle Margolin provided information on the Downtown "Dinner and a Movie" promotion.

C. Fire Prevention Week

Councilmember Luna presented a proclamation to Fire Chief Paul L. Skeels in recognition of Fire Prevention Week.

D. Update on Partnership with California State University Channel Islands Small Business Institute (CSUCI)

Dr. Rudolph Estrada, Director of CSUCI Small Business Institute, provided an update and introduced five of his students who are participating in this project.

E. Santa Paula Beautiful Event October 22, 2005

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

PUBLIC COMMENT

Lupe Chavez, representing Santa Paula High School Friday Night Life, asked the City Council to consider sponsoring the Teen Work Statewide Youth Training Institute to be held next Spring in Northern California, which would provide training on how to approach adverse issues in the community.

Ken Chapman, 15119 Todd Lane, questioned whether the Fagan Canyon Environmental Impact Report would be available for review prior to the scheduled public hearings. City Manager Wally Bobkiewicz noted that hard copies of the documents would be available the following week, and that information would also be available on the City's web site.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

Councilmember Procter stated that he attended Police Chief Robert S. Gonzales' retirement party, and he wished him well on his future endeavors. Councilmember Luna expressed the same sentiment.

Mayor Krause encouraged everyone to attend the Community Renewal Regional Conference at Logsdon's Restaurant on October 29, 2005, which would provide information to non-profit and faith-based organizations on how to stabilize their organizations and how to apply for grants. She also stated that another conference would be held November 4, 2005, at the Four Points Hotel at Los Angeles International Airport.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz asked that Item 10E be removed from the agenda. He also noted that the agenda was amended to correct the placement of Item 12F as Item 11B. He also suggested that Item 12A be considered prior to the Public Hearing.

It was moved by Councilmember Aguirre, seconded by Councilmember Luna, to approve the agenda as amended. All were in favor, and the motion carried.

CONSENT CALENDAR (SEPARATE ACTION ITEM)

D. Adopting Fringe Benefits: Executive Management

Public Comments cards were submitted for this item.

Assistant to the City Manager Melissa Grisales' report dated September 26, 2005.

John Dunn, 342 S. Borchard Drive, Ventura, expressed his concern with the proposal for the City to pay the Executive Management employees' portion of the Public Employees' Retirement System contribution.

James Robles, 812 Teague Drive, expressed concerns with lack of raises or benefit increases for employee members of Service Employees International Union 998.

It was moved by Mayor Krause, seconded by Councilmember Procter, to adopt Resolution No. 6218. Councilmember Aguirre, Councilmember Procter, Vice Mayor Cook, and Mayor Krause were in favor. Councilmember Luna was opposed. The motion carried.

RESOLUTION NO. 6218

A RESOLUTION ADOPTING FRINGE BENEFITS FOR UNREPRESENTED EMPLOYEES: EXECUTIVE MANAGEMENT

CONSENT CALENDAR

It was moved by Vice Mayor Cook, seconded by Councilmember Aguirre, to approve the balance of the Consent Calendar as amended. 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 Special City Council Meeting of September 12, 2005.
- C. Minutes – Adopted the Minutes of the Regular City Council Meeting of September 19, 2005.
- E. Adopting Fringe Benefits for Unrepresented Employees: Management: Supervisory & Professional, Confidential, and Undesignated – This item was removed from the agenda.
- F. Cable Franchise Transfer from Adelphia Communications to Time Warner Cable – Adopted Resolution No. 6217 consenting the transfer of the City's current cable television franchise agreement with Adelphia Communications to Time Warner Cable. **RESOLUTION NO. 6217**, A RESOLUTION PROVIDING FOR TRANSFER OF CONTROL OF A CABLE TELEVISION FRANCHISE. Community Services Director Brian J. Yanez's report dated September 22, 2005.

- G. Las Piedras Park Restroom Building Upgrade and Remodel, Project No. 02.03.239 BAG; Notice of Completion; Approval of the Plans for the Exterior Concrete Improvements – Received the Notice of Completion and adopted Resolution No. 6216 approving the plans for the Exterior Concrete American with Disabilities Act (ADA) Improvements. **RESOLUTION NO. 6216**, A RESOLUTION APPROVING THE PLANS FOR THE EXTERIOR CONCRETE ADA IMPROVEMENTS AT THE LAS PIEDRAS PARK RESTROOM BUILDING PURSUANT TO GOVERNMENT CODE SECTION 830.6. Public Works Director/City Engineer Clifford G. Finley's report dated September 12, 2005.

ORDER OF BUSINESS

- A. Sublease Agreement with Santa Paula Museum of Art for Former Unocal 76 Gasoline Station Parcel at Main and Ojai Streets

City Manager Wally Bobkiewicz's report dated September 27, 2005.

Mary Alice Henderson, representing the Santa Paula Museum of Art, spoke in support of the sublease agreement. She also distributed flyers and posters for the Ghost Walk.

Doug Nelson spoke in support of the sublease agreement.

It was moved by Councilmember Procter, seconded by Councilmember Luna, to authorize the City Manager to execute a Sublease Agreement, in a form approved by the City Attorney, with the Santa Paula Museum of Art for the former Unocal 76 Gasoline Station parcel at Main and Ojai Streets. All were in favor, and the motion carried.

PUBLIC HEARING

- A. Authorizing the Assignment of Crimson California Pipeline L.P., for Oil Pipeline Franchise

Upon verification of proper notification and posting by the City Clerk, Mayor Krause opened the Public Hearing at 7:38 p.m.

City Clerk Josie G. Herrera's report dated September 26, 2005.

There was no public testimony. Mayor Krause closed the Public Hearing at 7:44 p.m.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to introduce and waive first reading of Ordinance No. 1146 granting to Crimson California Pipeline L.P. an oil pipeline franchise within the City of Santa Paula, and schedule second reading

and adoption of Ordinance No. 1146 for the Regular City Council Meeting of October 17, 2005. All were in favor, and the motion carried.

ORDINANCE NO. 1146

AN ORDINANCE GRANTING TO CRIMSON CALIFORNIA PIPELINE L.P. AN OIL PIPELINE FRANCHISE WITHIN THE CITY OF SANTA PAULA

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 7:44 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 7:55 p.m.

B. 2004-CDP-11, Santa Paula Water Recycling Facility and Corporation Yard

Upon verification of proper notification and posting by the City Clerk, Mayor Krause opened the Public Hearing at 7:59 p.m.

Planning Director Janna Minsk's report dated September 28, 2005.

Kristie Wheeler from RBF Consulting provided a Power Point® presentation.

Ken Chapman, 15119 Todd Lane, submitted his written comments in opposition to the project, and expressed his concerns that the water recycling facility would not remove salt from wastewater and concerns with the cost for the new facility.

Woodward Maxwell, 15325 Todd Lane, spoke in opposition to the project, and suggested that the City consider a reverse osmosis facility.

Fred Maxwell, 15325 Todd Lane, spoke in opposition to the project, and expressed his concerns regarding drainage.

Public Works Director/City Engineer Clifford G. Finley responded to the speakers' comments.

City Attorney Karl H. Berger responded for the record that the brine line regional project would potentially go from Santa Clarita, allow Fillmore and Santa Paula to connect into it, and eventually discharge into the Pacific Ocean, and that this would not be a City capital project. He also responded that the water recycling facility was designed to the proposed capacity based upon the General Plan build out for the City up to the year 2020. He also noted that the issue of Fagan Canyon development and the water

recycling facility were separate issues and that the City is obligated to build a plant regardless whether any other development occurs in the City. Lastly, he noted that health issues were addressed in the Environmental Impact Report, and that this item would be for a land use decision.

Mayor Krause closed the Public Hearing at 8:55 p.m.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Cook, to 1) adopt Resolution No. 6241 approving a General Plan Amendment to redesignate a 48-acre site Institutional and Civic from Mixed-Use Commercial/Light Industrial, Industrial and Open Space – Passive and Golf Course, and an adjustment to the City Urban Restriction Boundary (CURB) (portions of Assessors Parcel Numbers (APNs) 099-0-030-575, -635, and -645, and 099-0-080-035, -215, and -235); 2) introduce and waive first reading of Ordinance No. 1143 amending the City's Zoning Map to provide a zoning designation of Institutional/Civic (IN) for the 48-acre site; and 3) schedule second reading and adoption of Ordinance No. 1143 for October 17, 2005. All were in favor, and the motion carried.

RESOLUTION NO. 6241

A RESOLUTION APPROVING A GENERAL PLAN AMENDMENT, INCLUDING A CURB ADJUSTMENT, FOR APPROXIMATELY 48 ACRES LOCATED SOUTH OF HIGHWAY 126 NEAR TODD LANE, WEST AND SOUTHWEST OF THE EXISTING WASTEWATER TREATMENT PLANT (PORTIONS OF APNs 099-0-030-575, -635, AND -645, AND 099-0-080-035, -215, AND -235)

ORDINANCE NO. 1143

AN ORDINANCE IMPLEMENTING A PREZONING/ZONE CHANGE FOR APPROXIMATELY 48 ACRES LOCATED SOUTH OF HIGHWAY 126 NEAR TODD LANE, WEST AND SOUTHWEST OF THE EXISTING WASTEWATER TREATMENT PLANT (PORTIONS OF APNs 099-0-030-575, -635, AND -645, AND 099-0-080-035, -215, AND -235)

RECESS TO A BREAK

Mayor Krause recessed the City Council to a break at 8:55 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council at 9:11 p.m.

ORDER OF BUSINESS

B. Community Workshop to Development Master Plan for Youth/Teen Center

City Manager Wally Bobkiewicz's report dated September 27, 2005. He suggested that the workshop be scheduled on January 21, 2006, and ask the Santa Paula Elementary School District for the use of the Isbell School cafeteria.

It was the consensus of the City Council to schedule the community workshop to develop a master plan for a youth/teen center on January 21, 2006, and to ask the Santa Paula Elementary School District for the use of the Isbell School cafeteria.

C. Fiscal Year 2004/2005 Year End Statement of Revenues and Expenditures

Finance Director Alvertina Rivera's report dated September 13, 2005, and Power Point® presentation. She provided a revised General Fund Current to Prior Year Comparison sheet.

The Statement of Revenues and Expenditures was received and filed.

D. Five-Year Financial Plan for General Fund

Finance Director Alvertina Rivera's report dated September 13, 2005.

It was moved by Vice Mayor Cook to receive and file the Five-Year Financial Plan.

Mary Doll, no address given, questioned the Vehicle License Fee reimbursement. City Manager Wally Bobkiewicz responded that the reimbursement was based on a formula and was backfilled with sales and property taxes.

Councilmember Aguirre seconded the motion. All were in favor, and the motion carried.

E. Teague Park Improvement Plan

Public Works Director/City Engineer Clifford G. Finley's report dated September 26, 2005, and Power Point® presentation.

Catherine Thieme from CPS Landscape Architecture responded to questions regarding fencing, lighting, and graffiti abatement.

The report was received and filed.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Mayor Krause, seconded by Councilmember Luna, to suspend the rules and continue considering new business. All were in favor, and the motion carried.

G. Ordinance Nos. 1144 and 1145 Granting Commercial Refuse Franchise Agreements with Ojai Rubbish Service (Consolidated) and Santa Clara Disposal (E.J. Harrison)

Public Works Director/City Engineer Clifford G. Finley's report dated September 26, 2005.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to: 1) introduce and waive first reading of Ordinance No. 1144 and Ordinance No. 1145, and 2) schedule second reading and adoption on Ordinance No. 1144 and 1145 for October 17, 2005. All were in favor, and the motion carried.

ORDINANCE NO. 1144

AN ORDINANCE GRANTING A NON-EXCLUSIVE SOLID WASTE FRANCHISE TO OJAI RUBBISH SERVICE, INC., (CONSOLIDATED) PURSUANT TO SANTA PAULA MUNICIPAL CODE §51.101(C)

ORDINANCE NO. 1145

AN ORDINANCE GRANTING A NON-EXCLUSIVE SOLID WASTE FRANCHISE TO SANTA CLARA DISPOSAL (E.J. HARRISON) PURSUANT TO SANTA PAULA MUNICIPAL CODE §50.101(C)

H. Ordinance Setting the Amount of Automatic Fire Line Connection Fees

Public Works Director/City Engineer Clifford G. Finley's report dated September 27, 2005.

It was moved by Councilmember Aguirre, seconded by Councilmember Luna, to introduce and waive first reading of Ordinance No. 1147 to set the fire line connection fee, and schedule the second reading and adoption for October 17, 2005. All were in favor, and the motion carried.

ORDINANCE NO. 1147

AN ORDINANCE SETTING THE AMOUNT OF AUTOMATIC FIRE CONNECTION
FEES PURSUANT TO SANTA PAULA MUNICIPAL CODE §52.016 AND §52.027

CITY/AGENCY COMMUNICATIONS

City Manager Wally Bobkiewicz noted the following upcoming meetings: 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 and November 1 and 9, 2005 Joint City Council/Planning Commission Meetings at the Community Center; November 7, 2005 Regular City Council Meeting; and November 21, 2005 Regular City Council Meeting.

City Attorney Karl H. Berger noted that he would not be in attendance at the October 4, 2005 Joint City Council/Santa Paula Union High School District Board of Trustees Meeting.

FUTURE AGENDA ITEMS

Councilmember Procter asked staff to follow-up on the request from Santa Paula High School Friday Night Life to perhaps facilitate a fundraiser or promote the conference.

Vice Mayor Cook asked staff to follow-up on current drainage issues and dumping into the Santa Clara River.

ADJOURNMENT

Mayor/Chair Krause adjourned the meeting at 10:42 p.m.

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary