

**CLOSED SESSION**

The Closed Session was delayed to December 6, 2005, at 5:00 p.m., at the Community Center.

- A. Conference with Legal Counsel, Anticipated Litigation – Government Code §54956.9 (c). One potential case; potential defendant: Ventura County Community College District.

**CALL TO ORDER**

Mayor Krause called the meeting to order 6:34 p.m. Al Guilin offered the invocation, and Councilmember Aguirre led the flag salute.

**ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Ray C. Luna, Councilmember John T. Procter, Vice Mayor Richard C. Cook Mayor, and 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**

James Robles, 812 Teague Drive, expressed concerns that the City's new payroll procedures are adversely affecting employees who receive overtime pay.

Esther Marquez, 634 W. Santa Barbara Street, invited everyone to attend a holiday celebration on December 10, 2005, at 2:00 p.m., at the Oddfellows Building, for the Second Annual Cookie Contest and First Annual Window Decoration Contest.

**ORDER OF BUSINESS**

- A. Review Procedure for Election of Mayor and Vice Mayor

City Clerk Josie G. Herrera reviewed the procedures for the election of Mayor and Vice Mayor as outlined in her report dated November 28, 2005.

- B. Selection Process for the Mayor of the City of Santa Paula

City Clerk Josie G. Herrera opened the nominations for the office of Mayor. Councilmember Luna nominated Richard C. Cook for Mayor.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre, to close the nominations. All were in favor, and the motion carried.

All were in favor of nominating Richard C. Cook as Mayor for the City of Santa Paula. Mayor Cook took his center seat at the dais.

C. Selection Process for the Vice Mayor

Mayor Cook opened the nominations for the office of Vice Mayor. Councilmember Krause nominated Ray C. Luna for Vice Mayor.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre, to close the nominations. All were in favor, and the motion carried.

All were in favor of nominating Ray C. Luna for Vice Mayor.

**COMMENTS FROM CITY COUNCIL**

Councilmember Procter, Councilmember Aguirre, Vice Mayor Luna, and Mayor Cook acknowledged Mary Ann Krause for a job well done during her term as Mayor.

Councilmember Krause stated that she was very honored to represent the City as Mayor.

**RECESS TO A BREAK**

Mayor Cook recessed the City Council to a break at 6:55 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Cook reconvened the City Council at 7:14 p.m.

**PRESENTATIONS**

A. Presentation by Cal Lutheran and County of Ventura Area Agency on Aging

Barbara Chilton, presenting Cal Lutheran University, invited everyone to attend the Disaster Preparedness workshop at the Community Center on December 7, 2005, at 10:00 a.m.

**CITY COUNCIL, STAFF COMMUNICATIONS**

Councilmember Krause shared an article from *Better Homes and Garden*, which featured a 250-square foot apartment in San Francisco, California.

Mayor Cook mentioned that he would be unable to attend the December 10, 2005 holiday celebration.

### APPROVAL OF FINAL AGENDA

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

### CONSENT CALENDAR

It was moved by Councilmember Krause, seconded by Councilmember Procter, 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 November 28, 2005.

Invoices	11/04/05	\$ 128,229.42
Wire Transfers	11/03/05	\$ 5,917.86
Invoices	11/09/05	\$ 317,486.71
Wire Transfers	11/09/05	\$ 37,790.52
Salaries	11/04/05 & 11/18/05	\$ 709,299.42
<b>TOTAL</b>		<b>\$1,198,723.93</b>

- C. Minutes – Adopted the Minutes from the Special City Council/Planning Commission Meeting of October 26, 2005.
- D. Continued Public Hearing, Second Reading and Adoption of Ordinance No. 1148 and Adoption of Resolution No. 6230 Imposing New Development Impact Fees – 1) Closed public hearing; 2) waived second reading and adopted Ordinance No. 1148 amending Section 160.20 of the Santa Paula Municipal Code to impose new impact fees on applicants seeking to construct development projects, and adopted Resolution No. 6230 adopting Development Impact Fees. **ORDINANCE NO. 1148**, AN ORDINANCE AMENDING SECTION 160.20 OF THE SANTA PAULA MUNICIPAL CODE TO IMPOSE NEW IMPACT FEES ON APPLICANTS SEEKING TO CONSTRUCT DEVELOPMENT PROJECTS; and 3) adopted Resolution No. 6230 adopting Development Impact Fees. **RESOLUTION NO. 6230**, A RESOLUTION ADOPTING DEVELOPMENT IMPACT FEES IN ACCORDANCE WITH CHAPTER 160 OF THE SANTA PAULA MUNICIPAL CODE. City Clerk Josie G. Herrera's report dated November 28, 2005.

- E. Council Expense and City Manager Travel Monthly Report of Transactions – Reviewed and filed the monthly transactions report for October 2005. Finance Director Alvertina Rivera's report dated November 18, 2005.
- F. Approval of a Three-Year On-Call Services Agreement for San Buenaventura Research Associates – Approved the Three-Year On-Call Services Agreement for professional consulting and historical mitigation research services with San Buenaventura Research Associates. Public Works Director/City Engineer Clifford G. Finley's report dated November 28, 2005.
- G. Asphalt Paving Patch Repair Project – Allocated \$80,198 from the Water Fund Balance to Account 620.050.7071.8209; approved project budget of \$80,198 which includes a 15% contingency; and authorized the City Manager to execute the contract for asphalt paving patch repair services with Quality Paving in the amount of \$69,737.49 for the Asphalt Paving Patch Repair Project approved as to form by the City Attorney. Public Works Director/City Engineer Clifford G. Finley's report dated November 28, 2005.
- H. Street Tree Program, Project No. 02.03.250 STR, Award of Contract to Plowboy Landscapes, Inc. – 1) Approved a project budget of \$123,000, which includes a 15% project contingency for the construction of the Street Tree Program, Project No. 02.03.250 STR; 2) appropriated \$12,000 from the Local Transportation Fund preserves for Account No. 231.050.9017.8630; and 3) authorized City to award the contract to Plowboy Landscapes, Inc. for \$107,205. Public Works Director/City Engineer Clifford G. Finley's report dated November 14, 2005.

### **PUBLIC HEARING**

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

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 7:18 p.m.

City Manager Wally Bobkiewicz stated that it was staff's recommendation to adjourn the meeting to December 6, 2005, at 5:30 p.m., at the Community Center, in accordance with Government Code §54955, in order to address this item.

Councilmember Procter returned to the Council Chambers at 7:19 p.m.

### **CITY COMMUNICATIONS**

Vice Mayor Luna noted that the Christmas Parade was well attended.

**FUTURE AGENDA ITEMS**

It was moved by Councilmember Krause, seconded by Mayor Cook, to receive a report on the City's new payroll procedures. All were in favor, and the motion carried.

**ADJOURNMENT**

Mayor Cook adjourned the meeting at 7:22 p.m., to December 6, 2005, at 5:30 p.m., at the Community Center.

ATTEST:

---

Josie G. Herrera  
City Clerk