

CALL TO ORDER

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

ROLL CALL

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

PUBLIC COMMENT

No Public Comment.

CLOSED SESSION

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

- A. Conference with Labor Negotiator - Pursuant to *Government Code §54957.6*.
City Negotiator: City Manager Wally Bobkiewicz and Assistant to the City Manager Melissa Grisales. Employee Organizations: Santa Paula Police Officers Association (SPPOA), Santa Paula Community Service Officers Unit, Santa Paula Public Employees Association (SEIU Local 998), Ventura County Professional Firefighters Association, Mid-management, Confidential, Part-time, Temporary, and Seasonal Employees Groups.
- B. Conference with Legal Counsel, Existing Litigation – Pursuant to *Government Code §54956.9 (a)*. Manuel Andrade and Lucy M. Andrade v. City of Santa Paula. Ventura County Superior Court Small Claims Case No.: MS182393.

Mayor Cook recessed the City Council to a Closed Session at 6:00 p.m., and reconvened the City Council into Open Session at 6:30 p.m. No reportable action taken. Mayor Cook recessed the City Council at 6:30 p.m.

RECONVENE AND CALL TO ORDER

Mayor Cook reconvened the City Council at 6:42 p.m., and led the Flag Salute.

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Mary Ann Krause, Councilmember John T. Procter, Vice Mayor Ray C. Luna, and Mayor Richard C. Cook responded to roll

call. City Manager Officer Wally Bobkiewicz, City Attorney Karl H. Berger, and City Clerk Josie G. Herrera were also present.

CLOSED SESSION REPORT

City Attorney Karl H. Berger announced that during the Closed Session for Item 3B the City Council authorized him to appeal the Ventura County Superior Court Small Claims Case No. MS182393, Manuel Andrade and Lucy M. Andrade v. City of Santa Paula.

PRESENTATIONS

Frank Ybarra, Manager of Vons Market, stated that the Santa Paula Vons remodeling project was completed. He thanked the community for their cooperation, and noted that he brought coffee and cookies for everyone.

A. Proclamation Recognizing DeBorah Cherry Joye

Councilmember Krause presented a proclamation to DeBorah Cherry Joye, recipient of Women's Economic Ventures Entrepreneur of the Year.

Silvia Munoz-Schnopp, representing Women's Economic Ventures, thanked the City Council for recognizing their award recipients.

B. Proclamation Recognizing Ellen Brokaw

Councilmember Procter presented a proclamation to Ellen Brokaw, recipient of Women's Economic Ventures Trailblazer of the Year.

C. Proclamation Recognizing Abrisa Glass

Councilmember Aguirre presented a proclamation to Eric Selfridge in recognition of the 25th Anniversary of Abrisa Glass.

D. Community Emergency Response Team

Fire Captain/Emergency Preparedness Coordinator Steve Lazenby presented a Power Point® presentation regarding the Community Emergency Response Team (CERT), and invited everyone to participate in the upcoming CERT training.

E. Badge Pinning Ceremony for Reserve Firefighters/EMT

Fire Chief Paul L. Skeels presented badges to Reserve Firefighters/EMT Gregorio Yzaguirre, Noel Kiesewetter, Basilio Yzaguirre, Dustin Rodriguez, and Kevin Corbett.

PUBLIC COMMENT

Mayor Cook congratulated City Manager Wally Bobkiewicz on receiving the Credentialed Manager designation from the International City/County Management's Association.

Carlos Juarez and Jamey Maclellan, representing the Santa Paula Police Officers Association, expressed their appreciation for comments made during the Fagan Canyon public hearing.

Jerry Byrum, representing the Ventura County Professional Firefighters Association, thanked the City Council for their efforts in approving the Fagan Canyon project.

Donna Stewart, 996 Terracina, speaking on behalf of Downtown Merchants, spoke in support of the Fagan Canyon project.

Bob Gonzales, spoke in support of the Fagan Canyon project.

Rick Bianchi, representing Centex Homes, thanked the City Council, Planning Commission, City staff, City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and members of the community for their efforts on the Fagan Canyon project. He invited everyone to participate in the design charrette for the elementary schools, design for the Future Farmers of America site, and development of the Fagan Canyon Parks Master Plan.

Dr. David Stegman, 298 Cummings Road, spoke in support of the Fagan Canyon project.

CITY COUNCIL, STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz reported that Santa Claus would be flying over Santa Paula on Christmas Eve between 6:45 to 7:15 p.m., through of efforts of Aspen Helicopters, Harold Edwards from Limoneira Company, and Mayor Cook.

City Attorney Karl H. Berger noted that the final version of the Fagan Canyon Development Agreement for Ordinance No. 1150 was distributed at the dais.

Councilmember Procter noted that Santa Claus rode a motorcycle to the "Santa and Me" event at the Boys and Girls Club, where toys were distributed to over 400 children. He acknowledged Bob Gonzales, Calla Dominguez, Jenny Bonilla, Boys and Girls Club staff, the Harley Davidson members, Police Chief Stephen MacKinnon, Mayor Cook, and members of the Santa Paula Police Department for their participation.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to approve the Consent Calendar with the final substituted version of the Development Agreement for Item 10C. Councilmember Aguirre, Councilmember Krause, Vice Mayor Luna, and Mayor Cook were in favor. Councilmember Procter did not participate in the vote for Items C and D, and was in favor of the remainder. The motion carried.

- A. Waiver of Reading of Ordinances and Resolutions – Waived reading of Ordinances and Resolutions appearing on the Agenda.
- B. Destruction of City Records – Adopted Resolution No. 6238 approving the destruction of City Records described in Exhibit “A” as reviewed and approved by the City Attorney. **RESOLUTION NO. 6238**, A RESOLUTION APPROVING DESTRUCTION OF CITY RECORDS. City Clerk Josie G. Herrera’s report dated December 12, 2005.
- C. Second Reading and Adoption Ordinance Nos. 1149 and 1150 – 1) Waived second reading and adopted **ORDINANCE NO. 1149**, AN ORDINANCE PREZONING PORTIONS OF THE FAGAN CANYON EXPANSION AREA AS THE FAGAN CANYON SPECIFIC PLAN (SP-2); 2) waived second reading and adopted **ORDINANCE 1150**, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT FOR THE FAGAN CANYON DEVELOPMENT PROJECT PURSUANT TO GOVERNMENT CODE SECTION 65864, ET SEQ. City Clerk Josie G. Herrera’s report dated December 12, 2005.
- D. Final Resolutions from Fagan Canyon Project (without attachments) – Received and filed final resolutions from the Fagan Canyon project. These were for informational purposes only. No action was proposed.
- E. Approval of Formation of a Community Development Block Grant (CDBG) Advisory Committee for 2006-2007 CDBG Application Cycle – Approved the formation of a CDBG Advisory Committee for 2006-2007 CDBG Application Cycle. Building and Safety Director Stephen R. Stuart’s report dated December 6, 2005.
- F. Confirmation of Out-of-state Travel – Confirmed out-of-state travel of Officers Paul Spencer, Hector Ramirez, and Allen Macias to Reno, Nevada, for the California Narcotics Officers Association’s Annual Training Conference,

November 11 through 15, 2005, which was previously approved by the City Manager. Assistant Police Chief Mark Hanson's report dated December 9, 2005.

- G. Amend Salary Schedule Range for Senior Coordinator and Nutrition Site Coordinator – Reviewed and approved Resolution No. 6243 amending the salary range for the Senior Coordinator (part-time) and the Nutrition Site Coordinator (part-time). **RESOLUTION NO. 6243**, A RESOLUTION AMENDING RESOLUTION NO. 6192, WHICH AMENDS THE POSITION CLASSIFICATION AND COMPENSATION PLAN. Assistant to the City Manager Melissa Grisales' report dated December 14, 2005.
- H. Acceptance of Tract Map No. 5456; 9-Lot Subdivision on Grant Line Street Near Santa Paula Street – Accepted Tract Map No. 5456, and directed the appropriate City Officials to sign and record said map. Public Works Director/City Engineer Clifford G. Finley's report dated December 14, 2005.
- I. Fire Stations 81 & 82 Vehicle Exhaust System – Approved the sole source purchase of the fire engine Plymovent Vehicle Exhaust extraction system and authorized staff to award the contract to Air Cleaning Systems for \$70,837. Public Works Director Clifford G. Finley's report dated December 12, 2005.
- J. On-Call Capital Improvement Project Assistance - Boyle Engineering Task Order #24 – Approved Task Order #24 to the current Boyle Engineering contract for Professional Services for the amount of \$50,000 relating to on-call Capital Improvement Project Assistance for projects listed in the City of Santa Paula 2005-2006 Fiscal Year Capital Improvement Program (CIP). Public Works Director/City Engineer Clifford G. Finley's report dated December 7, 2005.
- K. Branch Line Bike Trail Project - Boyle Engineering Task Order #25 – Approved Task Order #25 to the current Boyle Engineering contract for Professional Services for the amount of \$28,650 relating to engineering services to assist with the plans and specifications for the Branch Line Bike Trail Project. Public Works Director/City Engineer Clifford G. Finley's report dated December 7, 2005.

PUBLIC HEARING

- A. Café Entertainment and Outdoor Dining Permits

Mayor Cook opened the Public Hearing at 7:48 p.m.

City Manager Wally Bobkiewicz presented Planning Director Janna Minsk's report dated December 14, 2005.

City Attorney Karl H. Berger noted that a revised Ordinance was provided at the dais with changes to Sections 124.12C1 to read as follows, "The nature of the café entertainment", and 124.15A to read as follows, "Unless suspended or revoked, permits issued pursuant to this chapter have a term of one (1) year. Permits are automatically renewed on the anniversary date of being issued for an additional one (1) year term so long as all material information regarding the permittee remains unchanged. Should a permit expire, the permittee must comply with this chapter to obtain a new permit."

Johnny Wells, 986 E. Main Street, expressed concerns with noise from amplified music and sale of alcohol from outdoor dining establishments.

City Attorney Karl H. Berger noted that the code currently allows entertainment permits and outdoor dining, and that staff was proposing streamlining the permit process in order to make it less cumbersome and expensive for applicants. He also noted that the ordinance contemplates allowing alcohol consumption in the public right-of-way, and that issuance of a permit would allow amplified music subject to Planning Department review.

The City Council discussed concerns with the language of Section 124.12C3 date and estimated starting and ending time, and Section 124.12C2 description of sound amplification equipment. City Attorney Karl H. Berger suggested amended language: Section 124.12C2 would read as follows, "Whether any sound amplification may be used during the entertainment." Section 124.12C3 would read as follows, "Estimated starting and ending times for the café entertainment."

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to introduce and waive first reading of Ordinance No. 1151 as amended, and schedule second reading and adoption for January 3, 2006. All were in favor, and the motion carried.

ORDINANCE NO. 1151

AN ORDINANCE ADDING CHAPTER 124 TO THE SANTA PAULA MUNICIPAL CODE
ESTABLISHING CAFÉ ENTERTAINMENT AND DINING PERMITS FOR AREAS
DESIGNATED AS CENTRAL BUSINESS DISTRICT

Mayor Cook closed the Public Hearing at 8:05 p.m.

CITY COMMUNICATIONS

There were no City Communications.

FUTURE AGENDA ITEMS

There were no Future Agenda Items.

ADJOURNMENT

Mayor Cook adjourned the meeting at 8:07 p.m.

ATTEST:

Josie G. Herrera
City Clerk