

CALL TO ORDER

Mayor Robinson called the meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers Richard C. Cook, James A. Tovias and Ralph J. Fernandez, Vice Mayor Robert S. Gonzales and Mayor Fred W. Robinson were present. City Manager Jaime M. Fontes, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present.

PUBLIC COMMENT

Ilan Bender, 410 S. Beckwith Rd., property owner informed Council of the two gates that have been installed at either end of Todd Ln.; a private road owned by Larry Diamond and Melinda Bratcher. Todd Ln. has been open to the public since it was established in 1952 and access to the road is now blocked to businesses and employees in the area. Mr. Bender requested that Council review the issue and send a letter to the owners asking that the gates be removed to allow the local businesses and employees access to the road and if necessary take court action to have the gates removed.

ORDER OF BUSINESS

A. **Appoint Real Property Negotiators-**

MOTION: It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to appoint City Manager Jaime M. Fontes and City Attorney Karl H. Berger to be Real Property Negotiators for the City property at Harding Park. All were in favor and the motion carried.

Mayor Robinson moved the City Council to a closed session at 6:15 p.m.

CLOSED SESSION

- A. **Conference with Legal Counsel, Initiation of Litigation**—*Government Code §54956.9 (b)*. Number of potential cases: One.
- B. **Conference with Real Property Negotiator**— *Government Code § 54956.8*. Property: Lease of City Property at Harding Park. Property Owner Negotiators: City Manager and City Attorney. Party Seeking

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Lease: Verizon Wireless. Under Negotiation: Both Terms and Conditions of Lease.

Mayor Robinson moved the City Council into Open Session at 6:30 p.m. Mayor Robinson recessed the City Council at 6:30 p.m.

CALL TO ORDER

Mayor Robinson called the meeting to order at 6:37 p.m. Pastor Ron Dybvig gave the invocation and Councilmember Fernandez let the flag salute.

ROLL CALL

Councilmembers Richard C. Cook, James A. Tovias and Ralph J. Fernandez, Vice Mayor Robert S. Gonzales and Mayor Fred W. Robinson were present. City Manager Jaime M. Fontes, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present.

CLOSED SESSION REPORT

No reportable action.

PUBLIC COMMENT

None.

CITY COUNCIL, STAFF COMMUNICATIONS

None.

APPROVAL OF FINAL AGENDA

MOTION: It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to approve the agenda as presented. All were in favor and the motion carried.

CONSENT CALENDAR

MOTION: It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovias to approve the Consent Calendar as presented. All were in favor and the motion carried.

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- 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. Warrants and Certificates–
- | | | |
|----------------|-------------------------|---------------|
| INVOICES | 9/15/11 | |
| SUB-TOTAL | | \$ 29,332.32 |
| | | |
| INVOICES | 9/20/11-9/21/11-9/22/11 | |
| WIRE TRANSFERS | 9/21/11 | |
| SUB-TOTAL | | \$ 531,519.70 |
| | | |
| GRAND TOTAL | | \$ 560,852.02 |
- D. Minutes– Approval of Minutes from the Adjourned Regular City Council Meeting of September 20, 2011. Deputy City Clerk Peggy Higgins' report dated September 26, 2011.
- E. Approval of Task Order No. 6 with Randy Toedter, LLC– it is recommended that the City Council: 1) approve a budget allocation of \$58,200 for engineering services related to the Harding Park Project; 2) authorize the City Manager to execute Task Order No. 6 for the budgeted amount with R.W. Toedter, LLC.; 3) take such additional, related, action that may be desired. Interim Community Services Director Ed Mount's report dated September 22, 2011.
- F. Corrected Motion for COPS Program Funding– It is recommended that the City Council: revise its motion made at the Council meeting of August 15, 2011 to correct the Fiscal Year in which COPS Program funding will be allocated. Chief of Police Stephen MacKinnon's report dated September 20, 2011.
- G. Santa Paula Branch Line Bike Trail Planting and Irrigation Project; Acceptance of Change Order Nos. 1, 2, 3, & 4– It is recommended that the City Council: 1) receive and file Change Order Nos. 1, 2, 3 and 4 for \$185,590.00; 2) authorize City Manager to execute Change Order Nos. 1-4 at the total cost of \$185,590.00 with Reber Landscape Construction, Inc.; and 3) take such additional, related, action that may be desirable. Interim Public Works Director Brian J. Yanez' s report dated September 26, 2011.

- H. Water Main Upgrade Project – Peck Road Approval of Work Order No. 5 with Travis Agricultural Construction, Inc.– It is recommended that the City Council: 1) authorize the City Manager to execute Work Order No. 5 with Travis Agriculture Construction, Inc., in the amount of \$29,937.00; and 2) take such additional action that may be desired. Interim Public Works Director Brian J. Yanez' s report dated September 26, 2011.

ORDER OF BUSINESS

- A. Closure of Steckel Park Bird Aviary–

City Manager Jaime Fontes presented the staff report dated September 13, 2011 and introduced Supervisor Long.

Supervisor Kathy Long stated that the Steckel Park-Aviary inspection resulted in sick birds and a structure that was not conducive to the birds. Based upon the assessment of the aviary the Parks Advisory Commission recommended that the aviary be removed. Currently the sick birds are being cared for at the Ventura County Animal Services and foster homes. The birds are recovering and it is expected that all birds will be removed and placed by the end of the year. Supervisor Long stated that Steckel Park is running at a deficit of about \$17,000 per year, the cost of maintenance and feeding of birds is about \$14,000 annually and the estimated cost to redo the aviary would be \$150,000.

Supervisor Long introduced Ron Vandyke Deputy Director of GSA and Director of the Parks system. The repairs and upgrades of the aviary project includes replacement of sidewalks which are currently not ADA compliant, fencing that has deteriorated and warped, and making the facility earthquake safe because of its location to a severe drop off behind the aviary. He stated that Parks has looked at downsizing the facility to 10 cages and pre-fab structure which is more costly but looks nicer but noted that this is an Enterprise fund that does not have capital to fix the facility.

Supervisor Long indicated that there can be some support from County for feeding and maintenance but currently no money is available for structural renovation. Ms. Long expressed the willingness of the County to join with the City and community to develop a plan to preserve the aviary.

Councilmember Fernandez expressed his interest participating on a community based committee.

PUBLIC COMMENT

Robert Moon, 5091 floral Dr., spoke in support of garnering community support for help in preserving the aviary.

Jessie Luna, 337 Lucado St., asked the City Council and Board of Supervisor to engage the community to help preserve the aviary.

Wendy Smith Malette, 1025 Harvey Dr., spoke of the community interest in keeping the aviary and using volunteer help to upgrade and preserve the aviary.

Kay Beck, 1025 Harvey Dr., requested that the City Council and County Board of Supervisors join with the community to raise funds to help preserve the aviary.

Alyssa Smith, 1025 Harvey Dr., spoke of her family history with Steckel Park and the aviary and believes that the interest of the park is the people's interest.

Cathy Fernandez, 636 Shasta Dr., presented Council with L.A. Times articles regarding the aviary at Steckel Park and spoke of the condition of the aviary stating that it would be more cost effective to renovate the existing structure than to rebuild.

Tracy Ward, 1160 Fernoaks Dr., requested that the Council take steps to preserve the aviary and expressed frustration with the County in taking steps to remove it without the public input.

Mitch Stone, 1328 Woodland Dr., asked Council to look for a way of renewing the commitment that was made in 1926 between the City and the County when Steckel Park and the aviary was created.

Rik Ramsdell, 66 N. Dunning, Ventura, also spoke in support of finding ways to renovate and keep the aviary at Steckel Park offering his time and services as a contractor to help with preserving the aviary.

MOTION: It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to adopt Resolution No. 6763 urging the Ventura County Board of Supervisors not to close the Steckel Park aviary

and authorize the Mayor to send a letter to the Board of Supervisors transmitting the City Council's resolution. Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6763

A RESOLUTION EXPRESSING SUPPORT FOR THE CONTINUED OPERATION OF THE STECKEL PARK AVIARY AND AUTHORIZING THE CITY MANAGER TO TAKE APPROPRIATE ACTIONS TO KEEP THE AVIARY OPEN TO THE PUBLIC.

RECESS TO A BREAK

Mayor Robinson recessed the Council to a break at 7:53 p.m.

RECONVENED TO REGULAR SESSION

Mayor Robinson reconvened the Council to Regular Session at 8:00 p.m.

B. Special Event Fees for City Services–

City Manager Jaime Fontes and Interim Community Services Director Ed Mount's report dated September 28, 2011.

PUBLIC COMMENT

David Gillette, 603 E. Pleasant St., Chairman of Optimist Halloween Parade gave a history of the 40+ year old parade, the benefits it provides to the children in the community and the funds required. He stated that no fees are collected for this event and that two major fund raisers that Optimist has a year are the only means they have to cover the costs of both the Halloween and Christmas Parades.

Ron Merson, 116 Via Solana, Chairman of Optimist Christmas Parade since the 1961 explained how the parades are offered free to the community, that they are broadcast throughout the County and a positive benefit to the community. He requested that Council recognize the difference in revenue generating events versus parades that are non-revenue generating events. Optimist asked Council to waive the fees for these events and based upon Council's decision, will make the decision whether to hold the parades or not.

MOTION: It was moved by Councilmember Fernandez, seconded by Vice Mayor Gonzales to have City absorb fees for the first 3 hours of a historical parade (more than 5 years old). Under roll call vote Councilmember Fernandez and Vice Mayor Gonzales were in favor. Councilmembers Cook and Tovas and Mayor Robinson were opposed. The motion failed.

MOTION: It was moved by Mayor Robinson, seconded by Councilmember Tovas to receive and file the staff report. Mayor Robinson and Councilmembers Tovas and Cook were in favor. Vice Mayor Gonzales and Councilmember Fernandez were opposed. The motion carried.

COMMUNICATIONS

City Manager Fontes stated that he will begin discussion with Supervisor Long of ways to preserve the Steckel Park aviary.

Vice Mayor Gonzales requested a report back from City Manager Fontes regarding an issue of a request from a citizen for a refund of sewer fees dating back back four years.

Mayor Robinson commented on his attendance at the Santa Paula High School Alumni Banquet.

Mayor Robinson commented on his visit to Thomas Aquinas College, stating it is a #1 ranked Liberal Arts College and is another positive association for the City of Santa Paula.

Mayor Robinson commented on the opening of the Ventura County Agriculture Museum and commended the city staff who helped.

Mayor Robinson stated that he and City Manager Fontes attended the Spirit of Kindness event at Veterans Park spearheaded by Bev Frady celebrating acts of kindness.

REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Councilmember Tovas, seconded by Councilmember Cook to have a report back on the Las Piedras Park project. All were in favor and the motion carried.

It was moved by Mayor Robinson, seconded by Councilmember Tovas to receive a report back regarding the City Council meeting schedule and to consider the possibility of changing the meeting nights to Tuesdays. All were in favor and the motion carried.

ADJOURNMENT

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Mayor Robinson adjourned the meeting at 8:50 *p.m.*

ATTEST:

Judy Rice
City Clerk