

CALL TO ORDER

Mayor Luna called the City Council to order at 6:15 p.m.

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Ralph J. Fernandez, Councilmember Robert S. Gonzales, Vice Mayor Procter, and Mayor Luna responded to roll call. Acting City Manager Kathy Campbell, City Attorney Karl H. Berger, City Clerk Josie G. Herrera, and Deputy City Clerk/Administrative Secretary Lorena Alvarez were also present. City Manager Wally Bobkiewicz was absent.

PUBLIC COMMENT

No Public Comment.

CLOSED SESSION

Mayor Luna announced that the Closed Session was to discuss:

- A. Conference with Legal Counsel, Anticipated Litigation. Significant exposure to litigation. Pursuant to *Government Code Section 54956.9(b)*. Facts or circumstances: Final decision rendered on March 29, 2007 by Mobile Home Rent Review Commission regarding application for rent increase at Peppertree Mobile Home Park submitted by Coriot, Inc. Number of cases: One.

Mayor Luna recessed the City Council to a Closed Session at 6:15 p.m. and reconvened at 6:30 p.m. No reportable action. Mayor Luna recessed the City Council at 6:30 p.m.

CALL TO ORDER

Mayor Luna called the meeting to order at 6:46 p.m., and led the Flag Salute.

Mayor Luna asked for a moment of silence in memory of the Virginia Tech students who passed away.

ROLL CALL

Councilmember Ralph J. Fernandez, Councilmember Robert S. Gonzales, Councilmember Gabino Aguirre, Vice Mayor John T. Procter, and Mayor Ray C. Luna responded to roll call. City Manager Wally Bobkiewicz was absent. Acting

City Manager Kathy Campbell, City Attorney Karl H. Berger, City Clerk Josie G. Herrera, and Deputy City Clerk Lorena Alvarez were also present.

CLOSED SESSION

No reportable action.

PRESENTATIONS

- A. Presentation of Proclamation to Dan Robles from Blanchard Community Library in Recognition of National Library Week April 16- 20, 2007.

Mayor Luna presented a proclamation to Dan Robles from Blanchard Community Library in recognition of National Library Week.

- B. Presentation by Rochelle Margolin regarding Cinco de Mayo Festival (May 5, 2007).

Economic Development Specialist Rochelle Margolin invited everyone to participate in the Cinco de Mayor festivities scheduled in the downtown on May 5, 2007.

County Supervisor John Flynn provided a presentation regarding the Watershed Protection System and how funds are divided for each district.

PUBLIC COMMENT

Jerry Marquez, 163 Felkins Road, spoke on behalf the coaches, parents, and children who are part of the Aguilas Soccer Club. Mr. Marquez asked Councilmembers for assistance in providing and maintaining fields for the children.

Iris Magana, 224 W. Harvard Blvd., asked the Council to provide more fields for the children.

Dan Shide, 988 Monte Vista, spoke about the strong need for adequate soccer fields in Santa Paula.

Fernando Maldonado, 525 N. 14th Street, spoke in regards to poor conditions of soccer fields in the City.

Michael Dalo, 15635 Foothill Road, commended Dan Robles on the great job he does for the community and the Blanchard Library. Mr. Dalo also spoke

regarding his concern that the Council meetings have become forums for Measure A7.

Steve Smead, 513 Howie Court, spoke in favor of Measure A7 and addressed Measure A7 mandates for 100 acres of parks, which would help alleviate the lack of soccer fields in the City.

Charles Spink, 538 N. Mill Street, spoke in regards to citizens having to make their own decision about Measure A7.

Bob Borrego, 524 14th Street, cautioned the Council to look beyond A7, and look for other methods to raise money for the City.

STAFF COMMUNICATIONS

Vice Mayor Procter spoke in regards to the passing of his good friend Roy Wilson Jr. during the past weekend and asked the Council to adjourn the City Council Meeting in his honor.

Acting City Manager Kathy Campbell communicated to the Council that the reason for the absence of City Manager Wally Bobkiewicz was due to his chairing the spring meeting of the International City Managers Association Committee in Dublin, Ireland.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Gonzales, seconded by Mayor Luna, to adopt the Consent Calendar as presented. All were in favor under roll call vote, and the motion was carried.

CONSENT CALENDAR

- A. **Waiver of Reading of Ordinances and Resolutions** – Waive reading of Ordinances and Resolutions appearing on the Agenda.
- B. **Receive and File Reimbursement Reports** – In accordance with Government Code § 53232.2, 53232.3, and Resolution No. 6258, receive and file reimbursement reports as specified. City Manager Wally Bobkiewicz's report dated April 9, 2007.
- C. **Minutes** – Adopt the Minutes from the March 12, 2007 Special City Council Meeting.

- D. **Warrants and Certifications** - Review, approve, and file the attached warrants and certifications. Interim Finance Director Sandra K. Easley's report dated March 26, 2007.

Invoices	02/14/2007	\$ 11,380.03
Invoices	03/01/2007	\$284,307.03
Wire Transfers	03/01/2007	\$ 3,701.13
Invoices	03/09/2007	\$134,922.53
Invoices	03/12/2007, 03/13/2007, 03/14/2007, 03/15/2007	\$ 1,131,250.77
Wire Transfers	03/14/2007	\$ 49,069.46
Invoices	03/23/2007	\$190,732.28
Wire Transfers	03/23/2007	\$ 46,161.61
	Salaries	
	02/23/2007, 03/09/2007, 03/13/2007	
	\$292,494.72	TOTAL
		\$2,144,019.56

- E. **Municipal Code Regulations Regarding Nonconforming Uses** – (1) Receive and file; and (2) take such additional, related, action that may be desirable. City Attorney Karl H. Berger's report dated February 12, 2007.
- F. **Water Recycling Facility (WRF) Project – California Department of Fish and Game Stream Alteration Agreement** – (1) Authorize the City Manager to execute the proposed agreement in a form approved by the City Attorney; and (2) take such additional, related, action that may be desirable. Public Works Director/City Engineer Clifford G. Finley's report dated March 12, 2007.
- G. **Approval of Paving Rehabilitation Project Change Order No. 1 and Final Project Approval** – It is recommended that the City Council (1) authorize the City Manager to execute Change Order No. 1, in the amount of \$140,780.77 for additional asphalt paving patch repair services provided by J&H Engineering, Inc.; (2) allocate \$60,213 additional funds from the remaining approved project budget of \$66,295 to fund Change Order No. 1; and (3) receive the project Notice of Completion. Public Works Director/City Engineer Clifford G. Finley's report dated April 5, 2007.
- H. **Award of Water Tank Rehabilitation Project Contract to Travis Agriculture, Inc.** – It is recommended that the City Council (1) Allocate an additional \$335,040 from the Water Fund Balance to Account No. 620.050.9135.8660; (2) authorize the City Manager to execute a contract in a form approved by the City Attorney for the Water Tank Rehabilitation

Project contract to Travis Agriculture Construction, Inc. for the bid amount of \$531,854; (3) approve a project budget of \$585,040 which includes a 10% contingency; and (4) take such additional, related, action that may be desirable. Public Works Director/Engineer Clifford G. Finley's report dated April 11, 2007.

- I. **Out of State Travel Request - 24th National Association of Latino Elected and Appointed Officials (NALEO)** – Authorize Councilmember Gabino Aguirre to attend the 2007 NALEO Annual Conference in Orlando, Florida June 28 – 30, 2007. Councilmember Gabino Aguirre's report dated March 22, 2007.

- J. **Beverage Container Grant Funds 2007/2008 Application** – It is recommended that the City Council: (1) Adopt Resolution No. 6388, authorizing submitting the Funding Request Form to the California Department of Conservation's Division of Recycling, and authorizing the City Manager to execute associated documents; and (2) direct staff to forward the application form and a copy of the resolution to the California Department of Conservation. Public Works Director/City Engineer Clifford G. Finley report dated April 9, 2007.

RECESS TO A BREAK

Mayor Luna recessed the Council to a break at 7:48 p.m.

RECONVENE TO REGULAR MEETING

Mayor Luna reconvened the City Council at 8:06 p.m.

PUBLIC HEARING

- A. **Increase Water Supply In-lieu fee**

Upon verification of proper notification and posting by the City Clerk, Mayor Luna opened the Public Hearing.

Public Works Director/City Engineer Clifford G. Finley's report dated April 11, 2007.

Jonathan Reyes, 140 N. Olive Street Apt. D, spoke in regards to receiving a letter from the City of Santa Paula in respect to his project where it was stated he would either need to pay an In-lieu fee for his development or grant over water rights.

Jennifer Dumas, 18450 S. Mountain Road, spoke in regards to recent studies on the impact of climate change predicted for the United States and the increase years of drought that has been anticipated. Ms. Dumas shared her concern about the premises on which In-lieu fees are raised, and allowing the construction of homes before knowing if the water would be available for use.

Ken Chapman, 15119 Todd Lane, expressed concern with the increase in Water Supply In-lieu fee, and also spoke in regards to the amount of water that is actually available in the basin.

It was moved by Councilmember Gonzales, seconded by Mayor Luna, to continue the hearing to the Regular City Council meeting on May 21, 2007. All were in favor under roll call vote, and the motion carried.

ORDER OF BUSINESS

A. Staffing Options for Fire Station 82

Fire Chief Richard C. Araiza's report dated March 26, 2007.

Kevin Fildes, Assistant Fire Chief, spoke in support of Chief Araiza's recommendations.

Jerry Byrum, Fire Captain, spoke in regards to the safety of the fire team, and asked Council for their support.

It was moved by Councilmember Gonzales, seconded by Mayor Luna, to approve Option 2 and create temporary engineer positions in Station 82 to be filled by the three full time firefighters presently working at Station 81. Under roll call vote, Councilmember Gonzales, Councilmember Fernandez, and Mayor Luna were in favor. Councilmember Aguirre and Vice Mayor Procter were opposed. The motion carried.

RECESS TO A BREAK

Mayor Luna recessed the City Council to a break at 10:19 p.m.

RECONVENE TO REGULAR MEETING

Mayor Luna reconvened the City Council at 10:30 p.m.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Vice Mayor Procter, seconded by Councilmember Fernandez, to suspend the rules and continue the meeting. All were in favor under roll call vote, and the motion carried.

B. Fire Department's Report on Emergency Medical Services

Oral report from Chief Rick C. Araiza.

C. Maintaining Senior Center and Future Needs

Community Services Director Brian J. Yanez report dated April 6, 2007.

It was moved by Vice Mayor Procter, seconded by Councilmember Fernandez, to receive and file the report. All were in favor under roll call vote, and the motion carried.

D. Enhancing Santa Paula Beautiful Program

Building & Safety Director Steve Stuart's report dated April 9, 2007.

It was moved by Mayor Luna, seconded by Vice Mayor Procter, to receive and file the report. All were in favor under roll call vote, and the motion carried.

E. Update on the Fire – Year Capital Improvements Program

Public Works Director/City Engineer Clifford G. Finley's report dated April 10, 2007.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales, to move forward with compiling 07/08 Capital Improvement Program. All were in favor under roll call vote, and the motion carried.

COMMUNICATIONS

Vice Mayor Procter communicated that the Relay for Life would take place on May 28th and 29th, at Santa Paula High School.

Mayor Luna communicated that he would be traveling to Sacramento to represent the City of Santa Paula for a legislative hearing.

Councilmember Gonzales communicated that the City hosted a workshop for victims of the January Crop Freeze and thanked staff for a job well done in hosting the meeting.

FUTURE AGENDA ITEMS

It was moved by Councilmember Fernandez, seconded by Councilmember Aguirre to receive a report on the procedure and methods of maintaining parks, primarily Teague Park and Las Piedras Park. All were in favor under roll call vote, and the motion carried.

It was moved by Vice Mayor Procter, seconded by Mayor Luna, to consider dedicating of part of Railroad Park to Roy Wilson, Jr. All were in favor under roll call vote, and the motion carried.

It was moved by Mayor Luna, seconded by Councilmember Aguirre, to receive a report on the cost of two computers for the Senior Center. All were in favor under roll call vote, and the motion carried.

ADJOURNMENT

Mayor Luna thanked the people who attended the meeting and gave testimony.

Vice Mayor Procter adjourned meeting in honor of Roy Wilson, Jr., at 11:15 p.m.

ATTEST:

Josie G. Herrera
City Clerk