

CALL TO ORDER

Mayor Gonzales called the meeting to order at 6:08 p.m.

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 and Peggy Kelly from the Santa Paula Times were also present.

PUBLIC COMMENT

No public comment.

ORDER OF BUSINESS

No order of business.

CLOSED SESSION

- A. Public Employee Performance Evaluation – Government Code 54957.
Title: City Manager.
- B. Conference with Legal Counsel, Existing Litigation – Government Code 54956.9(a). City of Santa Paula v. Bender Realty, Ltd., et al. VCSC Case No. 56-2007-0028797-CU-EI-VTA.

Mayor Gonzales recessed the City Council to a closed session at 6:08 p.m., and reconvened the City Council at 6:32 p.m. No reportable action. Mayor Gonzales recessed the City Council at 6:43 p.m.

CALL TO ORDER

Mayor Gonzales called the meeting to order at 6:48 p.m. Pastor Ron Dybvig led the invocation and former Councilmember Mary Anne Krause 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 from the Ventura County Star were also present.

CLOSED SESSION REPORT

No Reportable Action.

PRESENTATION

- A. Presentation of Proclamation to Casa del Mexicano in Recognition of its 62nd Anniversary

Councilmember Aguirre presented the proclamation to Luis Espinoza.

Luis Espinoza expressed his gratitude and spoke in regards to the services Casa del Mexicano provides.

- B. Presentation of City Tile and Proclamation to Norma Henderson, Member, Commission on Aging

Vice Mayor Fernandez presented the city tile to Norma Henderson and thanked her for her service to the community.

Norma Henderson spoke in regards to her experience as a member of the Commission on Aging and encouraged the community to join the commission.

- C. Presentation by Ventura County Civic Alliance Regarding Compact for Ventura County Report

Mary Ann Krause provided a presentation regarding the Compact for Ventura County Report.

City Manager Wally Bobkiewicz added a presentation regarding the Santa Paula Airport.

Rowena Mason, President of the Santa Paula Airport, informed the Council the City of Santa Paula received a grant in the amount of \$5.74 million to purchase development rights for the Santa Paula Airport.

PUBLIC COMMENT

None.

STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz informed the Council the Water Recycling Facility ground breaking ceremony was scheduled for July 7, 2008 at 11:30 a.m.

City Attorney Karl H. Berger communicated he had met via a conference call with the attorneys from Perc and Alinda and informed the Council Perc and Alinda are not ready to finalize contract.

Councilmember Procter congratulated Officer Ryan Smith and his K-9 partner Rex for winning 1st place on the Redondo Beach trials.

Vice Mayor Fernandez communicated he attended the Isbell School spring concert and congratulated the students and staff of Isbell School on a great performance.

Councilmember Aguirre communicated the rally to protest the Governor's proposed budget cuts was a success and thanked all the community members who participated.

Mayor Gonzales communicated he had represented the City Council at a Limoneira event in support of Measure G. Mayor Gonzales also attended the Memorial Day services of the Santa Paula cemetery, and at a subcommittee meeting of the Ventura County Community Colleges District.

City Clerk Josie G. Herrera reminded the public the polls for the June 3, 2008 will open at 7:00 a.m. and close at 8:00 p.m.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

City Manager Wally Bobkiewicz pulled item 10C. Councilmember Procter pulled items 10I and 10J. Councilmember Luna abstained to vote on Item 10G. It was moved by Councilmember Aguirre, seconded by Councilmember 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.
- D. **Minutes** - Adopt the minutes from the Joint City Council and Planning Commission Meeting of February 25, 2008.
- E. **Minutes** – Adopt the minutes from the Special City Council Meeting of February 26, 2008
- F. **Minutes** - Adopt the minutes from the Regular City Council Meeting of March 3, 2008.
- G. **Minutes** - Adopt the minutes from the Regular City Council Meeting of March 17, 2008.
- H. **Minutes** - Adopt the minutes from the Special City Council Meeting of March 19, 2008.
- K. **Minutes** - Adopt the minutes from the Regular City Council Meeting of April 21, 2008.
- L. **Minutes** - Adopt the minutes from the Special City Council Meeting of April 28, 2008.
- M. **Minutes** - Adopt the minutes from the Regular City Council Meeting of May 5, 2008.
- N. **Continuance of Second Reading and Adoption of Ordinance No. 1186**
- It is recommended that the City Council (1) continue the second reading and adoption of Ordinance No. 1186 to the Regular City Council meeting of June 16, 2008; and (2) take such additional, related action that may be desirable. **ORDINANCE NO. 1186 – AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE § 50.041 REGARDING SOLID WASTE FEES FOR ADDITIONAL SERVICES IN ACCORDANCE WITH 50.041.** Deputy City Clerk Lorena Alvarez’s report dated May 27, 2008.
- O. **Continuance of Second Reading and Adoption of Ordinance No. 1193**
- It is recommended that the City Council (1) continue the second reading and adoption of Ordinance No. 1193 to the Regular City Council meeting of June 16, 2008; and (2) take such additional, related action that may be desirable. **ORDINANCE NO. 1193 – AN ORDINANCE ESTABLISHING SPEED LIMITS IN ACCORDANCE WITH VEHICLE CODE 22357 BASED**

UPON AN ENGINEERING AND TRAFFIC SURVEY AS DEFINED BY VEHICLE CODE 627. Deputy City Clerk Lorena Alvarez's report dated May 27, 2008.

- P. **Curb Ramp Installation Project 06/07 Change Order #1 NOC Camarillo Engineers, Inc.** – It is recommended that the City Council (1) authorize the City Manager to execute Change Order #1 for \$ 5,800.00 with Camarillo Engineering, Inc.; (2) authorize the allocation of \$ 224.00 of Local Transportation Fund (LTF) balance to account 282.5.9242.660; (3) accept the Notice of Completion for the project; and (4) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated June 2, 2008.
- Q. **Adoption of the Annual Anticipated DBE Participation Level (AADPL) for Fiscal Year 2008/2009, Resolution No. 6495** – It is recommended that the City Council approve Resolution No. 6495, adopting the City of Santa Paula's Adoption of the Annual Anticipated DBE Participation Level (AADPL) for fiscal year 2008/2009. **RESOLUTION NO. 6495** – A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF SANTA PAULA ESTABLISHING A DISADVANTAGED BUSINESS ENTERPRISE PROGRAM. Interim Public Works Director Jon Turner's report dated May 16, 2008.
- R. **Appointment of Officers to the GHAD, Adoption of Rules, Announcing Intent to Order an Assessment and Setting a Public Hearing on the Proposed Assessment** – It is recommended that the Board of Directors (1) adopt Resolution No. 1 appointing officers to the GHAD, adopting rules, announcing intent to order an assessment and setting the proposed assessment for public hearing; and (2) take such additional, related, action that may be desirable. **GHAD RESOLUTION NO. 1** – A RESOLUTION APPOINTING OFFICERS; ADOPTING RULES; ANNOUNCING INTENT TO ORDER AN ASSESSMENT; AND SETTING A PUBLIC HEARING ON A PROPOSED ASSESSMENT. Interim Public Works Director Jon Turner's report dated May 27, 2008.

CONSENT CALENDAR (SEPARATE ACTION ITEMS)

- C. **Planning Commission Action Report**

City Manager Wally Bobkiewicz communicated there was a typographical error in the report submitted to the City Council.

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

I. Minutes for the Regular Council Meeting of April 7, 2008

Councilmember Procter communicated there was a typographical error with the spelling of Mr. Phil Dyk's name on the draft minutes for the Regular City Council Meeting of April 7, 2008.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to approve the amended minutes for the Regular Council Meeting of April 7, 2008. All were in favor under roll call vote and the motion carried.

J. Minutes for the Special Council Meeting of April 15, 2008

Councilmember Procter communicated there was a typographical error with the spelling of Mr. Phil Dyk's name on the draft minutes for the Special Council Meeting of April 15, 2008.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to approve the amended minutes for the Special Council Meeting of April 15, 2008. All were in favor under roll call vote and the motion carried.

PUBLIC HEARING

A. 2008-CI-02 Amendment to Title 16 of the Santa Paula Municipal Code Regarding Home Occupations

Planning Director Janna Minsk's report dated May 6, 2008.

Upon verification of proper notification and posting by the City Clerk, Mayor Gonzales opened the Public Hearing at 7:35 p.m. There was no public testimony.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to (1) open the public hearing and take evidence; (2) consider the evidence received during the public hearing; (3) introduce and waive the first reading of Ordinance No. 1192 approving amendments to Title 16 of the SPMC; and (4) schedule a second reading and adoption of Ordinance No. 1192 for June 16, 2008. All were in favor under roll call vote and the motion carried.

ORDINANCE NO. 1192

AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE 16.05.090, 16.13.040 AND CHAPTER 16.230 REGULATING HOME OCCUPATIONS.

Mayor Gonzales closed the public hearing at 7:40 p.m.

ORDER OF BUSINESS

A. Affordable Housing Agreement with Cabrillo Economic Development Corporation for the Plaza Amistad Project

Executive Director Wally Bobkiewicz's report dated May 27, 2008.

Barbara Macri-Ortiz, Law Office of Barbara Macri-Ortiz, represented Cabrillo Economic Development Corporation and submitted written comments clarifying that the grant awarded by the Santa Paula Redevelopment Agency was spent in 2006 for approved purposes and was not spent on litigation.

RECESS TO CLOSED SESSION

Mayor Gonzales recessed the City Council to a closed session at 8:35 p.m. to discuss anticipated litigation pursuant to Government Code Section 54956.9(b).

anticipated litigation: Conference with Legal Counsel, Anticipated Litigation – Government Code § 54956.9(b) (significant exposure to litigation). Number of cases: one).

RECONVENED TO REGULAR MEETING

Mayor Gonzales reconvened the City Council at 8:58 p.m.

City Attorney Karl H. Berger reported there was no reportable action.

It was moved by Councilmember Luna, seconded by Mayor Gonzales to direct staff to send a demand letter to Cabrillo Economic Development Corporation requesting they return the granted \$ 400,000 to the Santa Paula Redevelopment Agency. Under roll call vote Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were in favor. Councilmember Aguirre and Councilmember Procter were opposed. The motion carried.

B. Policy on Conditions Associated with Funds Contributed by the City Council for Outside Projects

City Manager/Executive Director Wally Bobkiewicz and City Attorney/General Counsel Karl H. Berger's report dated May 27, 2008.

City Attorney/General Counsel Karl H. Berger suggested language to add a sentence to section 2A of Resolution No. 6498 " the city council may approve

fund expenditures based upon any criteria it deems appropriate including without limitation time milestones and time completion”.

It was moved by Vice Mayor Fernandez, seconded by Councilmember Procter to adopt Resolution No. 6498 as amended. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 6498/RDA RESOLUTION No. 2008-03 (R)

A RESOLUTION ESTABLISHING POLICIES FOR GRANT FUNDING BY THE CITY OF SANTA PAULA AND THE SANTA PAULA REDEVELOPMENT AGENCY.

C. Affordable Housing Trust Fund

City Manager Wally Bobkiewicz’s report dated May 27, 2008.

It was the consensus of the City Council to receive and file the report.

D. DVDs of City Council Meetings Available for Loan at the Blanchard/Santa Paula Community Library

City Manager Wally Bobkiewicz’s report dated May 27, 2008.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to direct the City Manager to make two DVDs of each City Council telecast available to the Blanchard/Santa Paula Library for loan. All were in favor under roll call vote and the motion carried.

E. Discussion of Temporary Sign Regulations

Interim Public Works Director Jon Turner’s report dated May 22, 2008.

It was moved by Mayor Gonzales, seconded by Councilmember Luna to direct staff to remove signs as soon as they go up. Under roll call vote Mayor Gonzales and Councilmember Luna were in favor. Councilmember Aguirre, Councilmember Procter and Vice Mayor Fernandez were opposed. The motion died.

It was moved by Mayor Gonzales, seconded by Councilmember Luna to direct staff to enforce the Santa Paula Municipal Code regarding signs and yard sales. Under roll call vote Councilmember Luna, Councilmember Procter, Vice Mayor

Fernandez, and Mayor Gonzales were in favor. Councilmember Aguirre was opposed. The motion carried.

Councilmember Aguirre stated for the record “ I will not support the motion not because I am against the laws that we have, but because I do not think that it rises to the point that given the current problems in town we should utilize resources to tackle this one problem in particular. I think that what is currently happening where the police department and City staff is going and taking down signs is acceptable, therefore I am not in support of the motion, not because I don't want to enforce the laws, but because I don't think the allocation of limited resources really comes to that level on this particular issue”.

F. Report on Propose United Water Conservation District Groundwater Pumping Charge Increase

Interim Public Works Director Jon Turner's report dated May 27, 2008.

Ken Chapman, Todd Lane, expressed his concerns regarding the proposed groundwater pumping charge increase.

It was moved by Mayor Gonzales, seconded by Councilmember Luna to direct staff to vote no on all 5 ballots on the item. Councilmember Aguirre, Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were in favor under roll call vote. Councilmember Procter was opposed. The motion carried.

It was moved by Mayor Gonzales, seconded by Councilmember Aguirre to direct staff to compose a letter in opposition to the rate increases to be delivered prior to the vote on June 11, 2008. Councilmember Aguirre, Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were in favor under roll call vote. Councilmember Procter was opposed. The motion carried.

COMMUNICATIONS

None.

FUTURE AGENDA ITEMS

It was moved by Councilmember Aguirre, seconded by Councilmember Luna to direct staff to provide the Council with an update on the handicapped inaccessibility to the Santa Paula Post Office. All were in favor under roll call vote and the motion carried.

ADJOURNMENT

Mayor Gonzales adjourned the meeting at 10:14 p.m.

ATTEST:

Josie Guzman Herrera
City Clerk