

**CALL TO ORDER**

Mayor Luna called the meeting to order at 5:37 p.m.

**ROLL CALL**

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

**PUBLIC COMMENT**

No Public Comment.

**ORDER OF BUSINESS**

A. Interview for Economic Development Advisory Committee

John T. Chamberlain stepped up for his interview and spoke in regards to his vision of bringing a diversity of shops and restaurants to the Santa Paula Downtown Area.

Charles E. Mears stepped up for his interview and spoke in regards to his experience and goals of becoming involved with clubs such as Rotary and the Kiwanis Club to help improve the Santa Paula Downtown Area.

B. Interview for Mobile Home Rent Review Commission

Ronald S. Merson stepped up for his interview and spoke in regards to the current issues currently facing the Mobile Home Rent Review Commission.

**CLOSED SESSION**

A. Conference with Legal Counsel, Anticipated Litigation – Significant exposure to litigation. Pursuant to Government Code 54956.9(b) Facts or circumstances: Tentative Map application for conversion of mobile home park located at 500 West Santa Maria Street to condominiums. Number of cases: one.

B. Conference with Legal Counsel, Anticipated Litigation – Significant exposure to litigation. Pursuant to Government Code 54956.9(b). Facts

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or circumstances: People of the State of California ex. rel. California Regional Water Quality Control Board, Los Angeles Region v. City of Santa Paula (not yet filed); Santa Paula Wastewater Treatment Facility; alleged exceedances of effluent limitations set forth in City's NPDES permit between 2000 and 2007. Number of cases: one.

- C. Conference with Legal Counsel, Initiation of Litigation – Pursuant to Government Code 54956.9(b). Initiation of Litigation. Number of potential cases: one.

Mayor Luna recessed the City Council to a closed session at 6:08 p.m., and reconvened the City Council at 6:37 p.m. No reportable action. Mayor Luna recessed the City Council at 6:37 p.m.

**CALL TO ORDER**

Mayor Luna called the meeting to order at 6:53 p.m. Al Guillin led the invocation, and Mayor Luna led the flag salute.

**ROLL CALL**

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

**CLOSED SESSION REPORT**

No reportable action.

**PRESENTATIONS**

- A. Introduction of Interns: Bradley Higashi; Jordan League; and Guadalupe Lopez

Human Resources Manager Kathleen Campbell introduced the City interns to the City Council.

Guadalupe Lopez, expressed her excitement to be a part of the City of Santa Paula's summer internship program.

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Bradley Higashi, addressed the City Council and thanked them for the internship opportunity.

Jordan League, addressed the City Council and thanked them for the internship opportunity.

B. Presentation by the Kiwanis Club of Santa Paula Regarding 40<sup>th</sup> Annual Citrus Festival July 20 –22, 2007

Bill Grant from the Kiwanis Club of Santa Paula invited the public to attend the 40<sup>th</sup> Annual Citrus Festival July 20 – 22, 2007, and the Citrus Festival Parade on Saturday July 21, 2007. Bill Grant also recognized Don and Debbie Johnson as the 2007 Grand Marshall.

C. Presentation of Poster by Ginger Gherardi from the Board of Directors of Ventura County Fairgrounds

City Manager Wally Bobkiewicz communicated to the City Council that Ginger Gherardi was presenting Ventura County Fair Poster at other Council Meetings in the County and would be arriving later during the meeting.

**PUBLIC COMMENT**

Margaret Cortese, 732 W. Vineyard, Oxnard, Director of Teatro de las Americas, asked the City Council to consider allowing Teatro de las Americas present a play “ Ceviche in Pittsburgh” during October at Veteran’s Park.

Larry Sagely, 585 Ridgecrest, spoke in regards to the Water Recycling Facility and encouraged the City Council not to make decision due to time pressures.

**STAFF COMMUNICATIONS**

Councilmember Aguirre spoke in regards to the National Association of Latino Elected Officials (NALEO) Conference he attended in Orlando, Florida in June and the issues that were discussed during the Conference.

Mayor Luna thanked Steve Lindsey for the Hospice Fundraiser he organized.

**APPROVAL OF FINAL AGENDA**

It was moved by Vice Mayor Procter, seconded by Councilmember Aguirre to discuss 11A and 11B together, and move Item 11C, 11D, and 11F prior to 11A. All were in favor under roll call vote and the motion carried.

**CONSENT CALENDAR**

Councilmember Gonzales asked that item 10E be pulled. It was moved by Councilmember Gonzales, seconded by Vice Mayor Procter to approve the Consent Calendar as amended. All were in favor under roll call vote and the motion carried.

- 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. Minutes – Adopt the Minutes from the Regular City Council Meeting June 4, 2007.
- D. Minutes – Adopt the Minutes from the Special City Council Meeting June 6, 2007.
- F. Second Reading and Adoption of Ordinance No. 1175 – It is recommended that the City Council (1) Waive second reading and adopt Ordinance No. 1175 amending Santa Paula Municipal Code (SPMC) § 37.70 and adding a new § 37.88 regarding transient occupancy taxes; and (2) Take such additional, related, action that may be desirable.  
**ORDINANCE NO. 1175** – AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE §§ 37.67 AND 37.70 AND ADDING A NEW § 37.88 AFFECTING TRANSIENT OCCUPANCY TAX RECORDS. Deputy City Clerk Lorena Alvarez’s report dated July 9, 2007.

**CONSENT CALENDAR (SEPARATE ACTION ITEMS)**

- E. Listing of Engineering Firms That Can Manage Design, Build, Operate, Finance (DBOF) Process for the WRF Project

Public Works Director/City Engineer Clifford G. Finley’s report dated July 9, 2007.

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

**RECESS TO BREAK**

Mayor Luna recessed the City Council to break at 7:34 p.m.

**RECONVENE TO REGULAR MEETING**

Mayor Luna reconvened the City Council at 7:42 p.m.

Ginger Gherardi, Executive Director of the Ventura County Fair Board, introduced her granddaughter Shawna Gherardi and presented the Fair Poster to Mayor Luna. Mayor Luna accepted Fair Poster on behalf of the City Council.

**ORDER OF BUSINESS**

H. Annual Contract for VISTA Bus Service

Public Works Director/ City Engineer Clifford G. Finley's report dated June 21, 2007.

Ginger Gherardi, Executive Director of the Ventura County Transportation Commission, spoke in regards to the services and the new routes provided by the VISTA Bus.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to approve the 2007/2008 amendment to the Cooperative Agreement (FY 2001/2002) with the Ventura Intercity Service Transit Authority for the Highway 126 bus service and the Santa Paula and Fillmore Dial-A-Ride service. All were in favor under roll call vote and the motion carried.

C. Measure L6 Overview

City Attorney Karl H. Berger's report dated July 9, 2007.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to appoint Councilmember Fernandez and Councilmember Gonzales to an Ad Hoc Committee to work with the City Attorney to develop implementing the ordinance for Measure L6. Under roll call vote Councilmember Gonzales, Councilmember Fernandez, and Mayor Luna were in favor. Vice Mayor Procter and Councilmember Aguirre were opposed. The motion carried.

D. Mobile Home Park Conversions

City Attorney Karl H. Berger's report dated July 9, 2007.

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

F. Information Regarding Airport Nonconforming Residential Uses

Planning Director Janna Minsk's report dated July 10, 2007.

Anita Pulido, 310 San Clemente Street, spoke in regards to the impact of non-conforming issues and the impact it has on sellers, buyers and lenders.

It was moved by Vice Mayor Procter, seconded by Councilmember Aguirre to direct staff to bring item back during a future meeting with additional recommendations. Councilmember Aguirre, and Vice Mayor Procter were in favor. Councilmember Gonzales, Councilmember Fernandez, and Mayor Luna were opposed. The motion died.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Procter to direct staff to do an inventory of the parcels that have changed zoning from a residential zone to another type of zone since the 1998 plan revision and include the planning regulations for rebuilding these types of structures. All were in favor under roll call and the motion carried.

**RECESS TO BREAK**

Mayor Luna recessed the City Council to break at 8:50 p.m.

**RECONVENED TO REGULAR MEETING**

Mayor Luna reconvened the City Council at 9:03 p.m.

B. Santa Paula Wastewater Reclamation Facility – Settlement with the Regional Water Quality Control Board, Los Angeles

City Attorney Karl H. Berger's report dated July 9, 2007.

A. Update on Water Recycling Facility (WRF) Project

Public Works Director/City Engineer Clifford G. Finley, and Finance Director John Quinn's report dated July 9, 2007.

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Jeff Savard, Kennedy/Jenks Consultants, provided the City Council with a PowerPoint presentation in regards to the 60% design completion and gave a brief overview of Kennedy/Jenks Consultants and the work they provide.

Mike Joyce, Project Manager, Kennedy/Jenks Consultants, continued with the PowerPoint presentation and spoke in regards to the improvements that have been made in membrane bioreactor (MBR) technology and cost trends. Mr. Joyce also reviewed the site plan for the Water Recycling Facility with the City Council.

Steve Owen, Vice President of Perc, spoke in regards to Perc's proposal and addressed the risks of Design, Build, Operate, Finance versus the risks of Design, Bid, Build. Mr. Owen suggested to the City Council to proceed with MBR and invited the City Council and the City staff to tour one of their state of the art facilities in Arizona.

Gayle Washburn, Fillmore, representative of the Citizen's Coalition of Fillmore, spoke in support of Perc financing the Water Recycling Facility and provided the City Council with a handout including information on the Design, Build, Operate, Finance plan.

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

Ken Chapman, Todd Lane, spoke in regards to his concerns about the 60% design.

**RECESS TO BREAK**

Mayor Luna recessed the City Council to break at 10:39 p.m.

**RECONVENED TO REGULAR MEETING**

Mayor Luna reconvened the City Council at 10:50 p.m.

City Attorney Karl H. Berger introduced Larry Weiner, President of Richards, Watson and Gershon and City Attorney for the City of Beverly Hills.

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Larry Weiner, President of Richards, Watson and Gershon and City Attorney for the City of Beverly Hills spoke in regards to the DBOF process and urged the City to go through the selection process for selecting a contractor.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to stop the process for the conventional plan and move forward with DBOF. Councilmember Gonzales also included in his motion that staff and Councilmembers visit the plant in Tracy, California. Under roll call vote Councilmember Aguirre, Councilmember Gonzales, Councilmember Fernandez, and Mayor Luna were in favor. Vice Mayor was opposed. The motion carried.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to (1) Authorize the City Manager to execute a Stipulated Consent Judgment and Final Order in a form approved by the City Attorney, (2) Authorize the City Manager or City Attorney, as applicable, to execute all ancillary documents; and (3) Authorize the City Manager fulfill the City's obligations in accordance with the Stipulated Consent Judgment and Final Order including, without limitation, paying the cost reimbursement. All were in favor under roll call vote and the motion carried.

E. Information Regarding Home Occupations and Parking Requirements

Planning Director Janna Minsk's report dated July 9, 2007.

It was moved by Vice Mayor Procter, seconded by Councilmember Aguirre to continue Item 11E to the Regular City Council Meeting of September 17, 2007. All were in favor and the motion carried.

G. Disposition of Tower Theater, 982 E. Main Street

Executive Director Wally Bobkiewicz's report dated July 11, 2007.

It was moved by Chair Luna, seconded by Director Aguirre to entertain a lease for the Tower Theater with uses that are compatible with the Downtown Vision Plan. All were in favor under roll call vote and the motion carried.

I. Appointment of Members to Planning Commission

City Manager Wally Bobkiewicz's report dated July 9, 2007.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Procter to appoint Jesse R. Ornelas to the Planning Commission for a four year term. All were in favor under roll call vote and the motion carried.

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It was moved by was moved by Councilmember Gonzales, seconded by Vice Mayor Procter to appoint Steven Brown to the Planning Commission for a four year term. All were in favor under roll call vote and the motion carried.

J. Appointment of Member to Recreation Commission

City Manager Wally Bobkiewicz's report dated July 9, 2007.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to appoint Rebekah Smith as Youth Representative to the Recreation Commission for a one year term. All were in favor under roll call vote and the motion carried.

**COMMUNICATIONS**

City Manager Wally Bobkiewicz reminded the City Council of the Citrus Festival July 20-22, 2007, and of Parade on July 21, 2007.

**FUTURE AGENDA ITEM**

It was moved by Councilmember Fernandez, seconded by Mayor Luna to have a discussion on the Farmers Market. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to direct staff to provide the Council with information on the Toland Road Biosolids Facility. All were in favor under roll call vote and the motion carried.

Councilmember Fernandez informed the Council that Curt Stiles had passed away and asked the Mayor to adjourn the meeting in his memory. Vice Mayor Procter seconded motion. All were in favor under roll call vote and the motion carried.

Councilmember Gonzales requested that staff provide the City Council with a list and map of all City owned properties.

It was moved by Vice Mayor Procter, seconded by Mayor Luna to direct staff to provide the City Council with information on sliding scales for sewer rates. All were in favor under roll call vote and the motion carried.

**ADJOURNMENT**

Councilmember Fernandez adjourned the meeting in memory of Curt Stiles at 11:44 p.m.

ATTEST:

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Josie G. Herrera  
City Clerk