

CALL TO ORDER

Mayor Luna called the meeting to order at 6:06 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, City Clerk Josie G. Herrera and Deputy City Clerk Lorena Alvarez were also present.

PUBLIC COMMENT

No Public Comment.

ORDER OF BUSINESS

No Order of Business.

CLOSED SESSION

- A. Performance Evaluation – Government Code 54957. Annual evaluation of the City Attorney.

Mayor Luna recessed the City Council to a closed session at 6:06 p.m., and reconvened the City Council at 6:28 p.m. No reportable action. Mayor Luna recessed the City Council at 6:28 p.m.

CALL TO ORDER

Mayor Luna called the meeting to order at 6:46 p.m. Pastor Ron Dybvig from Saint Paul's Episcopal Church led the invocation, and Councilmember Fernandez led the flag salute.

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, City Clerk Josie G. Herrera and Deputy City Clerk Lorena Alvarez were also present.

CLOSED SESSION REPORT

City Manager Wally Bobkiewicz reported that the City Council has begun the annual evaluation of the City Attorney and expects to complete process within the next month.

PRESENTATIONS

- A. Presentation by Public Works Director/ City Engineer Clifford G. Finley Regarding the Santa Paula Beautiful Event

Public Works Director/City Engineer Clifford G. Finley invited the community to participate in the Santa Beautiful Event on October 20, 2007.

- B. Presentation by Eve Liebman from United Way

Eve Liebman, Campaign Director of United Way of Ventura County, presented a plaque on behalf of the staff and board directors of United Way to the Employees of the City of Santa Paula in appreciation for their dedication and support.

- C. Presentation by Maria Bombara from the Downtown Merchants Association Regarding "Hot Summer Jazz and Art Event" Saturday, September 22, 2007

Maria Bombara from the Downtown Merchants Association invited the public to attend the "Hot Summer Jazz and Art Event" on Saturday, September 22, 2007.

- D. Presentation by Ventura County Transportation Committee Executive Director Ginger Gherardi Regarding the Santa Paula Branch Line Study

Ginger Gherardi, Executive Director of Ventura County Transportation Committee, provided the City Council with an update on the draft study of the Santa Paula Branch Line Study.

- E. Presentation by Building and Safety Director Steve Stuart Regarding the Mill and Depot Restoration Project

Ginger Gherardi, provided the City Council with the design plans for The Mill and Depot Restoration Project.

- F. Presentation to Ventura County Transportation Committee Executive Director Ginger Gherardi on Her Retirement

Mayor Luna and Vice Mayor Procter presented an oil painting to Ginger Gherardi in appreciation of her support.

PUBLIC COMMENT

Julie Taylor, Realtor, spoke on behalf of her client Mary Edwards and asked the City Council to consider rezoning the area where her clients property stands at 133 N. 7th Street.

John Chamberlain, 930 La Vuelta Place, invited the public to attend the "Moonlight at the Ranch" event on September 29, 2007 to raise funds for the Santa Paula Police and Fire Departments.

Harold Edwards, 287 E. View Drive, invited the public to attend the "Moonlight at the Ranch" event and updated the City Council on the status of the environmental impact report relating to the Limonera East Area 1 project.

STAFF COMMUNICATIONS

Vice Mayor Procter communicated to the Council of his attendance to the Latino Town Hall Award Ceremony and congratulated Lourdes Campbell on the award she received during the event.

APPROVAL OF FINAL AGENDA

It was moved by Vice Mayor Procter, seconded by Mayor Luna to move Item 12F prior to the public hearing. All were in favor under roll call vote and the motion carried.

CONSENT CALENDAR

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to approve the consent calendar as presented. 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, and receive summary report from the 2007 League of California Cities Annual Conference. City Manager Wally Bobkiewicz's report dated September 11, 2007.

- C. **Warrants and Certifications** - Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn's report dated August 29, 2007.

Invoices	07/30/2007 - 08/02/2007	\$ 897,812.60
Wire Transfers	07/31/2007	\$ 104,503.12
Wire Transfers	08/01/2007	\$ 50,850.80
Invoices	08/06/07 – 08/10/2007	\$ 34,596.77
Invoices	08/13/2007 – 08/16/2007	\$ 484,542.86
Wire Transfers	08/15/2007	\$ 52,167.81
Invoices	08/20/2007 – 08/24/2007	\$ 171,235.18
Salaries	08/10/2007	\$ 391,742.54
Salaries	08/24/2007	\$ 400,739.42

TOTAL

\$ 2,588,191.10

- D. **Authorize Firearms Training Contract** – It is recommended that the City Council authorize the City Manager to sign a contract in a form approved by the City Attorney, with outside contractor David Manning for the provision of Firearms Training and related police services. Chief of Police Stephen MacKinnon's report dated September 10, 2007.
- E. **Approval of Traffic Safety Committee Recommendations Resolution No. 6430** – It is recommended that the City Council adopt Resolution No. 6430 approving the recommendations of the Traffic Safety Committee. **RESOLUTION NO. 6430** – A RESOLUTION APPROVING THE TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS. Public Works Director/City Engineer Clifford G. Finley's report dated September 7, 2007.
- F. **Award Contract for the Oil Museum Window Painting Project to C.T. Georgiou Painting and Approval of Task Order No. 2 to LFR for Environmental Monitoring** – It is recommended that the City Council (1) Authorize the City Manager to allocate \$ 44,734 from the General fund balance Account No. 100.5.9220.650 for the Oil Museum Window Painting Project; (2) Approve a project budget to \$ 55,690 which includes a 15% contingency; (3) Award the contract to C.T. Georgiou Painting Company for the bid amount of \$ 45,000; and (4) Take such additional, related action that may be desirable. Public Works Director/City Engineer Clifford G. Finley's report dated September 10, 2007.

- G. **Adoption of Resolution No. 6429 Approving Public Works Standard Construction Drawings** – It is recommended that the City Council adopt Resolution No. 6429 approving the revised Public Works Standard Construction Drawings. **RESOLUTION NO. 6429** – A RESOLUTION APPROVING PUBLIC WORKS STANDARD CONSTRUCTION DRAWINGS PURSUANT TO GOVERNMENT CODE SECTION 830.6. Public Works Director/ City Engineer Clifford G. Finley's report dated September 7, 2007.
- H. **Approval of Planning Services Agreement with Kari Gialketsis for Development Projects** – It is recommended that the City Council (1) Approve a Planning Services Agreement with Kari Gialketsis; (2) Authorize the City Manager to execute the Agreement, in a form approved by the City Attorney; (3) Take such additional related action that may be desirable. Planning Director Janna Minsk's report dated September 10, 2007.
- I. **FY 2006-07 EMPG Grant Funding** – It is recommended that the City Council adopt Resolution No. 6431 authorizing the City Manager to execute any documents related to the FY 07 Emergency Management Performance Grant (EMPG) and act on behalf of the City Council and for the City of Santa Paula in meeting the requirements for the grant. **RESOLUTION NO. 6431** – A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FOR REIMBURSEMENT OF TRAINING COSTS FOR AN EMERGENCY MANAGEMENT PERFORMANCE GRANT. Finance Director John T. Quinn's report dated September 7, 2007.

ORDER OF BUSINESS

- F. **Report Regarding Mobile Home Park Conversions**

Oral report from the City Manager Wally Bobkiewicz and City Attorney Karl H. Berger.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Procter to direct staff to prepare an urgency ordinance for the consideration of the Council during the next City Council of October 1, 2007. All were in favor under roll call vote and the motion carried.

PUBLIC HEARING

A. **Proposed Miscellaneous Fee Increases for City Services**

Finance Director John T. Quinn's report dated August 13, 2007.

Upon verification of proper notification and posting by the City Clerk, Mayor Luna opened the Public Hearing at 7:52 p.m.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to approve Resolution No. 6425 with the following fees redacted: S181 document, printing, copying complex maps and others, S182 special services provided by department personnel not covered in a specific fee, 2nd fire false alarm response, 3rd fire false alarm response, 4th fire false alarm response, 5th fire false alarm response, 6th fire false alarm response and subsequent response, new sense service call second within 24 hours, and DUI accident arrest response.

Councilmember Aguirre asked the maker of the motion to amend the motion by including a report of the cost and staff time spent in reviewing fees, Councilmember Fernandez agreed to amend his motion, and further amended the motion to pull section 3 from Resolution No. 6425. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 6425

A RESOLUTION ADOPTING NEW SCHEDULES THAT ADJUST FEES AND CHARGES NECESSARY FOR REASONABLE RECOVERY OF THE COSTS INCURRED TO PROVIDE THE LISTED REGULATIONS, PRODUCTS OR SERVICES.

Mayor Luna closed the public hearing at 8:40 p.m.

B. **Adopt Resolution No. 6393 Establishing a Water Resources In Lieu Fee in Accordance with Santa Paula Municipal Code 52.021**

Public Works Director/ City Engineer Clifford G. Finley's report dated July 17, 2007.

Upon proper verification and posting by the City Clerk, Mayor Luna opened the public hearing 8:40 p.m.

Jennifer Dumas, 18450 S. Mountain Street, spoke in opposition of Resolution No. 6393.

Ken Chapman, 15119 Todd Lane, spoke in regards to the City buying water for the future.

It was moved by Councilmember Aguirre, seconded by Mayor Luna to adopt Resolution No. 6393 with the understanding that it will be reviewed annually. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 6393

A RESOLUTION ADOPTING A FEE IN ACCORDANCE WITH SANTA PAULA MUNICIPAL CODE 52.021 TO BE PAID UNDER CERTAIN CIRCUMSTANCES IN LIEU OF DEDICATING WATER RIGHTS TO THE CITY OF SANTA PAULA.

It was moved by Vice Mayor Procter, seconded by Councilmember Aguirre to direct staff to bring back Chapter 52 of the Santa Paula Municipal Code for discussion. All were in favor under roll call vote and the motion carried.

Mayor Luna closed the public hearing at 9:14 p.m.

RECESS TO BREAK

Mayor Luna recessed the City Council to a break at 9:15 p.m.

RECONVENED TO REGULAR MEETING

Mayor Luna reconvened the City Council at 9:39 p.m.

ORDER OF BUSINESS

A. FY 2007/2008 Social Services Funding Program

Finance Director John T. Quinn's report dated August 1, 2007.

It was moved by Vice Mayor Procter, seconded by Councilmember Fernandez to direct staff to re-design the city's social services funding program to where instead of having one fund, people can make donations to specific groups and to have staff reformat the flyer. All were in favor under roll call vote and the motion carried.

It was moved by Vice Mayor Procter, seconded by Councilmember Gonzales to continue the discussion of the organizations that should be included in the city's social services program to a future meeting. All were in favor under roll call vote and the motion carried.

B. Update on Historical Street Light System

Public Works Director/ City Engineer Clifford G. Finley's report dated August 24, 2007.

Nancy Williams, Southern California Edison, spoke in support of replacing the old street light system, and the possibility of maintaining the standing historical poles.

It was moved by Councilmember Gonzales, seconded by Mayor Luna to direct staff to return during the Council meeting of October 1, 2007 with a status report on the lights, including possible interim solutions, and to direct staff to contact other cities that have replaced historical lights poles and provide a report to Council. All were in favor under roll call vote and the motion carried.

C. Form Based Codes

Oral report from Planning Director Janna Minsk.

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 Vice Mayor Procter, seconded by Mayor Luna, to suspend the rules and continue the meeting. All were in favor under roll call vote and the motion carried.

David Sergeant, Senior Associate with Moule & Polyzoides, Architects and Urbanists, provided the City Council with a PowerPoint presentation regarding the key differences between conventional zoning codes and form based codes.

RECESS TO BREAK

Mayor Luna recessed the City Council to a break at 11:05 p.m.

RECONVENED TO REGULAR MEETING

Mayor Luna reconvened the City Council at 11:12 p.m.

D. Consideration of R-4 Zoning Regulations

Planning Director Janna Minsk's report dated September 11, 2007.

Vice Mayor Procter stated for the record "The staff report provided by Planning Director Janna Minsk was not what the City Council requested. The request from Councilmember Fernandez was specific to the parcel of land that was discussed for the Plaza Amistad project, his request was to look at the zoning options for

that specific property, including modifying the zoning, and changing the zoning of that parcel.”

Nancy Kerstyn Schreiner, Nordman Cormany Hair & Compton, spoke against the City Council adopting an urgency ordinance, due to insufficient public, health, and safety grounds to adopt an urgency ordinance.

City Attorney Karl H. Berger stated for the record “Tthis is not a Plaza Amistad agenda item, the Plaza Amistad project was denied on August 6, 2007. There is no amended application; there is a new application that was filed by the applicant CEDC, Ms. Schreiner was provided with the response to her arguments last week. We are not talking about the Plaza Amistad project, we are talking about R-4 zoning throughout the city.”

Jim Procter, 1167 Say Road, spoke in support of the City Council not taking any action on staff’s recommendation to adopt urgency ordinance.

Rodney Fernandez, CEDC, stated for the record “Wwe oppose the City placing a moratorium on the property that we own, which is properly zoned R-4 and it has been approved by the previous Council to meet your housing needs as R-4 and we would also be opposed to any attempt to reduce the density, which by the way meets your minimum requirements that this Council as an ongoing body has approved.”

Barbara Macri-Ortiz, Law Offices of Macri-Ortiz, spoke in support of motion to not adopt urgency ordinance.

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

E. Update on the Proposed Farm Worker Monument

Assistant to the City Manager Elisabeth V. Amador’s dated September 11, 2007.

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

COMMUNICATIONS

None.

FUTURE AGENDA ITEM

It was moved by Mayor Luna, seconded by Councilmember Gonzales to direct staff to provide Council with a report of the costs of going parallel with the Design, Build, Operate, Finance (DBOF) and the conventional plan, and to include the 60% design plans on the Wastewater Treatment Plant. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Procter to direct staff to provide Council with a report on how development fees are currently divided among different departments and also, to include the cost of hiring additional building inspectors. All were in favor under roll call vote and the motion carried.

ADJOURNMENT

Mayor Luna adjourned the meeting on Tuesday, September 18, 2007 at 12:20 a.m.

ATTEST:

Josie G. Herrera
City Clerk