

CALL TO ORDER

Mayor/Chair Cook called the meeting to order 6:02 p.m.

ROLL CALL

Councilmember/Director Gabino Aguirre, Councilmember/Director Mary Ann Krause, Councilmember/Director John T. Procter, 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.

PUBLIC COMMENT

City/Agency Attorney Karl H. Berger noted that Governor Arnold Schwarzenegger recently appointed Steven Pfahler as Superior Court Judge. He noted that Mr. Pfahler served the City of Santa Paula as Legal Counsel on several occasions.

CLOSED SESSION

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

- A. Conference with Real Property Negotiator - Pursuant to *Government Code §54956.8*. Property Address: Assessor's Parcel Numbers 101-0-214-145, 101-0-214-135, 101-0-214-125, 101-0-214-115, 101-0-214-105, and 101-0-214-025. Negotiating Parties: Florence Elwell Trust. Agency Negotiator: Executive Director Wally Bobkiewicz and Agency Attorney Karl H. Berger. Under negotiation: Both price and terms.
- B. Conference with Real Property Negotiator - Pursuant to *Government Code §54956.8*. Property Address: Assessor's Parcel Numbers 102-0-221-035. Negotiating Parties: Darch Family Trust. City Negotiators: City Manager Wally Bobkiewicz and City Attorney Karl H. Berger. Under negotiation: Both price and terms.
- C. 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 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.

- D. Conference with Legal Counsel, Existing Litigation. Pursuant to *Government Code Section 54956.9(a)*. Name of Case: *Fagan Canyon Partners, LLC v. City Clerk, et al.* VCSC Case No. CIV 238842.

Mayor/Chair Cook recessed the City Council/Redevelopment Agency to a Closed Session at 6:05 p.m., and reconvened the City Council/Redevelopment Agency into Open Session at 6:45p.m. No reportable action taken. Mayor/Chair Cook recessed the City Council/Redevelopment Agency at 6:45 p.m.

RECONVENE AND CALL TO ORDER

Mayor/Chair Cook reconvened the City Council at 7:00 p.m. and led the Flag Salute.

ROLL CALL

Councilmember/Director Gabino Aguirre, Councilmember/Director Mary Ann Krause, Councilmember/Director John T. Procter, 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.

CLOSED SESSION REPORT

No reportable action.

PRESENTATIONS

- A. Proclamation Recognizing Shirley J. Spitler, Outgoing President of the Heritage Valley Tourism Bureau

Councilmember Procter presented a proclamation to Shirley J. Spitler in recognition of her service to the Heritage Valley Tourism Bureau. Martin Hernandez, on behalf of County Supervisor Kathy Long, acknowledged Ms. Spitler for her dedication to the Heritage Valley Tourism Bureau.

- B. Proclamation to Linda Rubenstein, Coordinator of Off-Campus Program, Ventura College, in Recognition of Her Outstanding Work at Ventura College East Campus

Councilmember Aguirre presented a proclamation to Linda Rubenstein in recognition of her service to the Ventura College East Campus.

- C. Presentation by Police Chief Stephen MacKinnon Regarding Amgen Tour of California Bicycle Race Saturday, February 25, 2006

Police Chief Stephen MacKinnon noted that the Amgen Tour of California Bicycle Race would be passing through the City on February 25, 2006, at 11:45 a.m. He also mentioned that the Police Department staff and volunteers would be stationed along the route, and that the race would create minimal inconvenience to the public.

PUBLIC COMMENT

Bill Mensing, 500 W. Santa Maria Street, spoke regarding trust and stated that he and his wife trust the City Council's decisions regarding Fagan Canyon.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz noted that an East Area One Master Plan Workshop would be held on February 23, 2006, in the Council Chambers, at 6:30 p.m., and that a larger workshop would be held on March 2, 2006, at 6:30 p.m., at the Community Center. He encouraged everyone to attend.

APPROVAL OF FINAL AGENDA

Mayor/Chair Cook suggested that Item 12A be considered prior to Item 11A in order to accommodate the audience. City Manager/Executive Director Wally Bobkiewicz suggested that Item 12F be moved up as well.

CONSENT CALENDAR

Councilmembers Aguirre and Procter stated that they would be abstaining from Item 10D, Minutes for February 6, 2006, because they were absent at that meeting. It was moved by Councilmember Krause, seconded by Vice Mayor Luna, 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. Minutes – Adopted the Minutes from the Special City Council Meeting of January 30, 2006
- C. Minutes – Adopted the Minutes from the Special City Council Meeting of February 2, 2006.
- D. Minutes – Adopted the Minutes from the Regular City Council Meeting of February 6, 2006.

- E. Second Reading and Adoption Ordinance No. 1155 – Waived second reading and adopted **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 YEAR (PORTIONS OF APNs 099-0-030-345, -635, AND -645) (PROJECT NO. 2004-CDP-11). City Clerk Josie G. Herrera's report dated February 13, 2006.
- F. Amendment to Legal Services Agreement with McDougal, Love, Eckis, Smith, Boehmer & Foley – Authorized the City Manager to execute a third amendment, in a form approved by the City Attorney, for the legal services agreement with McDougal, Love, Eckis, Smith, Boehmer & Foley for additional work regarding negotiating and drafting, and related transactional services, a development agreement for the housing project commonly referred to as the Fagan Canyon Project proposed by Centex Homes, for \$100,000, for a total contract value not to exceed \$275,000, and allocate the entire \$275,000 from Account Number 800.2221. City Manager Wally Bobkiewicz's report dated February 14, 2006.
- G. Monthly Report of Transactions July through December 2005 – Reviewed and filed the monthly transactions report. City Treasurer Sandra K. Easley's report dated February 10, 2005.
- H. Approval of Amendment to Professional Services Agreement with Rincon Consultants, Inc., for Additional Scope of Work Associated with the A.J. Diani Asphalt Concrete Plant Project Environmental Impact Report (EIR) – 1) Approved the third Amendment with Rincon Consultants to pay for additional scope of work associated with the A.J. Diani Asphalt Concrete Plant Project EIR; 2) authorized the City Manager to execute the Amendment, in a form approved by the City Attorney; and 3) provided the authority to assign more tasks under this contract up to an amount of \$15,000. Planning Director Janna Minsk's report dated February 13, 2006.
- I. Authorization for Out-of-state Travel – Authorized the Chief of Police to travel out-of-state to attend a Regional Grants Management Training Seminar in Phoenix, Arizona. Police Chief Stephen MacKinnon's report dated February 8, 2006.
- J. P & D Consultants Amendment #5 to Contract 99485 – Approved Amendment #5 to P & D Consultants' Contract No. 99485 for additional environmental services relating to Water Recycling Facility. Public Works Director/City Engineer Clifford G. Finley's report dated February 13, 2006.

ORDER OF BUSINESS

A. Farmworkers Monument

City Manager Wally Bobkiewicz's report dated February 14, 2006.

Albino Pineda, 239 Laurie Lane, shared a concept for a proposed farmworkers monument with a figure of a man with a ladder and a sack of fruit at one end, and a figure of a woman stooping at the other end. The monument would also have a tiled mural with the names of people who worked in the fields.

Ray Pineda, 928 Cummings Road, spoke in support of a farmworkers monument and in support of adding the name Cesar Chavez to the list of street names.

Discussion included recognition of packinghouse workers, formation of an ad hoc committee, community involvement, and having a monument to recognize Chino Valdes and Jim Colborn. Discussion also included exploring locations, consideration of alternate plan and size, seeking an architect, seeking funding, and consideration of providing housing and services for farmworkers.

It was moved by Mayor Cook, seconded by Councilmember Aguirre, that the City Council appoint an ad hoc committee consisting of Councilmembers Aguirre and Procter to meet with Mr. Pineda and set up a committee to discuss a farmworkers monument. All were in favor, and the motion carried.

F. Status of Police Management Audit Implementation Committee

City Manager Wally Bobkiewicz's report dated February 15, 2006.

Discussion included keeping the committee active and asking the public to contact the Police Chief if they are interested in serving on this committee.

It was moved by Councilmember Aguirre, seconded by Mayor Cook, to keep the Police Management Audit Implementation Committee. All were in favor, and the motion carried.

Mayor Cook suggested that Item 12B be considered at this time in order to accommodate the audience.

B. Amendment to Street Naming Policy to Add Cesar Chavez to City List of Suggested Street Names and Review of Naming of City Facilities other than Streets in Honor of Individuals

City Manager Wally Bobkiewicz's report dated February 15, 2006.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to adopt Resolution No. 6274 amending the City's list of suggested street names to add Cesar Chavez.

Discussion included having Cesar Chavez's entire name added to the street name list, and adding another category, such as athletics, to the street name list.

All were in favor, and the motion carried.

RESOLUTION NO. 6274

A RESOLUTION AMENDING THE STREET NAMING PROCEDURE AND THE LIST OF SUGGESTED STREET NAMES

Helen Hernandez, 425 N. Eighth Street, spoke in support of having the name Cesar Chavez added to the street name list.

RECESS TO A BREAK

Mayor/Chair Cook recessed the City Council/Redevelopment Agency to a break at 8:10 p.m.

RECONVENE TO REGULAR MEETING

Mayor/Chair Cook reconvened the City Council/Redevelopment Agency at 8:22 p.m.

There was no discussion regarding the City's current policy of naming City facilities other than streets in honor of individuals.

PUBLIC HEARING

A. Proposed Fee Increases for City Services

Upon verification of proper notification and posting by the City Clerk, Mayor Cook opened the Public Hearing at 8:23 p.m.

Finance Director Alvertina Rivera's report dated February 11, 2006.

Discussion included the proposed technology fee that would be used to cover the cost for software and hardware components in order to interface with the County of Ventura's program.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to approve Resolution No. 6272. All were in favor, and the motion carried.

RESOLUTION NO. 6272

A RESOLUTION ADOPTING NEW FEE SCHEDULES FOR RECOVERING COSTS INCURRED FROM PROVIDING VARIOUS PLANNING AND BUILDING AND SAFETY RELATED SERVICES FOR DEVELOPMENT PROJECTS

Mayor Cook closed the Public Hearing at 8:31 p.m.

ORDER OF BUSINESS

C. Fourth of July Events

City Manager Wally Bobkiewicz's report dated February 15, 2006.

It was moved by Mayor Cook, seconded by Councilmember Krause, to allocate \$14,000 from the City's Operating Reserve to fund this year's fireworks display. All were in favor, and the motion carried.

It was moved by Vice Mayor Luna, seconded by Councilmember Krause, to sponsor a pancake breakfast at the Depot on the Fourth of July. All were in favor, and the motion carried.

Discussion included seeking assistance from the Chamber of Commerce and the Cruise Night organizers for a car show, concerns with allowing the consumption of alcohol; and consideration of judging and presentation of trophies.

It was moved by Mayor Cook, seconded by Councilmember Procter, to sponsor a car show on the afternoon of July 4; research whether to have the event called a car show or a car cruise event; solicit assistance from the Cruise Night organizers and offer the use of City Hall offices and phones to help organize the event; and direct the Police Chief to contact the Sheriff's Department regarding problems with alcohol at past Fillmore festivals. All were in favor, and the motion carried.

D. 2005 Crime Statistics

Police Chief Stephen MacKinnon's report dated February 15, 2006. The report was received and filed.

E. Police Department Strategic Plan

Police Chief Stephen MacKinnon's report dated February 7, 2006.

Discussion included the proposed organization chart, support for a Minimum Staffing Policy and rejoining the Regional Drug Task Force, and alternatives to the Assistant Police Chief position.

The Strategic Plan for the Santa Paula Police Department was received and accepted.

G. Alarm Permitting: False Alarm Response

City Attorney Karl H. Berger's report dated February 7, 2006. He noted that the Police Chief had suggested including a grace period to end on January 2, 2007 in order to allow individuals to obtain a permit.

Police Chief Stephen MacKinnon responded to questions regarding categories for residential and commercial alarms, and regarding audible and silent alarms.

Discussion included concerns with requiring individuals to obtain a permit. City Attorney Karl H. Berger recommended a permit system, and explained that a permit would constitute consent by the property owner to allow Police Officers to enter a building; would allow the City to have protection from civil liability; would allow for a hold harmless clause; would allow for a more civil process rather than a criminal process in terms of permit revocation; would allow the Police Chief to have on record where alarms are expected, types of alarms, and whom to contact.

Discussion included lack of support for requiring a permit, and having staff bring back information on issuance of alarm registration, amount of fee, and following up with other jurisdictions regarding indemnity clauses.

H. Fire Department Report for 2005

Acting Assistant Fire Chief presented Fire Chief Paul L. Skeels' report dated February 10, 2006. The report was received and filed.

I. Fiscal Year 2005/06 Mid-year Report

Finance Director Alvertina Rivera's report dated February 11, 2006. The Statement of Revenues & Expenditures and the Capital Improvement Program Update Report was received and filed.

J. Fiscal Year 2005/06 Mid-year Budget Adjustments

Finance Director Alvertina Rivera's report dated February 11, 2006.

It was moved by Councilmember/Director Krause, seconded by Vice Mayor/Vice Chair Luna, that the City Council and Redevelopment Agency approve Resolution No. 6273 and 2006-01(R), which authorizes the budget adjustments as described in the Fiscal Impact section of the staff report. All were in favor, and the motion carried.

RESOLUTION NO. 6273

A RESOLUTION APPROVING ADJUSTMENTS TO THE OPERATING BUDGET FOR FISCAL YEAR 2005 – 2006

RESOLUTION NO. 2006-01(R)

A RESOLUTION APPROVING ADJUSTMENTS TO THE REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 2005 – 2006

CITY/AGENCY COMMUNICATIONS

City Manager Wally Bobkiewicz noted that the March 3, 2006 East Area One Master Plan Workshop would be televised and have Spanish translation.

Councilmember Procter mentioned that he traveled to Washington D.C., as part of the Ventura County Transportation Commission.

FUTURE AGENDA ITEMS

It was moved by Councilmember Krause, seconded by Vice Mayor Luna, to have a presentation by the Ventura Regional Sanitation District regarding sludge handling. All were in favor, and the motion carried.

It was moved by Councilmember Krause, seconded by Mayor Cook, for a presentation on the disposal of batteries. All were in favor, and the motion carried.

It was moved by Mayor Cook to receive an update on Workers' Compensation Claims. All were in favor.

It was moved by Mayor Cook to receive an update on street repairs and street conditions. All were in favor.

ADJOURNMENT

Mayor/Chair Cook adjourned the meeting at 10:27 p.m.

Regular City Council/Redevelopment Agency Meeting
Tuesday, February 21, 2006
City Hall Administration Conference Room and Council Chambers

ATTEST:

Josie G. Herrera
City Clerk/Agency Secretary