

**CALL TO ORDER**

Mayor Luna called the meeting to order at 6:04 p.m.

**ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Ralph J. Fernandez, Councilmember Robert S. Gonzales, Vice Mayor John T. Procter, and Mayor Luna all responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Josie G. Herrera and Deputy City Clerk Lorena Alvarez were also present.

**PUBLIC COMMENT**

No Public Comment.

**CLOSED SESSION**

- A. Conference with Legal Counsel: Worker's Compensation and Liability Claims – Pursuant to Government Code Section §54956.95. Claim against City of Santa Paula. Claimants: John Davidson; Angel Gutierrez; Lilly Hernandez; Carlos Juarez; Dean T. Lapadakis; Genevieve Lemons; Fred and Elaine Malzacher; Orlando and Sally Menchaca; Maria Meza; Adolfo Paez; Manuel Ruiz; Mark Trimble; Edward Vasquez; Eberto I. Velasquez; James Ward; Donald; and Marilyn Westerdale.

Mayor Luna recessed the City Council to a Closed Session at 6:05 p.m., and reconvened the City Council at 6:32 p.m. No reportable action. Mayor Luna recessed the City Council at 6:32 p.m.

**CALL TO ORDER**

Mayor Luna called the meeting to order at 6:48 p.m. Pastor Chip Nothup from Heritage Valley Christian Fellowship led the invocation, and Mayor Luna led the flag salute.

**ROLL CALL**

Councilmember Ralph J. Fernandez, Councilmember Gabino Aguirre, Councilmember Robert S. Gonzales, Vice Mayor John T. Procter, and Mayor Ray C. Luna responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Josie G. Herrera, and Deputy City Clerk Lorena Alvarez were also present.

**CLOSED SESSION REPORT**

No reportable action.

**PRESENTATIONS**

A. Presentation of Firefighter Badges by Fire Chief Richard C. Araiza

Fire Chief Richard C. Araiza presented Firefighter badges and administered the oath of office to Fire Reserves: Andrew Dowd, Hector Figueroa, and David Unzen.

**PUBLIC COMMENT**

Larry Sagely, Santa Paula, complimented the City Council on a job well done and expressed his concerns with the development that will be taking place with the passage of Measure L6.

Andrew Castaneda, Santa Paula, spoke in regards to the noise levels across the City and suggested that the City Council adopt a noise ordinance.

Barry Cooper, Santa Paula, spoke in regards to the mobile home/ condominium conversion issue and the rent increases that will take place through this conversion.

**STAFF COMMUNICATIONS**

City Attorney Karl H. Berger introduced John C. Cotti as the new Assistant City Attorney for the City of Santa Paula.

Assistant City Attorney John C. Cotti expressed his excitement to be working for the City of Santa Paula and thanked the City Council for the opportunity.

Councilmember Fernandez commended the Santa Paula High School students for the performance students put on for the performance arts show.

Mayor Luna also commended the Santa Paula High School students for great job in putting together its performance arts show and encouraged the public to attend one of the shows.

### **APPROVAL OF FINAL AGENDA**

City Manager Wally Bobkiewicz asked the City Council to continue Item 11B to the Regular City Council meeting of August 6, 2007.

It was moved by Mayor Luna, seconded by Councilmember Gonzales to continue item 11B to the Regular City Council meeting of August 6, 2007. All were in favor under roll call vote and the motion carried.

City Manager Wally Bobkiewicz recommended to the City Council that item 12A be moved prior to the Public Hearing.

It was moved by Mayor Luna, seconded by Councilmember Gonzales to move item 12A prior to the Public Hearing. All were in favor under roll call vote and the motion carried.

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

- C. **Warrants and Certifications** – Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn’s report dated April 30, 2007.

Invoices	05/04/2007	\$ 284,307.03
Invoices	05/09/2007	\$ 351,879.81
Wire Transfers	05/09/2007	\$ 45,797.14
Invoices	05/18/2007	\$ 119,236.68
Invoices	05/24/2007	\$ 726,154.96
Wire Transfers	05/23/2007	\$ 47,279.51
Salaries	05/04/2007	\$ 247,168.56
Salaries	05/18/2007	\$ 254,322.56
TOTAL		\$ 2,483,885.77

- D. **Second Reading and Adoption of Ordinance No. 1153** – It is recommended that the City Council (1) Waive second reading and adopt Ordinance No. 1153 approving a zone change amending the City’s Zoning Map to change the zoning designation for Assessor’s Parcel Number 103-0-092-045, located at 720 E. Main Street, from General Commercial (C-G) zone to General Commercial Planned Development (C-G PD); and (2) Take such additional, related, action that may be desirable. **ORDINANCE No. 1153** – AN ORDINANCE APPROVING A ZONE CHANGE FROM GENERAL COMMERCIAL (C-G) ZONE TO GENERAL COMMERCIAL PLANNED DEVELOPMENT (C-G PD) ZONE FOR PROPERTY LOCATED AT 720 E. MAIN STREET, APN 103-0-092-045. City Clerk Josie G. Herrera’s report dated May 21, 2007.

- E. **Adoption of Resolution No. 6399 State Master Agreement 00014S and Program Supplement Agreement D28** – It is recommended that the City Council approve Resolution No. 6399 authorizing the City Manager to sign the Annual State Master Agreement 00014S and State Local Program Supplement Agreement No. D28 in a form approved by the City Attorney making available \$399,000 of State Grant Funds for the Railroad Recreational Trail Project construction and committing the City to a \$44,333 match if the trail is constructed. **RESOLUTION No. 6399** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE CITY MANAGER TO SIGN THE MASTER AGREEMENT 000014S AND PROGRAM SUPPLEMENT AGREEMENT D28 FOR PROJECT SR2SL. Public Works Director/ City Engineer Clifford G. Finley’s report dated May 29, 2007.

- F. **Adoption of Resolution No. 6409 State Program Supplement Agreement D44 for the Crosswalk Enhancement Project** – It is recommended that the City Council approve Resolution No. 6409 authorizing the City Manager to sign the State Local Program Supplement Agreement No. D44 in a form approved by the City Attorney making available \$117,000 of State Grant Funds for the Crosswalk Enhancement Project construction and committing the City to a \$13,000 match if the improvements are constructed. **RESOLUTION No. 6409** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE CITY MANAGER TO SIGN THE PROGRAM SUPPLEMENT AGREEMENT D44 FOR PROJECT SR2SL. Public Works Director/ City Engineer Clifford G. Finley's report dated May 30, 2007.
- G. **Adoption of Resolution No. 6410 Approving Federal Master Agreement 07-5121R and Program Supplement Agreement N008** – It is recommended that the City Council approve Resolution No. 6410 authorizing the City Manager to sign the Federal Master Agreement for Federal Aid Project, Agreement No. 07-5121R and the Program Supplement Agreement No. N008. **RESOLUTION No. 6410** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE CITY MANAGER TO SIGN THE FEDERAL MASTER AGREEMENT 07-5121 AND PROGRAM SUPPLEMENT AGREEMENT N008 FOR THE ARTERIAL PAVING 06/07 PROJECT. Public Works Director Clifford G. Finley's report dated May 30, 2007.

### **ORDER OF BUSINESS**

- A. **City Council Concept Review for Property Owned by Ms. Florence Elwell Located at 115-119 10<sup>th</sup> Street, (APN 104-0-214-105, 115, 125, 135, 145**

Planning Director Janna Minsk's and Associate Planner Anna Arroyo's report dated May 14, 2007.

Mitch Kahn, Attorney for applicant, distributed handouts and letters of support for the project to the City Council. Mr. Kahn spoke in regards to Ms. Florence Elwell's restaurant vision.

Bill Moniot, Architect, gave an overview of the proposed architectural plan.

Florence Elwell, applicant, spoke in regards to her vision for her restaurant and advised the City Council that her dream is to build a one-story standalone restaurant as presented in the original plan.

It was moved by Mayor Luna, seconded by Councilmember Gonzales to have staff bring back the original plan to the City Council at a future meeting. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Aguirre to direct staff to bring back a concept that includes retail space for City Council to compare the original plan to the concept with retail spaces. All were in favor under roll call vote and the motion carried.

### **RECESS TO BREAK**

Mayor Luna recessed the City Council to break at 8:26 p.m.

### **RECONVENE TO REGULAR MEETING**

Mayor Luna reconvened the City Council at 8:44 p.m.

### **PUBLIC HEARING**

- A. **Adopt Resolution No.'s 6400 and 6401 Pertaining to Necessity to Condemn Certain Real Property and Authorizing Commencement of a Proceeding to Effect the Same**

Public Works Director/ City Engineer Clifford G. Finley's report dated May 15, 2007.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to adopt Resolution No.'s 6400 and 6401. All were in favor under roll call vote and the motion carried.

### **RESOLUTION NO. 6400 AND 6401**

A RESOLUTION OF THE CITY OF SANTA PAULA ADOPTING A RESOLUTION A RESOLUTION OF NECESSITY TO CONDEMN CERTAIN REAL PROPERTY AND AUTHORIZING COMMENCEMENT OF A PROCEEDING TO EFFECT THE SAME.

Mayor Luna closed the Public Hearing at 8:56 p.m.

- B. **Adopt Resolution No. 6393 Establishing a Water Resources In Lieu Fee in Accordance with Santa Paula Municipal Code §52.021** – This item was continued to August 6, 2007.

### **ORDER OF BUSINESS**

- B. **Presentation of FY 2007/08 Operating and Capital Budget**

City Manager Wally Bobkiewicz's report dated May 30, 2007. Report was received and continued to June 18, 2007.

- C. **Adams Canyon Land Use Entitlement Process**

City Manager Wally Bobkiewicz's report dated May 30, 2007.

The report was received and filed.

- D. **Award of Contract for the Arterial Paving 06/07 Project to Berry General Engineering Contractors, Inc.**

Public Works Director/ City Engineer Clifford G. Finley's report dated May 29, 2007.

It was moved by Vice Mayor Procter, seconded by Councilmember Gonzales to award contract to Berry General Engineering Contractors, Inc., for the bid amount of \$492,772, and approve a project budget of \$591,325, which includes a 20% construction contingency. All were in favor under roll call vote and the motion carried.

### **COMMUNICATIONS**

City Manager Wally Bobkiewicz reminded the City Council of the scheduled non-televvised/ non-translated Special City Council Meeting on June 6, 2007 at 6:00 p.m. to continue the Water Recycling Facility discussion.

City Manager Wally Bobkiewicz reminded the City Council of the League of Cities Channel Counties Division Meeting on June 15, 2007.

City Manager Wally Bobkiewicz reminded the City Council of the Ventura Council of Governments Annual Meeting on June 21, 2007.

**FUTURE AGENDA ITEMS**

It was moved by Councilmember Gonzales, seconded by Mayor Luna to have a future presentation in regards to the applicability of Measure L6 to future growth in the City. All were in favor and the motion carried.

**ADJOURNMENT**

Mayor Luna adjourned meeting at 10:05 p.m.

ATTEST:

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Josie G. Herrera  
City Clerk