

CALL TO ORDER

Mayor Fernandez called the meeting to order at 6:32 p.m. Kay Wilson-Bolton led the invocation. Flag Salute was led by Vice Mayor Tovias.

ROLL CALL

Mayor Ralph Fernandez, Vice Mayor Jim Tovias, Councilmember Bob Gonzales and Councilmember Fred Robinson responded to roll call. Councilmember Gabino Aguirre was absent. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were present. Peggy Kelly from the Santa Paula Times and Kathleen Wilson of the Ventura Star were also present.

CLOSED SESSION REPORT

No Report at this time.

PRESENTATIONS

A. Presentation by Kay Wilson-Bolton regarding Many Meals

Kay Wilson-Bolton described the purpose of Many Meals, how the program helps the homeless as well as the families at risk and the future plans and needs of Many Meals to enable it to continue.

B. Police Awards Presentations– Awards to be conferred to Senior Officer Cody Madison, Sergeant Ismael Cordero, Sergeant Ryan Smith, Detective Wally Boggess and Officer Frank Huerta by Police Chief MacKinnon.

Police Chief MacKinnon presented commendation awards to officers for efforts above and beyond the call of duty.

C. Presentation of Badges to Reserve Firefighters by Fire Chief Rick Araiza

Fire Chief Rick Araiza presented the Reserves with their badges and performed the oath of office.

City Manager Bobkiewicz honored those City employees that participated in the Corporate Challenge Games and for the 3rd year in 5 years City of Santa Paula took the first place trophy. Sandy Easley presented the Trophy and explained that the teams took the Gold Metal in billiards, bowling and tug-o-war, the Silver

Metal in co-ed softball, golf, horseshoes and 5K run, and the Bronze Metal in basketball. A total of 51 city employees participated.

PUBLIC COMMENT

Robert Howard, 209 E. Santa Barbara St., SEIU of Public Works, concerned that jobs are still being contracted out that are costing the City. Requested letting the employees do those jobs and save the cost of the contractors.

Lorenzo Chavez, SEIU 721 expressed concern as the City reducing the Code Enforcement staff. He urged the City to look for other ways other than cutting staff to cut costs.

Danny Carrillo, SEIU Local 721 Worksite Organizer for City of Santa Paula. Union willing to work collaboratively with City to discuss cost saving ideas and any possible revenue generating ideas, all in the interest of saving jobs and minimizing any impacts to City services. He acknowledged City Manager Wally Bobkiewicz and Human Resource Manager Kathy Campbell for showing compassion, dignity and respect in these last staff reductions. We are here to work together to save jobs and city services.

Liz Murillo, SEIU 721 member and 15 year City employee expressed concern regarding employees that are losing their jobs and committed the SEIU employees to working with the City to minimize any future budget problems as a team.

Mike Nelson, 995 Terracina St., former Museum Administrator spoke about the California Oil Museum is a major attraction for the City and urged the Council to continue to fund the Museum to the level that is necessary in order for the Museum to continue to be the jewel for Santa Paula.

STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz reported Water Recycling Facility remains on track.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Robinson, seconded by Councilmember Gonzales to approve agenda 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. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on May 12, 2009. Alternatively, in accordance with SPMC § 16.206.060, the City Council may place an item on a future agenda to consider issuing an order of review regarding an action.
- D. **Warrants and Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn’s report dated May 11, 2009.

| | | |
|---------------|----------|--------------|
| Voided Checks | 05/01/09 | |
| Invoices | 05/01/09 | |
| Wire Transfer | 04/29/09 | |
| Subtotal | | \$ 68,234.52 |

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|----------------|----------|---------------|
| Voided Checks | 05/07/09 | |
| Invoices | 05/05/09 | |
| Wire Transfers | 05/06/09 | |
| Subtotal | | \$ 360,580.10 |

TOTAL \$ 428,814.62

- E. **Adoption of Ordinance No. 1210**– It is recommended that the City Council 1) waive second reading and adopt Ordinance No. 1210; and 2) take such additional, related, action that may be desirable. Deputy City Clerk Peggy Higgins’ report dated May 7, 2009.
- F. **Adoption of Ordinance No. 1211**– It is recommended that the City Council 1) waive second reading and adopt Ordinance No. 1211; and 2) take such additional, related, action that may be desirable. Deputy City Clerk Peggy Higgins’ report dated May 7, 2009.
- G. **Changes in City Council Meeting Schedule**– It is recommended that the City Council cancel its regular meetings of June 1, July 6, July 30 and August 3, 2009 and schedule special meetings for June 3 and June 29, 2009. City Manager Wally Bobkiewicz’s report dated May 12, 2009.

- H. **Investment Report for the Quarter Ending March 31, 2009**– It is recommended that the City Council receive and file the Investment Report for the Quarter Ending March 31, 2009. City Treasurer Sandra K. Easley's report dated April 29, 2009.

Councilmember Gonzales requested Item 10 I be removed for discussion. It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovas to approve the balance of the Consent Calendar. All were in favor under roll call vote and the motion carried.

ORDER OF BUSINESS

- I. **2009-CUP-01, Enforcement Agreement for Florence Elwell (Tia Babe Restaurant)**

Planning Director Janna Minsk's report dated May 12, 2009.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovas to authorize the City Manager to execute an enforcement agreement, in a form approved by the City Attorney, allowing the serving of beer, wine and distilled spirits at the property located at 125 S. 10th Street (Assessor's Parcel Number 101-0-214-225). All were in favor under roll call vote and the motion carried.

- A. **Request for Affordable Housing Funds from Habitat for Humanity of Ventura County**

Assistant to the City Manager Elisabeth V. Amador's report dated April 22, 2009.

Milt Redona, Head of the Site Acquisition Committee Activity for the Ventura County area spoke about the Santa Paula site where a duplex is currently being built.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to receive the report for a grant request from Habitat for Humanity of Ventura County. Under roll call vote Vice Mayor Tovas, Councilmember Gonzales and Councilmember Robinson were in favor, Mayor Fernandez was opposed. The motion carried.

- B. **2010-2012 CDBG Program Cooperation Agreement with the County of Ventura**

Assistant to the City Manager Elisabeth V. Amador's report dated May 7, 2009.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to receive the report and authorize the City Manager to execute an amendment in a form approved by the City Attorney, to the CDBG contract with Ventura County. All were in favor under roll call vote and the motion carried.

C. Rules of Procedure for City Council Meeting

Assistant to the City Manager Elisabeth V. Amador's report dated May 7, 2009.

Vice Mayor Tovas questioned whether the Warrants and Certificates needed to be duplicated for every Councilmember's agenda packet and requested a review of timeframes for the production and delivery of the Agenda packet to Councilmembers. Councilmember Gonzales requested a review of the process where presenters produce documents at the Council meeting thereby not allowing sufficient time review of the information. City Attorney Karl Berger addressed the legal aspects of accepting documents presented for the record.

It was moved by Mayor Fernandez, seconded by Councilmember Gonzales to receive the report and to have staff come back with thoughts concerning the Warrants and Certificates duplication, timeframe of agenda packet distribution and how receipt of submittals from applicants and other parties should be handled. All were in favor under roll call vote. The motion carried.

D. Fiscal Year 2009-10 Proposed Budget

City Manager Wally Bobkiewicz's report dated May 13, 2009.

It is moved by Councilmember Gonzales, seconded by Vice Mayor Tovas to approve the proposed City and RDA FY 2009-10 Annual Operating and Capital Improvement Budgets by adopting City Resolution No. 6587 and the Redevelopment Agency Resolution No. 2009-03 (R). Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6587

CITY COUNCIL OF THE CITY OF SANTA PAULA RESOLUTION NO. 6587 TO ADOPT THE 2009-10 FINAL OPERATING BUDGET FOR THE CITY OF SANTA PAULA AND ADOPT THE 2009-10 CAPITAL IMPROVEMENT BUDGET; AND THE DIRECTORS OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA PAULA RESOLUTION NO. 2009-03 (R) ADOPT THE 2009-10 OPERATING BUDGET FOR THE SANTA PAULA REDEVELOPMENT AGENCY.

RESOLUTION NO. 2009-03 (R)

A RESOLUTION ADOPTING THE 2009-10 OPERATING BUDGET FOR THE SANTA PAULA REDEVELOPMENT AGENCY.

E. Two Years Additional Service Credit (Golden Handshake)

Human Resources Manager Kathy Campbell's report dated May 12, 2009.

It is was moved by Councilmember Robinson, seconded by Vice Mayor Tovas to adopt Resolution No. 6584 authorizing two years of additional service credit ("Golden Handshake") pursuant to Government Code § 20903 and to certify compliance with Government Code § 20903. Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6584

CITY COUNCIL OF THE CITY OF SANTA PAULA RESOLUTION NO. 6584 TO GRANT ANOTHER DESIGNATED PERIOD FOR TWO YEARS ADDITIONAL SERVICE CREDIT.

COMMUNICATIONS

City Manager Bobkiewicz reminded the Council of the upcoming Council meeting dates of June 3, June 15 and June 29, 2009. The Council will resume their regular schedule on August 17, 2009 after a six week recess.

Mayor Fernandez announced the Foundation for Youth fundraiser, a Wine Music Festival on May 31, 2009 at Teague McKeivitt Ranch to help the arts, music and drama programs at the elementary schools.

Mayor Fernandez congratulated City Manager Bobkiewicz on his upcoming wedding.

REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Councilmember Robinson, seconded by Vice Mayor Tovas to have a representative of the Santa Paula Cemetery speak to the Council regarding the condition and maintenance of the grounds. All were in favor under roll call vote and the motion carried.

RECESSED TO CLOSED SESSION

Mayor Fernandez convened the City Council to a closed session at 8:21 p.m.

CLOSED SESSION

- A. **Conference with Legal Counsel, Existing Litigation**– Government Code § 54956.9 (a). *Cabrillo Economic Development Corporation v. City of Santa Paula*, 2nd Appellate District Case No. B212840.
- B. **Conference with Legal Counsel, Existing Litigation**– Government Code § 54956.9 (a). *Cabrillo Economic Development Corporation v. City of Santa Paula*, Ventura County Superior Court Case No. 56-2008-00327257-CU-CR-VTA.
- C. **Conference with Legal Counsel, Anticipated Litigation**– Government Code § 54956.9 (b) (significant exposure to litigation). Facts or circumstances: Project No. 2008-CDP-03 (Cabrillo Economic Development Corporation) public hearing before Santa Paula Planning Commission on February 24, 2009 and March 10, 2009; public comment before City Council on March 19, 2009 and May 11, 2009. Number of cases: one.
- D. **Conference with Real Property Negotiator**– Government Code § 54956.8. Property Address: 217 N. 10th Street, Santa Paula and 221 N. Ojai St. Santa Paula. Negotiating Parties: Santa Paula Promenade, Inc. and Wind Astern, LLC, respectively. City Negotiators: City Manager Wally Bobkiewicz and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.
- E. **Conference with Labor Negotiation**– Government Code § 54957.6. City Negotiators: City Manager Wally Bobkiewicz and Human Resources Manager Kathy Campbell. Employee Organizations: SEIU Local 721; Santa Paula Police Officers Association (SPPOA); unrepresented/confidential employees (City employees who are not members of bargaining units); and Part-Time/Temporary/Seasonal

CLOSED SESSION REPORT

No reportable action taken.

ADJOURNMENT

Mayor Fernandez adjourned the meeting at 9:50 p.m.

ATTEST:

Judy Rice
City Clerk