

**CALL TO ORDER**

Vice Mayor/Vice Chair Cook called the meeting to order 6:00 p.m.

**ROLL CALL**

Councilmember/Director Gabino Aguirre Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, and Vice Mayor/Vice Chair Richard C. Cook, 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. Mayor/Chair Mary Ann Krause was absent.

**PUBLIC COMMENT**

No Public Comment.

**CLOSED SESSION**

Vice Mayor/Vice Chair Cook 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: Santa Paula Police Officers Association – Community Service Officers Unit.
- B. Personnel – Pursuant to *Government Code §54957*. Public Employee Appointment. Title: Chief of Police.
- C. Conference with Legal Counsel, Anticipated Litigation – Pursuant to *Government Code §54956.9 (b)(3)(B)*. Significant exposure to litigation. The following facts and circumstances known to potential plaintiff, County of Ventura: payments due to County arising from settlement agreement dated July 21, 1992. Number of cases: One.

Vice Mayor/Vice Chair Cook recessed the City Council/Redevelopment Agency to a Closed Session at 6:00 p.m., and reconvened the City Council/Redevelopment Agency into Open Session at 6:20 p.m. No reportable action taken.

Vice Mayor/Vice Chair Cook recessed the City Council/Redevelopment Agency at 6:20 p.m.

**RECONVENE AND CALL TO ORDER**

Vice Mayor/Vice Chair Cook reconvened the City Council/Redevelopment Agency at 6:35 p.m. Deacon Al Guilin offered the Invocation, and Vice Mayor/Vice Chair Cook led the Flag Salute.

**ROLL CALL**

Councilmember/Director Gabino Aguirre Councilmember/Director Ray C. Luna, Councilmember/Director John T. Procter, and Vice Mayor/Vice Chair Richard C. Cook 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. Mayor/Chair Mary Ann Krause was absent.

**CLOSED SESSION REPORT**

No reportable action.

**PRESENTATIONS**

A. Proclamation Recognizing Crime Prevention Month

Councilmember Luna presented a proclamation to Interim Police Chief Mark Hanson in recognition of Crime Prevention Month.

B. Proclamation Recognizing Breast Cancer Awareness Month and End Domestic Violence Month

Councilmember Aguirre presented a proclamation to Soroptimist President Peggy Higgins in recognition of Breast Cancer Awareness Month and End Domestic Violence Month.

C. 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.

Community Services Director Brian J. Yanez announced that a community meeting would be held on October 19, 2005, at 6:30 p.m., at the Community Center, to receive input on the draft Park Master Plan. He also invited everyone to attend the 16<sup>th</sup> Annual Halloween Carnival on October 31, 2005, at 6:00 p.m., at the Community Center.

**PUBLIC COMMENT**

Jess Victoria, 134 Moultrie Place, encouraged the City Council to continue with management audits for all City departments.

Eric Barragan, 1268 Bruce Drive, representing Padres Adelante, distributed a flyer regarding upcoming parenting workshops.

John Wisda, 550 Monte Vista Drive, expressed his concerns with the proposed Fagan Canyon development project and stated that he supports a regional approach to development.

Anita Pulido, 310 San Clemente Drive, congratulated the City Council on its successful campaign to adopt Senator Arnold Vinick from the NBC<sup>®</sup> television program "The West Wing<sup>®</sup>."

**CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS**

City Manager Wally Bobkiewicz noted that Mayor Krause was traveling with family and would return to Santa Paula later in the week.

Councilmember Procter commended City Manager Wally Bobkiewicz and Mayor Krause for their efforts on the Senator Arnold Vinick for President Campaign on the NBC<sup>®</sup> television program, "The West Wing<sup>®</sup>."

**APPROVAL OF FINAL AGENDA**

City Manager Wally Bobkiewicz suggested that Items 12H and 12E be considered following Item 12B.

**CONSENT CALENDAR**

It was moved by Councilmember/Director Procter, seconded by Councilmember/Director 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. Warrants and Certifications – Reviewed, approved, and filed the attached warrants and certifications. Finance Director Alvertina Rivera's report dated September 29, 2005.

Invoices	09/01/05	\$ 321,280.03
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Wire Transfers	08/31/05	\$ 31,461.63
Invoices	09/09/05	\$ 79,896.38
Wire Transfers	09/08/05	\$ 5,972.58
Invoices	09/15/05	\$ 287,205.68
Wire Transfers	09/14/05	\$ 39,081.14
Invoices	09/23/05	\$ 42,605.88
Wire Transfers	09/22/05	\$ 5,972.58
Salaries	09/09/05 & 09/23/05	<u>\$ 676,488.10</u>
<b>TOTAL</b>		<b>\$1,489,964.00</b>

- C. Minutes – Adopted the Minutes from the Regular City Council Meeting of October 3, 2005.
- D. Adopting Fringe Benefits for Unrepresented Employees: Management: Supervisory & Professional, Confidential, and Undesignated – Adopted **RESOLUTION NO. 6219**, A RESOLUTION ADOPTING FRINGE BENEFITS FOR UNREPRESENTED EMPLOYEES: MANAGEMENT: SUPERVISORY & PROFESSIONAL, CONFIDENTIAL, AND UNDESIGNATED. Assistant to the City Manager Melissa Grisales’ report dated September 26, 2005.
- E. Second Reading and Adoption Ordinance No. 1143 – Waived second reading and adopted **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 ASSESSORS PARCEL NUMBERS 099-0-030-575, -635, AND -645, AND 099-0-080-035, -215, AND -235). City Clerk Josie G. Herrera’s report dated October 11, 2005.
- F. Second Reading and Adoption Ordinance No. 1144 – Waived second reading and adopted **ORDINANCE NO. 1144**, AN ORDINANCE GRANTING A NON-EXCLUSIVE SOLID WASTE FRANCHISE TO OJAI RUBBISH, INC. (CONSOLIDATED). City Clerk Josie G. Herrera’s report dated October 11, 2005.
- G. Second Reading and Adoption of Ordinance No. 1145 – Waived second reading and adopted **ORDINANCE NO. 1145**, AN ORDINANCE GRANTING A NON-EXCLUSIVE SOLID WASTE FRANCHISE TO SANTA CLARA DISPOSAL (E.J. HARRISON). City Clerk Josie G. Herrera’s report dated October 11, 2005.
- H. Second Reading and Adoption Ordinance No. 1146 – Waived second reading and adopted **ORDINANCE NO. 1146**, AN ORDINANCE GRANTING TO CRIMSON CALIFORNIA PIPELINE L.P., and AN OIL PIPELINE FRANCHISE

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WITHIN THE CITY OF SANTA PAULA. City Clerk Josie G. Herrera's report dated October 11, 2005.

- I. Second Reading and Adoption Ordinance No. 1147 – Waived second reading and adopted **ORDINANCE NO. 1147**, AN ORDINANCE SETTING THE AMOUNT OF AUTOMATIC FIRE LINE CONNECTION FEES PURSUANT TO SANTA PAULA MUNICIPAL CODE §52.016 AND §52.027. City Clerk Josie G. Herrera's report dated October 11, 2005.
- J. Annual Report on Supplemental Law Enforcement Services Fund – Citizens Option for Public Safety Grant – Received report and filed the annual activity report for the Supplemental Law Enforcement Services Fund (SLESF), also known as the Citizens Option for Public Safety (COPS) Grant, for the fiscal year ending June 30, 2005. Finance Director Alvertina Rivera's report dated October 10, 2005.
- K. Council Expense and City Manager Travel Monthly Report of Transactions – Reviewed and filed the monthly transactions report for July, August, and September 2005. Finance Director Alvertina Rivera's report dated October 11, 2005.
- L. Monthly Report of Transactions – July and August 2005 – Received and filed the monthly transactions reports for July and August 2005. City Treasurer Sandra K. Easley's report dated October 10, 2005.
- M. Approval of Three-Year On-Call Services Agreement with Lauterbach & Associates Architects, Inc. – Approved the Three-Year On-Call Services Agreement for Architectural Services with Lauterbach & Associates Architects, Inc. Public Works Director/City Engineer Clifford G. Finley's report dated October 10, 2005.
- N. Approval of Well Siting Task Order No. 1 with Hopkins Groundwater Consultants – Allocated an additional \$13,000 from the Water Fund Reserves to the approved Well 15 Siting Study Capital Improvement Program Project; and approved Task Order No. 1 for \$28,900 for Hopkins Groundwater Consultants, Inc., to perform the well siting study in accordance with the approved Fiscal Year 2005/06 Capital Improvement Program and the Water Master Plan; and authorized the expenditures of up to \$33,000 to complete the study. Public Works Director/City Engineer Clifford G. Finley's report dated October 6, 2005.
- O. Santa Paula Railroad Community Park – 1) Adopted Resolution No. 6221 approving the plans for the Santa Paula Railroad Community Park Improvement Project located near the northeast corner of Tenth Street and Santa Barbara

Street. **RESOLUTION NO. 6221**, A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF THE SANTA PAULA RAILROAD COMMUNITY PARK AND LANDSCAPE IMPROVEMENTS NEAR THE NORTHEAST CORNER OF TENTH STREET AND SANTA BARBARA STREET; and 2) authorized the City Manager to execute an agreement in a form approved by the City Attorney with the Santa Paula Rotary Club to construct the improvements. Public Works Director/City Engineer Clifford G. Finley's report dated October 12, 2005.

P. Water Recycling Facility, Environmental Permitting Assistance Project Task Order No. 4 with P & D Consultants – Authorized the City Manager to execute Task Order No. 4 for \$77,148 to P & D Consultants' Agreement for Services, dated June 27, 2005, to prepare the environmental permits for the Water Recycling Facility; and approved a total budget of \$88,000, which includes a 15% project contingency. Public Works Director/City Engineer Clifford G. Finley's report dated October 6, 2005.

Q. Adoption of Disadvantage Business Enterprise (DBE) Program for Fiscal Year 2005/06 – Adopted **RESOLUTION NO. 6223**, A RESOLUTION APPROVING THE ADOPTION OF THE DISADVANTAGE BUSINESS ENTERPRISE (DBE) PROGRAM FOR FISCAL 2005/06. Public Works Director/City Engineer Clifford G. Finley's report dated October 12, 2005.

### **PUBLIC HEARING**

A. Continuance of Project No. 04-TM-01 Sparkuhl Subdivision to November 7, 2005 Regular City Council Meeting

Planning Director Janna Minsk's report dated October 10, 2005.

It was moved by Vice Mayor Cook, seconded by Councilmember Luna, to continue the Public Hearing for Project No. 04-TM-01 to consider Tentative Tract Map 5308 to November 7, 2005. All were in favor, and the motion carried.

### **ORDER OF BUSINESS**

A. South Paseo Project, Redevelopment Agency Owned Building Project No. 04.05.331 SPC, Award of Contract

Building and Safety Director Stephen R. Stuart's report dated October 7, 2005.

Debbie Johnson, 1475 Cedar Street, spoke in support of the project.

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It was moved by Councilmember/Director Procter, seconded by Councilmember/Director Luna, to: 1) approve the transfer of funds in the amount of \$75,000 from the Community Development Block Grant Housing Rehabilitation Loan Program, \$50,000 from the Tower Theatre Seismic Account No. 850.050.9100.8660, and \$50,000 from the Tenth/Santa Paula/Ojai Intersection Account No. 850.085.9145, as follows: \$75,000 to the South Paseo Project, Redevelopment Agency Owned Building Account No. 250.050.9152, and \$100,000 to Account No. 850.085.9152; 2) award the contract for the South Paseo Project, Redevelopment Agency Owned Building to EJS Construction in the amount of \$544,890; 3) approve the anticipated project expenditures limit; and 4) authorize the City Manager to sign the contract documents on behalf of the City. All were in favor, and the motion carried.

B. Agreement with Limoneira Filming Locations to Serve as City Film Coordinator and Provide Promotion of Santa Paula for Location Filming

City Manager Wally Bobkiewicz's report dated October 10, 2005.

Sara Skeels, representing Limoneira Filming Locations, provided a Power Point® presentation.

Jess Victoria, 134 Moultrie, expressed his concerns with the amount of compensation given to downtown merchants by film companies for loss of business.

City Attorney Karl H. Berger responded to Mr. Victoria's concerns by stating that compensation is a personal matter between the business owner and the film company.

Debbie Johnson, 1475 Cedar Street, representing the Downtown Merchants Association and the Santa Paula Chamber of Commerce, noted that typically 95 percent of the downtown merchants support filming in the downtown and that most businesses remain open during filming.

It was moved by Councilmember Luna, seconded by Councilmember Procter, to allocate \$15,000 from the General Fund unallocated reserve to fund a one-year agreement with Limoneira Filming Locations to serve as City Film Coordinator and provide promotion of Santa Paula for location filming. All were in favor, and the motion carried.

**RECESS TO A BREAK**

Vice Mayor Cook recessed the City Council/Redevelopment Agency to a break at 7:55 p.m.

**RECONVENE TO REGULAR MEETING**

Vice Mayor Cook reconvened the City Council/Redevelopment Agency at 8:05 p.m.

H. Update on Construction of New Ventura County Community College District Facility in Santa Paula

City Manager Wally Bobkiewicz read a letter from Dr. Meznek, Chancellor from the Ventura County Community College District, to Dr. David Gomez, Superintendent of the Santa Paula Union High School District, which indicated that the college district was in the process of reprioritizing capital construction projects.

Eric Barragan urged the City Council to bring together a consortium of leaders from the Santa Clara Valley and to advocate keeping bond funds from Measure S in the community.

Discussion included the intent of the bond measure, and reaching out to the communities of Fillmore, Piru, school districts, and Chambers of Commerce to ask for their support to encourage the College Board to keep its commitment to the Santa Clara Valley for an educational center.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to direct staff to outreach to other partners in the Santa Clara Valley and to come forward with a plan that would make the best impact on the College Board to impress on them the seriousness of the issue and that they spend the bond money on the local community. All were in favor, and the motion carried.

E. Continue and Validate Outreach Program to Spanish-speaking Community

City Manager Wally Bobkiewicz's report dated October 11, 2005.

Robert Borrego, 524 Fourteenth Street, commended the City Council for its outreach to the Spanish-speaking community. He suggested that the City Council consider using radio and including an insert in the Tresieras Market circular to outreach to more residents.

Eric Barragan spoke in support of the use of radio and church newsletters to outreach to the Spanish-speaking community.

Discussion included contacting Spanish-language radio stations to feature Santa Paula, inserting documents in local advertising circulars, advertising in Spanish-language newspapers, and bringing back ideas and options for more outreach opportunities.

C. Update on Santa Paula Creek Repairs by the Ventura County Watershed Protection District

Public Works Director/City Engineer Clifford G. Finley's report dated October 10, 2005.

The report was received and filed.

D. Citywide Vision Implementation Plan and FY 2005/06 Goals and Priority Projects Update

City Manager Wally Bobkiewicz provided a Power Point® presentation.

F. Las Piedras Park Improvements Status

Building and Safety Director Stephen R. Stuart stated that in May 2004, Homeboys, Inc. offered to build a neighborhood community center and to provide funding for ongoing maintenance. He further stated that the City Council authorized negotiations with Homeboys, Inc., and that Homeboys Inc. has been searching for land for a housing project. He suggested that the City Council consider entering into an agreement with Homeboys, Inc.

Roger Campbell, 459 Main Street, Fillmore, representing Homeboys, Inc., stated that Homeboys Inc. continues to be interested in a neighborhood community center project and is seeking property for a housing project.

Discussion included receiving an outline of how this project is being put together.

G. Issuance of Passports at City Hall

Finance Director Alvertina Rivera reported on the process of issuing passports. She mentioned that the post office has issues with Americans with Disabilities Act (ADA) compliance; however, issuing passports at City Hall would be a challenge with existing staff levels.

Discussion included whether the post office was exempt from ADA compliance and seeking assistance from Assemblymember Strickland or Congressional Representative Gallegly regarding ADA compliance issues at the post office.

**CITY/AGENCY COMMUNICATIONS**

City Manager Wally Bobkiewicz noted the following meetings dealing with Fagan Canyon development: Joint City Council/Planning Commission Public Hearings on October 24 and 26, 2005 and November 1 and 9, 2005 at the Community Center;

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November 14, 2005 Planning Commission Meeting; and November 21 and December 5, 2005 Regular City Council Meetings.

**FUTURE AGENDA ITEMS**

It was moved by Councilmember Aguirre, seconded by Councilmember Luna, to allow De Colores Art Group to make a presentation to the City Council. All were in favor, and the motion carried.

**ADJOURNMENT**

Vice Mayor/Vice Chair Cook adjourned the meeting at 9:46 p.m.

ATTEST:

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Josie G. Herrera  
City Clerk/Agency Secretary