

CALL TO ORDER

Mayor Cook called the meeting to order 6:00 p.m., in the Council Chambers.

ROLL CALL

Councilmember Mary Ann Krause, 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. Councilmember Gabino Aguirre and Councilmember John T. Procter were absent.

PUBLIC COMMENT

Frank Suniga, 15433 W. Telegraph Road, City employee, asked the City Council to provide a fair salary for employees.

James Robles, 812 Teague Drive, stated that SEIU-represented employees have not received a salary increase since January 2003, and commented on recent labor negotiations.

Danny Carrillo, 2472 Eastman Avenue, Ventura, representing Service Employees International Union Local 998, commented on recent labor negotiations.

John Dunn, 342 S. Borchard Avenue, Ventura, representing SEIU members, asked the City Council to provide a fair salary for city employees.

Robert Howard, 209 E. Santa Barbara, asked the City Council to provide a fair salary for city employees.

Laura Espinosa, 233 Corte Linda, asked the City Council to provide a fair salary for city employees.

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 Section 54956.9(a)*. Name of Case: Santa Paula Memorial Hospital, Debtor, United States Bankruptcy Court, Central District of California, BK No. NE 03-1354-RR.

Mayor Cook recessed the City Council to a Closed Session at 6:26 p.m., in the City Hall Administration Conference Room, and reconvened the City Council into Open Session at 6:53 p.m., in the Council Chambers. No reportable action taken. Mayor Cook recessed the City Council at 6:53 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Cook reconvened the City Council at 7:00 p.m. Caroline Price from the Universalist Unitarian Church offered the Invocation, and Mayor/Chair Cook led the Flag Salute.

ROLL CALL

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

CLOSED SESSION REPORT

No reportable action.

PRESENTATIONS

- A. Recognition of Finance Department Staff

City Manager Wally Bobkiewicz recognized Finance Department staff for their outstanding work. Finance Director Alvertina Rivera recognized her staff for their dedication and hard work.

- B. Presentation by Gene Marzec Regarding Society of Arts Show

Gene Marzec invited everyone to attend the 69th Annual Society of the Arts Show at Blanchard Community Library.

PUBLIC COMMENT

Kay Wilson-Bolton, 123 N. Tenth Street, expressed concern with the cost to rent the Community Center. She also spoke in support of the Fagan Canyon project.

Chuck Mullet, 732 Montclair Drive, spoke in opposition to the Fagan Canyon referendum petition.

Robert Howard asked the City Council to provide a fair salary for city employees and not to take away benefits from employees.

Frank Suniga asked the City Council to provide a fair salary for city employees.

Danny Carrillo submitted his written comments for the record and asked the City Council to provide a fair salary and benefits for city employees.

Rick Bianchi, 27200 Tourney Road, Valencia, representing Centex Homes, apologized for the action taken against the City and the City Clerk regarding the Fagan Canyon referendum petition, and expressed his hope that the Fagan Canyon project will move forward.

Eric Barragan, 1268 Bruce Drive, spoke in opposition to the Fagan Canyon referendum petition.

Laura Flores Espinosa submitted her written comments for the record and asked the City Council to provide a fair salary for city employees.

Carmen Guerrero, 1734 Cherry Hill Road, spoke in opposition to the Fagan Canyon referendum petition.

James Robles asked the City Council to provide a fair salary for city employees, and expressed concerns that the City's payroll procedure for payment of overtime is adversely affecting employees.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz noted that the City reached an impasse with SEIU in labor negotiations, and noted that if an agreement is not reached mediation may be brought forth. He also stated that the Ventura County Community College District would be meeting on February 21, 2006, where they may discuss the status of Santa Paula East Campus, and that the February 21, 2006 City Council Meeting could be postponed in order that the City Council may attend the college district meeting.

City Attorney Karl H. Berger noted that he attended a court hearing in the morning regarding the Fagan Canyon referendum petition, and that a hearing is scheduled for February 27, 2006, at 1:30 p.m.

APPROVAL OF FINAL AGENDA

Councilmember Krause asked that Item 12C be postponed in order to have the full City Council present to consider the item.

CONSENT CALENDAR

Vice Mayor Luna asked that Item 10L be pulled. City Manager Wally Bobkiewicz asked that Item 10J be pulled. It was moved by Councilmember Krause, seconded by Vice Mayor Luna, to approve 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. Warrants and Certifications - Reviewed, approved, and filed the attached warrants and certifications. Finance Director Alvertina Rivera's report dated January 30, 2006.

Invoices	12/08/05 & 01/05/05	\$ 202,474.03
Wire Transfers	01/05/06	\$ 39,540.90
Invoices	01/13/06 & 01/19/06	\$ 440,870.22
Wire Transfers	01/19/06	\$ 65,922.08
Invoices	01/20/06 & 01/26/06	\$ 121,390.38
Wire Transfers	01/26/06	\$1,244,086.93
Salaries	01/13/06 & 01/27/06	\$ 783,612.70
TOTAL		<u>\$2,897,897.24</u>

- C. Minutes – Adopted the Minutes from the Regular City Council Meeting of December 5, 2005.
- D. Minutes – Adopted the Minutes from the Regular Adjourned City Council Meeting of December 6, 2005.
- E. Minutes – Adopted the Minutes from the Regular Adjourned City Council Meeting of December 7, 2005.
- F. Minutes – Adopted the Minutes from the Regular City Council Meeting of December 19, 2005.

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- G. Minutes – Adopted the Minutes from the Regular City Council Meeting of January 3, 2006.
- H. Minutes – Adopted the Minutes from the Regular City Council Meeting of January 17, 2006.
- I. Second Reading and Adoption Ordinance No. 1154 Public Employees' Retirement System Contract Amendment – Waived second reading and adopted **ORDINANCE NO. 1154**, AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF SANTA PAULA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. City Clerk Josie G. Herrera's report dated January 30, 2006.
- K. Approve Professional Services Agreement with Martin & Chapman Co. – Authorized the City Manager to execute an agreement, in a form approved by the City Attorney, for professional services with Martin & Chapman Co. for election services, for a total contract value not to exceed \$50,000. City Manager Wally Bobkiewicz's report dated January 26, 2006.
- M. Art Society's Request to Sell Beer and Wine at the Depot on May 17, 2006 – Approved the Art Society's request to sell beer and wine at the Train Depot on May 17, 2006. Community Services Director Brian J. Yanez's report dated January 30, 2006.
- N. Council Expense and City Manager Travel Monthly Report of Expenses – Reviewed and filed the monthly transaction reports for November and December 2005. Finance Director Alvertina Rivera's report dated January 19, 2006.
- O. Annual Financial Reports of the Local Transportation Development Act Fund for Article 3 and Article 8, Section 99400(a), Section 99400(c), and Section 99234 Funds for the City of Santa Paula for the Fiscal Year Ended June 30, 2005 – Received and placed on file the Annual Financial Reports for the Local Transportation Development Act Fund, Article 3, Section 99234 Public Utilities Code and Article 8, Section 99400(a) and (c) Public Utilities Code Funds for the Fiscal Year Ended June 30, 2005 resulting from the audits by Rivera and Company, Certified Public Accountants. Finance Director Alvertina Rivera's dated January 12, 2006.
- P. Fiscal Year 2004/05 Audit - Received and placed on file the Annual Financial Report for the Fiscal Year ended June 30, 2005. Finance Director Alvertina Rivera's report dated January 13, 2006.
- Q. 2006 National American Planning Association Conference and Out of State Travel Request – Authorized out of state travel for Janna Minsk, AICP, Planning

Director to attend the 2006 National American Planning Association Conference.
Planning Director Janna Minsk's report dated January 23, 2006.

CONSENT CALANDAR (SEPARATE ACTION ITEMS)

- J. Santa Paula Police Officers Association Memorandum of Understanding Contract Years 2006/07

Assistant to the City Manager Melissa Grisales' report dated January 31, 2006.

City Manager Wally Bobkiewicz commended the Santa Paula Police Officers Association for their professionalism during contract negotiations.

It was moved by Mayor Cook, seconded by Councilmember Krause, to approve Resolution No. 6271 approving the Memorandum of Understanding with the Santa Paula Police Officers Association (SPPOA) for Contract Years 2006-2007. All were in favor, and the motion carried.

RESOLUTION NO. 6271

A RESOLUTION ADOPTING THE MEMORANDUM OF UNDERSTANDING FOR THE CONTRACT YEARS 2006/2007 BETWEEN THE CITY OF SANTA PAULA AND THE SANTA PAULA POLICE OFFICERS ASSOCIATION (SPPOA)

- L. Utilization of Community Development Block Grant (CDBG) Housing Rehabilitation Program Funds

City Manager Wally Bobkiewicz presented Building and Safety Director Stephen R. Stuart's report dated January 27, 2006.

It was moved by Councilmember/Director Krause, seconded by Vice Mayor/Vice Chair Luna, that the City Council and Redevelopment Agency approve the utilization of CDBG Housing Rehabilitation Program funds for a commercial micro loan. All were in favor, and the motion carried.

PUBLIC HEARING

- A. 2004-CDP-11, Water Recycling Facility (WRF) Part II

Upon verification of proper notification and posting by the City Clerk, Mayor Cook opened the Public Hearing at 7:58 p.m.

Planning Director Janna Minsk and Contract Planner Kristie Wheeler's report dated January 23, 2006. Ms. Wheeler provided a Power Point® presentation.

Fred Malzacher, 15325 Todd Lane, distributed photographs of past flooding in the area, expressed concern regarding drainage, and suggested that the City consider other plans for the water recycling facility rather than installing percolation ponds.

Woody Maxwell, 15325 Todd Lane, suggested that the City site the water recycling facility immediately to the north in order to mitigate percolation, odor, traffic, and access problems.

Kate Neiswender, attorney representing Malzacher Ranch, expressed concerns with the creation of an island of agricultural land next to the freeway; increase in water velocity in the Santa Clara River due to the construction of a berm; anticipation of revised Federal Emergency Management Agency flood maps; lack of discussion regarding the Malzacher's easement on Todd Lane; and decrease in the Malzacher's property value due to the proximity of the proposed water recycling facility. She asked the City Council to consider preparation of a subsequent environmental impact report and reconfiguration of the water recycling facility.

Mayor Cook closed the Public Hearing at 8:21 p.m.

Kristie Wheeler responded to the suggestion regarding preparation of a subsequent EIR by stating that the Mitigated Negative Declaration (MND) was the appropriate environmental document rather than a subsequent EIR, and because the MND was not challenged after the Planning Commission's approval the action was final. She also responded to the concerns regarding creation of an agriculture island by stating that the current use is agriculture, and that the proposed ordinance would create a land use designation.

City Attorney Karl H. Berger noted that the proposed rezoning of the Open Space Agriculture for the area proposed as WRF Part 2 lies outside the City Urban Restriction Boundary (CURB), and requires rezoning for urban use and a public vote to move the CURB. He also noted that the reason the CURB line has been able to move for the WRF site is because it falls under the public facilities exception under the Save Open and Agricultural Resources (SOAR) provision of the General Plan.

Public Works Director/City Engineer Clifford G. Finley noted that Hawks & Associates is studying the drainage in this area, and is also working with the Ventura County Watershed Protection District regarding revisions to the flood map.

It was moved by Councilmember Krause, seconded by Vice Mayor Luna, to 1) adopt Resolution No. 6259 approving a General Plan Amendment to redesignate a portion of three parcels located north of the proposed Santa Paula Water Recycling Facility (WRF)

(Assessor's Parcel Numbers 099-0-030-345, -635, and -645) from Mixed Use – Commercial/Light Industrial to Open Space Agriculture to redesignate four parcels and a portion of three additional parcels located south and west of the proposed WRF (Assessor's Parcel Numbers 099-0-080-035, -105, -115, -195, -205, -215, and -235) from Industrial and Open Space – Passive and Golf Course to Open Space Agriculture, and to adjust the West Area 2 Expansion Area boundary to reconcile it with the City's proposed corporate boundary and existing Sphere of Influence; 2) introduce and waive the first reading of Ordinance No. 1155 amending the City's Zoning Map to provide a zoning designation of Agricultural (A-1) to the portion of the three parcels located north of the WRF site; 3) schedule second reading and adoption of Ordinance No. 1155 for February 21, 2006; and 4) adopt Resolution No. 6260 initiating annexation proceedings for WRF Parts I and II. Under roll call vote, Councilmember Krause, Vice Mayor Luna, and Mayor Cook were in favor. Councilmember Aguirre and Councilmember Procter were absent. The motion carried.

RESOLUTION NO. 6259

A RESOLUTION APPROVING A GENERAL PLAN AMENDMENT INCLUDING AN ADJUSTMENT TO THE WEST AREA 2 EXPANSION AREA BOUNDARY, REDESIGNATION OF A PORTION OF THREE PARCELS (APNs 099-0-030-345, -635, AND -645) FROM MIXED USE – COMMERCIAL/LIGHT INDUSTRIAL TO OPEN SPACE AGRICULTURE, AND REDESIGNATION OF FOUR PARCELS AND A PORTION OF THREE ADDITIONAL PARCELS (APNs 099-0-080-035, -105, -115, -195, -205, -215, AND -235) FROM OPEN SPACE – PASSIVE AND GOLF COURSE TO OPEN SPACE AGRICULTURE

ORDINANCE NO. 1155

AN ORDINANCE APPROVING A PREZONING FOR APPROXIMATELY 22.5 ACRES LOCATED SOUTH OF HIGHWAY 126 NEAR TODD LANE, WEST OF THE EXISTING WASTEWATER TREATMENT PLANT, AND NORTH OF THE PROPOSED WATER RECYCLING FACILITY (WRF) AND CORPORATION YARD (PORTIONS OF APNs 099-0-030-345, -635, AND -645) (PROJECT No. 2004-CDP-11)

RESOLUTION NO. 6260

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO INITIATE REORGANIZATION PROCEEDINGS WITH LAFCO TO ANNEX REAL PROPERTY ASSOCIATED WITH THE PROPOSED SANTA PAULA WATER RECYCLING FACILITY AND CORPORATION YARD (WRF PARTS I AND II)

RECESS TO A BREAK

Mayor Cook recessed the City Council to a break at 8:35 p.m.

RECONVENE TO REGULAR MEETING

Mayor Cook reconvened the City Council at 8:48 p.m.

B. **Project No. 05-TM-03 Wellman Subdivision**

Upon verification of proper notification and posting by the City Clerk, Mayor Cook opened the Public Hearing at 8:48 p.m.

Planning Director Janna Minsk and Contract Planner Heather Davis' report dated January 27, 2006.

Mayor Cook closed the Public Hearing at 8:50 p.m.

It was moved by Councilmember Krause, seconded by Vice Mayor Luna, to adopt Resolution No. 6261 approving a Tentative Tract Map and two Growth Management Allocations for a proposed subdivision of the subject property into three lots and a private roadway, subject to the conditions of approval identified within the Resolution. Under roll call vote, Councilmember Krause, Vice Mayor Luna, and Mayor Cook were in favor. Councilmember Aguirre and Councilmember Procter were absent. The motion carried.

RESOLUTION NO. 6261

A RESOLUTION APPROVING A TENTATIVE TRACT MAP AND GROWTH
MANAGEMENT ALLOCATIONS FOR A PROPOSED THREE LOT RESIDENTIAL
SUBDIVISION AT 3268 SANTA PAULA-OJAI ROAD, APN 040-0-150-425
(PROJECT NO. 2005-TM-03)

ORDER OF BUSINESS

A. **City Payroll Procedures for Payment of Overtime Schedule**

City Manager Wally Bobkiewicz's report dated January 18, 2006.

It was moved by Mayor Cook, seconded by Councilmember Krause, to receive and file report. All were in favor, and the motion carried.

B. **Sponsorship of "Summit on Sustainable Agriculture for Ventura County's Future"**

City Manager Wally Bobkiewicz's report dated January 30, 2006.

It was moved by Councilmember Krause, seconded by Vice Mayor Luna, to approve the request from the Ag Futures Alliance – Ventura County to sponsor a “Summit on Sustainable Agriculture for Ventura County’s Future” and to allocate \$500 for the sponsorship from operating reserve fund. All were in favor, and the motion carried.

C. 2005 League of California Cities Annual Conference Resolutions – This item was postponed to a future meeting.

D. Composition of Santa Paula Housing Authority Commission

City Clerk Josie G. Herrera's report dated September 1, 2005. The report was received and filed.

E. City Council and Boards Commissions, and Committees Reimbursement and Travel Policy

City Attorney Karl H. Berger's report dated January 31, 2006.

Discussion included adding the Congress for New Urbanism Conference, the National League of Cities Conference, and the Southern California Association of Governments (SCAG) General Assembly to the preapproved list.

It was moved by Councilmember Krause, seconded by Mayor Cook, to adopt Resolution No. 6258 with the amendments discussed establishing a reimbursement policy for expenses incurred by the City Council and members of City Boards, Committees, and Commissions in accordance with Government Code Section 53232.2 and 53232.3 and Assembly Bill 1234. All were in favor, and the motion carried.

RESOLUTION NO. 6258

A RESOLUTION ESTABLISHING A REIMBURSEMENT POLICY IN ACCORDANCE
WITH GOVERNMENT CODE §§53232.2 AND 53232.3

CITY/AGENCY COMMUNICATIONS

No City/Agency Communications

FUTURE AGENDA ITEMS

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No Future Agenda Items.

ADJOURNMENT

Mayor/Chair Cook adjourned the meeting at 9:08 p.m.

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary