

CALL TO ORDER

Mayor Krause called the meeting to order 6:02 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.

CLOSED SESSION

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

- A. Conference with Legal Counsel, Existing Litigation – Pursuant to *Government Code §54956.9 (a)*. White Cap Construction Supply, Inc., v. Channel Islands Paving, et al. VCSC Case No. CIV230839.
- B. Conference with Legal Counsel, Initiation of Litigation – Pursuant to *Government Code §54956.9 (c)*. One potential case; potential defendant: Ventura County Community College District.
- C. Conference with Labor Negotiator – Pursuant to *Government Code §54957.6*. City Negotiator: Wally Bobkiewicz. Employee Organization: Ventura County Professional Firefighters Association.

Mayor Krause recessed the City Council to a Closed Session at 6:02 p.m., and reconvened into Open Session at 6:30 p.m. No reportable action.

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

RECONVENE AND CALL TO ORDER

Mayor Krause reconvened the City Council and Planning Commission at 6:50 p.m., and Planning Commission Chair Sommer led the Flag Salute

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Ray C. Luna, 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, 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. Councilmember John T. Procter and Planning Commission Vice Chair Jesse Ornelas were absent.

CITY COUNCIL, PLANNING COMMISSION, STAFF COMMUNICATIONS

There were no communications.

APPROVAL OF FINAL AGENDA

There were no changes to the final agenda.

CLOSED SESSION REPORT

City Attorney Karl H. Berger reported that during the Closed Session the City Council authorized the City Attorney to submit a public records request to the Ventura County Community College District for all documents related to Measure S.

ORDER OF BUSINESS

A. Resolution Adopting Procedural Rules

City Attorney Karl H. Berger read Joint City Council Resolution No. 6225/Planning Commission Resolution No. 3542, and suggested that the following be added to Rule 5, "Persons and Groups withing to address the City Council are limited to a cumulative total of five minutes and 20 minutes, respectively, during the public hearing dates of October 24, October 25, November 1, and November 9 unless there is more than one Agenda Item. Under such circumstances, members of the public will have an additional total of five minutes to address the additional Agenda Item."

It was moved by Councilmember Aguirre, seconded by Commissioner Nasalroad, to adopt Joint City Council Resolution No. 6225/Planning Commission Resolution No. 3542 as amended. All were in favor, and the motion carried.

**JOINT CITY COUNCIL RESOLUTION NO. 6225/
PLANNING COMMISSION RESOLUTION NO. 3542**

A JOINT RESOLUTION ESTABLISHING PROCEDURAL RULES FOR CONDUCTING JOINT PLANNING COMMISSION AND CITY COUNCIL MEETINGS FOR PROJECT NO. 2003-CDP-02 (FAGAN CANYON) IN ACCORDANCE WITH GOVERNMENT CODE §36813.

PUBLIC HEARING

A. Project No. 2003-CDP-02, Fagan Canyon and Adjacent Properties

Upon verification of proper notification and posting by the City Clerk, Mayor Krause opened the Public Hearing at 7:08 p.m.

Mayor Krause declared an ex parte contact as she met with the developer, property owner to the north, representatives of We CARE Santa Paula, and representatives of One Santa Paula. Commissioner Nasalroad declared an ex parte contact as he had similar contacts over the past three years. Commissioner Turturro declared an ex parte contact as he had similar contacts and met with Rick Bianchi last week.

Margit Allen and Jim Brezak, RBF Consulting, presented the staff report.

RECESS TO A BREAK

Mayor Krause recessed the City Council and Planning Commission to a break at 7:58 p.m.

RECONVENE TO REGULAR MEETING

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

Lynn McDougal, Legal Counsel, reviewed the proposed Development Agreement.

Margit Allen and Kevin Thomas, RBF Consulting, continued to present the staff report.

PUBLIC COMMENT

Chuck Mullett, 732 Montclair Drive, representing One Santa Paula, spoke in support of the Fagan Canyon project and asked the City Council and Planning Commission to reconsider the original plan.

Carmen Guerrero, 1734 Cherry Hill Road, spoke in support of the Fagan Canyon project and asked the City Council and Planning Commission to reconsider the original plan.

Dr. Luis Villegas, 998 Monte Vista, representing the Santa Paula Elementary School District, spoke in support of the Fagan Canyon project and asked the City Council and Planning Commission to reconsider the original plan.

Ben Schuck, 120 N. Tenth Street, spoke in support of the Fagan Canyon project and asked the City Council and Planning Commission to reconsider the original plan.

Gary Marshall, 1220 Forest Drive, spoke in support of the Fagan Canyon project.

Martha Brown, 811 Ojai Road, representing We CARE Santa Paula, addressed concerns regarding traffic and air pollution from the proposed Fagan Canyon project.

Jerry Byrum, 344 Cameron Street, representing Santa Paula Firefighters, spoke in support of the Fagan Canyon project.

Lorna Curtis, 1005 Laurel Road, spoke against the Fagan Canyon project.

John Wisda, 550 Monte Vista, asked that the Fagan Canyon project be downsized and that the City Council consider a regional approach to development.

Roger Brower, 1007 E. Virginia Terrace, spoke in support of 450 homes in Fagan Canyon, 450 homes in Adams Canyon, and 450 homes in East Area One. He asked that the City Council delay the Fagan Canyon project for six months.

Ken Chapman, 15119 Todd Lane, expressed concerns regarding traffic, water resources, and water usage per capita.

Carlos Juarez, 214 S. Tenth Street, representing the Santa Paula Police Officers Association, spoke in support of the Fagan Canyon project.

RECESS TO A BREAK

Mayor Krause recessed the City Council and Planning Commission to a break at 9:53 p.m.

RECONVENE TO REGULAR MEETING

Mayor Krause reconvened the City Council and Planning Commission at 10:03 p.m.

Dr. David Gomez, Superintendent of the Santa Paula Union High School District, spoke in support of the Fagan Canyon project.

Jim Garfield, 1401 Say Road, on behalf of past Presidents of the Santa Paula Chamber of Commerce, spoke in support of development in the City.

Monte Widders, Land Use Planning Attorney representing Santa Paula Highlands LLC, submitted his letter for the record. He urged the City Council to reconsider dividing the Fagan Canyon Phase II project from the proposed Fagan Canyon project.

Mayor Krause noted that the Public Hearing would be continued to October 26, 2005.

CITY/PLANNING COMMISSION COMMUNICATIONS

Vice Mayor Cook encouraged everyone to attend the Ghost Walk.

FUTURE AGENDA ITEMS

No future agenda items.

ADJOURNMENT

Mayor Krause adjourned the meeting at 10:15 p.m.

ATTEST:

Josie G. Herrera
City Clerk