

**CALL TO ORDER**

Mayor Cook called the meeting to order 5:31 p.m.

**ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Mary Ann Krause, Councilmember John T. Procter, 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. Vice Mayor Ray C. Luna was absent.

**PUBLIC COMMENT**

No public comment.

**ORDER OF BUSINESS**

A. Interviews for Commission on Aging

Barry Cooper stepped up for his interview and responded to questions regarding his experience working with senior citizens.

City Clerk Josie G. Herrera noted that Irene Jefferson had called earlier in the day to withdraw her name for consideration due to her moving from the City in July.

Joseph Lyou stepped up for his interview and responded to questions regarding senior citizen programs.

B. Interview for Economic Development Advisory Committee

Carmen Guerrero stepped up for her interview and responded to questions regarding economic development opportunities in the City.

C. Interview for Police Management Audit Implementation Committee

Robert J. Bayer stepped up for his interview and responded to questions regarding the implementation of the Police Management Audit.

**CLOSED SESSION**

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

- A. Conference with Legal Counsel, Existing Litigation. *Government Code Section 54956.9(a).* Name of Case: We CARE – Santa Paula v. Josie G. Herrera, et al., Second Appellate District Case No. B186242 (*Ventura County Superior Court Case No. CIV234520*).

Mayor Cook recessed the City Council to a Closed Session at 6:01 p.m., and reconvened the City Council into Open Session at 6:29 p.m. No reportable action taken. Mayor Cook recessed the City Council at 6:29 p.m.

### **RECONVENE AND CALL TO ORDER**

Mayor/Chair Cook reconvened the City Council at 6:40 p.m. Deacon Al Guilin offered the invocation, and Mayor/Chair Cook led the Flag Salute.

### **ROLL CALL**

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

### **CLOSED SESSION REPORT**

No reportable action.

### **PRESENTATIONS**

- A. Introduction of New City Employees: Deputy Public Works Director Jon Turner; Equipment Mechanic Jose Arreola; Assistant Planner Rebecca Bradley; Building Inspector Sergio Centeno; Building Inspector Lorenzo Chavez; Building Inspector Michael Leach; Accounting Technician Terri Tozier; Accounting Technician Wendy Morris; Assistant Fire Chief/Fire Prevention Officer Kevin Fildes

Public Works Director/City Engineer Clifford G. Finley introduced Deputy Public Works Director Jon Turner and Equipment Mechanic Jose Arreola.

Planning Director Janna Minsk introduced Assistant Planner Rebecca Bradley.

Building and Safety Director Stephen R. Stuart introduced Building Inspectors Sergio Centeno, Lorenzo Chavez, and Michael Leach.

Finance Director Alvertina Rivera introduced Accounting Technicians Terri Tozier and Wendy Morris.

Fire Chief Paul L. Skeels introduced newly promoted Assistant Fire Chief/Fire Prevention Officer Kevin Fildes.

B. Presentation of Citrus Festival Poster

Sheryl Misenhimer, President of the Kiwanis Club, provided an overview of the activities planned for the Citrus Festival, and presented the winning Citrus Festival Poster by Scott Jeffers.

**PUBLIC COMMENT**

Ken Chapman, 15119 Todd Lane, stated that the City went beyond Proposition 218 requirements by seeking protest votes for the sewer rate increase.

Carmen Guerrero, 1734 Cherry Hill Road, representing the Chamber of Commerce, spoke in support of Measure E6.

Rick Bianchi, 27200 Tourney Road, Santa Clarita, representing Centex Homes, spoke regarding the developer's obligations under the Fagan Canyon Development Agreement.

Catherine Sepulveda, 905 McKeveitt Road, Santa Paula Union High District Trustee, spoke in support of Measure E6 and stated that the high school board adopted a resolution in support of the measure. City Attorney Karl H. Berger cautioned the City Council that law prohibits addressing campaign issues during public comment or using public comment as a forum for campaigning.

**CITY COUNCIL, STAFF COMMUNICATIONS**

City Clerk Josie G. Herrera stated that the June 6, 2006 semiofficial election results would appear on Government Channel 10 and on the City's website.

**APPROVAL OF FINAL AGENDA**

City Manager Wally Bobkiewicz suggested that Items 12B, 12G, and 12A be considered prior to the Public Hearing.

**CONSENT CALENDAR**

Regular City Council/Redevelopment Agency/Community Healthcare Authority Meeting  
Monday, June 5, 2006  
City Hall Administration Conference Room and Council Chambers

Mayor Cook pulled Item 10B. City Manager Wally Bobkiewicz pulled Item 10H. It was moved by Councilmember Aguirre, seconded by Councilmember Krause, 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 May 30, 2006.

Invoices	05/05/06	\$ 38,802.72
Wire Transfers	05/04/06	\$ 5,669.34
Invoices	05/11/06	\$ 537,315.07
Wire Transfers	05/10/06	\$ 43,858.04
Invoices	05/19/06	\$ 60,978.13
Wire Transfers	05/18/06	\$ 6,199.34
Invoices	05/25/06	\$ 675,982.87
Wire Transfers	05/24/06	\$ 48,409.69
Salaries	05/05/06 & 05/19/06	\$ 703,252.01
<b>TOTAL</b>		<b>\$2,120,467.21</b>

C. Minutes – Adopted the Minutes from the May 13, 2006 Special City Council Meeting.

D. Minutes – Adopted the Minutes from the May 15, 2006 Regular City Council/Redevelopment Agency Meeting.

E. Second Reading and Adoption Ordinance No. 1157 – 1) Waived second reading and adopted **ORDINANCE NO. 1157**, AN ORDINANCE SETTING THE AMOUNT OF WASTEWATER RATES AND CHARGES PURSUANT TO HEALTH AND SAFETY CODE §5471 AND SANTA PAULA MUNICIPAL CODE §51.680. City Clerk Josie G. Herrera's report dated May 23, 2006.

F. Second Reading and Adoption Ordinance No. 1158 – 1) Waived second reading and adopted **ORDINANCE NO. 1158**, A RESOLUTION AMENDING SECTION 50.019 OF THE SANTA PAULA MUNICIPAL CODE REGULATING SPECIAL COLLECTIONS OF BULKY ITEMS IN RESIDENTIAL NEIGHBORHOODS. City Clerk Josie G. Herrera's report dated May 23, 2006.

I. Amendment of Salary Compensation for Part-Time Employees, Temporary, and Seasonal Employees – Reviewed and approved Resolution No. 6314 which amends the current salary compensation with a 3% increase for Part-Time, Temporary, and Seasonal employees to be effective upon adoption of resolution.

**RESOLUTION NO. 6314**, A RESOLUTION WHICH AMENDS THE POSITION CONTROL AND COMPENSATION PLAN FOR SALARY INCREASES FOR PART-TIME, TEMPORARY, AND SEASONAL EMPLOYEES. City Manager Wally Bobkiewicz's report dated May 18, 2006.

- J. Approval of Legal Services Agreement with Jenkins & Hogin LLP, to Retain City Attorney Services – The City Council and Redevelopment Agency Board of Directors: 1) approved the Legal services Agreement between the City of Santa Paula, the Santa Paula Redevelopment Agency, and Jenkins & Hogin LLP, to retain City Attorney services; and 2) authorized the City Manager to execute the Agreement in a form approved by Special Counsel. City Manager Wally Bobkiewicz's report dated May 23, 2006.
- K. Stipulation Regarding City and Community Healthcare Authority's Claim Against Santa Paula Memorial Hospital; *In re Santa Paula Memorial Hospital* – 1) Received and filed Stipulation; and 2) designated Ms. Agi Kessler as a Trust Liaison in accordance with the Healthcare Authority's Joint Powers Agreement §15(D). City Attorney Karl H. Berger's report dated May 30, 2006.

**CONSENT CALENDAR (SEPARATE ACTION ITEMS)**

- B. Receive and File Reimbursement Reports

Mayor Richard C. Cook's report dated May 30, 2006.

It was moved by Mayor Cook, seconded by Councilmember Krause, to receive and file the reimbursement report as specified in accordance with Government Code §§ 53232.2, 53232.3, and Resolution No. 6258. All were in favor, and the motion carried.

- H. Amendment to the Position Control Classification and Compensation Plan for 2005-2006 Fiscal Year to Include Human Resources Manager Position and to Include Position in Executive Unit

City Manager Wally Bobkiewicz's report dated May 31, 2006. He noted that an amended attachment was provided at the dais.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to adopt Resolution No. 6315 amending the Position Classification and Compensation Plan in the Adopted 2005-2006 Fiscal Year Budget to include Human Resources Manager position in the Executive Management Unit. All were in favor, and the motion carried.

**RESOLUTION NO. 6315**

A RESOLUTION TO INCLUDE HUMAN RESOURCES MANAGER POSITION IN  
EXECUTIVE UNIT

**ORDER OF BUSINESS**

B. Mexican-American Chamber of Commerce Carnival Fees

Community Services Director Brian J. Yanez's report dated May 30, 2006.

Victor Salas, representing the Mexican-American Chamber of Commerce, stated that he believed the City Council adopted a resolution to deny having carnivals at Veterans Memorial Park, and spoke in support of having future carnivals held at Teague Park.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to receive and file report regarding the Mexican-American Chamber of Commerce carnival fees and provide direction to staff. All were in favor, and the motion carried.

G. Railroad Plaza Community Park Funding Assistance

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

Roy Wilson expressed his gratitude for any allocation the City Council might provide.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to allocate \$20,000 from the General Fund Operating Reserve to assist in the completion of the Railroad Plaza Community Park. All were in favor, and the motion carried.

A. Update on Filming Contract with Limoneira

Community Services Director Brian J. Yanez's report dated May 30, 2006.

Sarah Skeels, representing Limoneira Filming Company, provided a Power Point® presentation.

It was moved by Councilmember Krause, seconded by Councilmember Procter, to receive and file the update from Limoneira Filming Company in regards to their one-year filming agreement with the City of Santa Paula. All were in favor, and the motion carried.

**RECESS TO A BREAK**

Mayor Cook recessed the City Council to a break at 7:40 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Cook reconvened the City Council at 7:52 p.m.

**PUBLIC HEARING**

A. Amendments to Development Code Ordinance No. 1159 and Home Occupation Ordinance No. 1162

Upon verification of proper notification and posting by the City Clerk, Mayor Cook opened the Public Hearing at 7:53 p.m.

Planning Director Janna Minsk's report dated June 5, 2006. Planning Consultant Joyce Bozynski provided a Power Point® presentation.

Discussion included café dining and entertainment in CO and CN zones; minimum density standard in R3 and R4 zones; covered parking for multi-family units; allowable home occupations; and use of non-habitable detached structures for home occupations.

Mayor Cook closed the Public Hearing at 8:30 p.m.

City Attorney Karl H. Berger recommended that the record reflect Table 13-1 of Ordinance No. 1159 be kept as presented and that staff bring back an amended table at a later date. He also recommended that the record reflect that the underlined words regarding covered or uncovered parking would not be included in Table 46-1 Off Street Parking and that this item be brought back at a later time.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to introduce and waive the first reading of Ordinance No. 1159 with the two changes as described approving amendments to the Development Code, and schedule second reading and adoption for the next regular meeting. All were in favor, and the motion carried.

**ORDINANCE NO. 1159**

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 16 TO THE SANTA PAULA MUNICIPAL CODE ENTITLED "DEVELOPMENT CODE" FOR PURPOSES OF CLARIFICATION, CONSISTENCY, AND FACILITATE ADMINISTRATION

City Attorney Karl H. Berger recommended that for Ordinance No. 1162, Section 16.230.040(c), that the word "on-site" be inserted in front of "automotive and other vehicle repair..." and that Section 16.230.060B.3 be amended by inserting the following sentence, "A home occupation must be conducted within a dwelling unit."

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to introduce and waive first reading of Ordinance No. 1162 as amended approving a new Home Occupation Ordinance, and schedule second reading and adoption for the next regular meeting. All were in favor, and the motion carried.

**ORDINANCE NO. 1162**

AN ORDINANCE ADDING A NEW CHAPTER 16.230 TO TITLE 16 OF THE SANTA PAULA MUNICIPAL CODE ENTITLED "HOME OCCUPATIONS"

**RECESS TO A BREAK**

Mayor Cook recessed the City Council to a break at 8:38 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Cook reconvened the City Council at 8:46 p.m.

B. 2004-CDP-06, Keats Corner Apartment Complex, 720 East Main Street

Upon verification of proper notification and posting by the City Clerk, Mayor Cook opened the Public Hearing at 8:46 p.m.

Planning Director Janna Minsk's report dated May 24, 2006. Associate Planner Anna Arroyo provided a Power Point® presentation. She noted a correction in the Conditions of Approval Section F1 which should include one dwelling unit for very low-income, and a correction to the end of Section G5 which should read, "...approval by Planning Director or if applicable Planning Commission" rather than "Design Assistance Committee (DAC)"

Mark Pettit, 300 Montgomery Avenue, Oxnard, representing Lauterbach and Associates, spoke regarding the modifications made to the proposed project.

Mark Sellers, 2815 Townsgate Road, Thousand Oaks, representing Keats Corner Development, stated that he was agreeable with City staff's conditions.

Steve Andrews and Skip Padberg, representing Keats Corner Development, stated they were agreeable with City staff's conditions.

Mayor Cook closed the Public Hearing at 9:00 p.m.

Discussion included compromising with historic resources and concerns that the proposed apartment complex would appear to be a part of the Ebell Club.

It was moved by Mayor Cook, seconded by Councilmember Aguirre, to introduce and waive first reading of Ordinance No. 1153 amending the City's Zoning map to change the zoning designation for Assessor's Parcel Number (APN) 103-0-092-045, located at 720 E. Main Street, from C-G to C-G (PD). Councilmember Aguirre and Mayor Cook were in favor. Councilmember Procter and Councilmember Krause were opposed. Vice Mayor Luna was absent. The motion failed.

C. Public Hearing for the Hillsborough Open Space Maintenance District Resolution No. 6302 (continued)

Mayor Cook declared a conflict of interest due to his residence being within 500 feet of the subject. City Manager Wally Bobkiewicz declared a conflict of interest because his residence is within the subject. They exited the Council Chambers at 9:10 p.m. Councilmember Procter took his seat at the dais as Mayor Pro Tem and Public Works Director/City Engineer Clifford G. Finley sat in as Acting City Manager.

Upon verification of proper notification and posting by the City Clerk, Mayor Pro Tem Procter opened the Public Hearing at 9:10 p.m.

Public Works Director/City Engineer Clifford G. Finley's report dated April 26, 2006.

No public comment received. Mayor Pro Tem Procter closed the Public Hearing at 9:10 p.m.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, approve Resolution No. 6302 placing a \$100 per parcel special assessment onto the December 2006 tax roll for the Hillsborough Open Space Maintenance District. All were in favor, and the motion carried.

**RESOLUTION NO. 6302**

A RESOLUTION PLACING A \$100 ASSESSMENT ON THE TAX ROLL FOR ALL 71 PARCELS IN THE HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT IN ACCORDANCE WITH GOVERNMENT CODE 54715

**RECESS TO A BREAK**

Mayor Pro Tem Procter recessed the City Council to a break at 9:15 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Cook reconvened the City Council at 9:19 p.m.

**ORDER OF BUSINESS**

C. Follow-up Report on Options for Designation of City Architect

Planning Director Janna Minsk's report dated May 30, 2006.

Discussion included contracting with consulting firms who have architects on staff, the possibility of seeking a team-based approach rather than seeking an architect, and having staff bring back proposed guidelines and fee structures.

It was moved by Councilmember Krause, seconded by Councilmember Aguirre, to direct staff to come back with a proposal to include consultants and consideration of some of the other tools included in the suggested options. All were in favor, and the motion carried.

D. Approve Change Order No. 1 for the Green Street Alley Improvement Project to Mendez Concrete, Inc.

Public Works Director/City Engineer Clifford G. Finley's report dated March 30, 2006.

It was moved by Councilmember Aguirre, seconded by Mayor Cook, to authorize the City Manager to approve Change Order No. 1 to the Green Street Alley Improvement Project to include the optional bid items totaling \$49,542, and approve a total revised project budget of \$473,500 which includes a 5% construction contingency. All were in favor, and the motion carried.

E. Creation of City Council Code of Ethics

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

It was moved by Councilmember Procter, seconded by Mayor Cook, to have staff bring back for further discussion a value based Code of Ethics. All were in favor, and the motion carried.

F. Public Safety Financing Initiative Update

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

It was moved by Mayor Cook, seconded by Councilmember Aguirre, to receive the status report on a proposed public safety financing initiative. All were in favor, and the motion carried.

H. Fiscal Year 2006/07 City Council Goals and Priority Projects Economic Development/Redevelopment Implementation Plan

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

It was moved by Councilmember Aguirre, seconded by Councilmember Procter, to adopt FY 2006/07 City Council Goals and Priority Projects and revised Economic Development/Redevelopment Implementation Plan. All were in favor, and the motion carried.

### **CITY COMMUNICATIONS**

City Manager Wally Bobkiewicz noted the following upcoming meetings and events: June 19, 2006 Regular City Council Meeting; July 3, 2006 Regular City Council Meeting; July 17, 2006 Regular City Council Meeting; July 4, 2006 Pancake Breakfast in front of the Oddfellows Building.

Councilmember Krause stated that at a recent meeting of the Economic Development Collaborative Ventura County, a presentation was made by representatives of A.J. Diani, and noted that she did not participate in the discussion due to a pending project application coming before the City Council.

### **FUTURE AGENDA ITEMS**

It was moved by Councilmember Krause, seconded by Mayor Cook, for a report on the possibility of providing a discount on sewer fees for low-income seniors. All were in favor, and the motion carried.

It was moved by Mayor Cook, seconded by Councilmember Procter, for a report on allowing construction activities on Saturdays. All were in favor, and the motion carried.

### **ADJOURNMENT**

Mayor/Chair Cook adjourned the meeting at 9:54 p.m.

ATTEST:

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Josie G. Herrera  
City Clerk/Agency/Authority Secretary