

CALL TO ORDER

Mayor Gonzales called the meeting to order at 6:35 p.m. and Councilmember Procter led the flag salute.

ROLL CALL

Councilmember Ray C. Luna, Councilmember John T. Procter, Councilmember Dr. Gabino Aguirre, Vice Mayor Ralph J. Fernandez, and Mayor Robert S. Gonzales responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Josie Guzman Herrera, Deputy City Clerk Lorena Alvarez, Peggy Kelly from the Santa Paula Times, and Kathleen Wilson were also present.

CLOSED SESSION REPORT

No closed session.

PUBLIC COMMENT

Jess Victoria, 134 Moultrie Place, expressed his concerns regarding city employees taking photographs of street signs.

Dr. Gabino Aguirre, President of Latino Town Hall, spoke in regards to the proposed State budget cuts and invited the community to attend a meeting on May 1, 2008, at 4:00 p.m., to plan a rally to oppose the Governor's proposed budget cuts.

Lidia Garcia, 135 N. 13th Street, expressed her concerns regarding the cost of the Wastewater Recycling Facility project.

STAFF COMMUNICATIONS

Councilmember Procter invited the community to attend the festivities of Relay for Life on May 3rd and May 4th.

Councilmember Luna invited the community to attend the Seussical Musical at the Santa Paula High School.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Aguirre, seconded by Councilmember Procter to approve the final agenda as presented. All were in favor under roll call and the motion carried.

ORDER OF BUSINESS

A. Water Recycling Facility (WRF) DBOF Agreement with Pacific Environmental Resources Corp. (PERC)

City Manager Wally Bobkiewicz, WRF Project Manager Clifford G. Finley, and Finance Director John T. Quinn's report dated April 25, 2008.

Johan Perslow, Chairman and Founder of PERC, spoke in regards the contract negotiations between the City Attorney and PERC and Alinda Attorney's. Mr. Perslow reassured the Council that PERC is working hard to provide the best possible options for the City.

Steve Owen, Vice President of PERC, spoke in regards to the contact PERC and Alinda have had with City staff.

Ginger Gherardi, 1183 Los Robles Drive, expressed her concerns regarding the Council selecting PERC and the cost it will have on the residents of Santa Paula.

Jess Victoria, 134 Moultrie Place, expressed his concerns regarding the Council selecting a firm with no experience and a higher cost to the residents.

Robert Ashfield, Veolia Water North America, communicated to the Council, Veolia still stands by their proposal and reiterated Veolia's proposal.

Peter Wright, 801 McKeveitt, expressed his concern regarding the Council selecting PERC to build the new Wastewater Recycling Facility.

Andrew Castaneda, 432 Sycamore Street, spoke in support of the Council selecting PERC to build the new Wastewater Recycling Facility.

RECESS TO A BREAK

Mayor Gonzales recessed the City Council to a break at 8:10 p.m.

RECONVENED TO REGULAR MEETING

Mayor Gonzales reconvened the City Council at 8:30 p.m.

RECESS TO A BREAK

Mayor Gonzales recessed the City Council to a break at 9:30p.m.

RECONVENED TO REGULAR MEETING

Mayor Gonzales reconvened the City Council at 9:42 p.m.

It was moved by Vice Mayor Fernandez, seconded by Councilmember Luna to direct staff to (1) continue negotiations on a final agreement with PERC for the Wastewater Recycling Facility to be presented to the Council on May 5, 2008; (2) work to finalize the best financial plan based on option three presented to the Council on April 28, 2008; (3) develop with PERC a second financial plan that would allow the City to finance the project at some point prior to the end of construction using tax exempt municipal bonds; (4) to direct the City Attorney to work with PERC and Alinda for them to maintain sufficient assets as determine by the City Attorney; (5) to direct the City Attorney to work with PERC to pay all damages associated with consent judgment deadlines, due to its action or inaction, not just penalties; (6) direct the City Attorney to work with PERC towards an agreement for the unlimited liability due to other damages, not just insurance policy limits; and (7) direct the City Attorney to remove the default termination fee. Under roll call vote Councilmember Aguirre and Councilmember Procter were opposed. Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were in favor. The motion carried.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to direct staff to seek another best and final offer from Veolia Water North America. Under roll call vote Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were opposed. Councilmember Aguirre and Councilmember Procter were in favor. The motion died.

COMMUNICATIONS

City Manager Wally Bobkiewicz reminded the Council of the Regular City Council Meeting of May 5, 2008.

Councilmember Aguirre reminded the public to attend a meeting to discuss the Governor's proposed budget cuts on May 1, 2008.

Councilmember Procter reminded the community of the upcoming Relay for Life event.

Councilmember Luna invited the community to attend the Seussical Musical at the Santa Paula High School.

FUTURE AGENDA ITEMS

It was moved by Mayor Gonzales, seconded by Councilmember Aguirre to review the current ordinance on posting signs on utility poles, specifically signs for yard sales. All were in favor under roll call vote and the motion carried.

ADJOURNMENT

Mayor Gonzales adjourned the meeting at 10:10 p.m.

ATTEST:

Josie Guzman Herrera
City Clerk