

# City of Santa Paula

*City Council/Redevelopment Agency/  
Public Finance Authority /  
Utility Authority Agenda*

MAYOR/CHAIR JAMES A. TOVIAS  
VICE MAYOR/VICE CHAIR FRED W. ROBINSON  
COUNCILMEMBER/DIRECTOR GABINO AGUIRRE, Ph.D.  
COUNCILMEMBER/DIRECTOR RALPH J. FERNANDEZ  
COUNCILMEMBER/DIRECTOR ROBERT S. GONZALES



A REGULAR MEETING OF THE  
SANTA PAULA CITY COUNCIL  
REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY  
UTILITY AUTHORITY  
MONDAY, JANUARY 4, 2010

**5:30 PM – Closed Session**  
**6:30 PM – Regular Matters**

SANTA PAULA CITY HALL  
970 VENTURA STREET  
SANTA PAULA, CA 93060

JUDY RICE, CITY CLERK/ AGENCY SECRETARY  
CLIFFORD G. FINLEY, INTERIM CITY MANAGER/ EXECUTIVE DIRECTOR  
KARL H. BERGER, CITY ATTORNEY/ AGENCY ATTORNEY

Spare Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the Office of the City Clerk and are available for public inspection. If you have any questions regarding any agenda item, contact the City Clerk at (805) 933-4208.

## **WELCOME TO THE CITY OF SANTA PAULA CITY COUNCIL MEETING**

You are invited to attend all City Council, Redevelopment Agency, commission, and board meetings. Agendas are posted in the front of City Hall in advance of the scheduled meetings. Information for commission and board meetings may be obtained by contacting the City Clerk's Office. The Santa Paula City Council's regular meetings start at 5:30 p.m. the first and third Monday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula. The regular meetings of the City Council are also regular meetings of the Redevelopment Agency.

### **BRINGING ITEMS BEFORE THE CITY COUNCIL**

If you wish to speak at a City Council meeting, please fill out a yellow **Public Comment Form** noting your name and address and submit the form to the City Clerk. Include the Agenda item number, when appropriate.

1. **Items Not on the Agenda:** If you wish to discuss an item which is not scheduled on the Agenda, you may address the City Council during *Public Comment*. Please realize that due to the limitations placed on the City Council by provisions of the *California Government Code*, the City Council ordinarily cannot take action on any item that is not on the agenda. Because of these restrictions, expect that matters that you identify during public comment will be referred to staff or considered on a future agenda.
2. **Agenda Items:** Items being considered by the City Council may appear on the Consent Calendar, as an Order of Business, or as a Public Hearing. Public comments on each type of item are handled differently, as explained below:
  - a. For items appearing on the Consent Calendar, please submit a Public Comment Form before the Council takes action on the Consent Calendar. Items that receive a Public Comment Form may be pulled from the Consent Calendar by the Mayor and discussed separately by the City Council.
  - b. For items appearing as an Order of Business, the Mayor will announce the Agenda item and request the staff report, the staff member responsible will give a brief summary of the report; the City Council will have an opportunity to ask questions of staff; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); and the City Council will discuss the item and then take appropriate action.
  - c. For items on which a Public Hearing is scheduled, the Mayor will open the public hearing and receive the staff report; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); the City Council will discuss the item; and the Mayor will close the public hearing after City Council action.

Your Participation in this meeting is in the public domain; meetings are cablecast; minutes of this meeting will reflect your participation in this meeting and are posted on the city's website.

**PLEASE NOTE:** *Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the City Council at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.*

In compliance with the **Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk at (805) 933-4208. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II). Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office.

SANTA PAULA CITY COUNCIL  
REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY/  
UTILITY AUTHORITY AGENDA  
CITY HALL ADMINISTRATION CONFERENCE ROOM  
January 4, 2010  
Monday-5:30 P.M.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC COMMENT**

4. **ORDER OF BUSINESS**

A. **Interview for Appeals Board**– The City Council will hold an applicant interview to fill a vacancy on the Appeals Board for a four-year term.

1. John A. Bravo

B. **Interview for Santa Paula Housing Authority**– The City Council will hold an applicant interview to fill a vacancy on the Santa Paula Housing Authority for a four-year term.

1. John A. Bravo

C. **Interview for Mobilehome Rent Review Commission**– The City Council will hold an applicant interview to fill a vacancy on the Mobile Home Rent Review Commission for a four-year term.

1. John A. Bravo

D. **Interview for Citizens Transportation Advisory Committee**– The City Council will hold an applicant interview to fill a vacancy on the Citizens Transportation Advisory Committee as Member or Alternate Member for indefinite term.

1. John A. Bravo

E. **Appoint Real Property Negotiators.** Appoint Interim City Manager and City Attorney to be Real Property Negotiators for APNs 038-0-090-150, 038-0-090-160, 038-0-090-170.

F. **Appoint Real Property Negotiators.** Appoint Interim City Manager and City Attorney to be Real Property Negotiators for APNs 105-0-064-215, 105-0-063-065, 105-0-070-015, 105-0-070-075, and 105-0-070-035.

5. **CLOSED SESSION-** *The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code §§ 54950, et seq.) for the following purposes:*

- A. **Conference with Legal Counsel, Anticipated Litigation**– Government Code § 54956.9 (b) (significant exposure to litigation). Facts or circumstances: Letter dated December 17, 2009 from Thomas A. Henry regarding Santa Paula Creek sedimentary removal project. Number of cases: one
- B. **Conference with Real Property Negotiator**– Government Code § 54956.8. Property Address: APN 103-0-242-175. 221 S. Mill Street, Santa Paula. Negotiating Parties: Edward R.Mendoza. City Negotiators: Interim City Manager Clifford G. Finley and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.
- C. **Conference with Labor Negotiators** – Government Code 54957.6. City Negotiator: Interim City Manager Clifford G. Finley and Human Resources Manager Kathy Campbell. Employee Organizations: Santa Paula Community Service Officers Unit, Santa Paula Police Officers Association, SEIU Local 721, Ventura County Professional Firefighters Association, Management, Supervisory & Professional Association; Executive Management, Mid-Management, Confidential, Part-time, Temporary, and Seasonal Employees Groups.
- D. **Conference with Real Property Negotiator**– Government Code § 54956.8. Property Address: 038-0-090-150, 038-0-090-160, 038-0-090-170. Negotiating Parties: Eleanor Gooding; John and Louise Gooding. City Negotiators: Interim City Manager Clifford G. Finley and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.
- E. **Conference with Real Property Negotiator** – Government Code § 54956.8. Property Address: APNs 105-0-064-215, 105-0-063-065, 105-0-070-015, 105-0-070-075, and 105-0-070-035. Negotiating Parties: Hardy/Schultz Partners, LLC (Twin Pines Healthcare); Heritage Park Villas; Martha Horning (Ventura College East Campus – tenant); CEDC (Paseo Santa Barbara); International Paper; ARP and McCoy’s Towing. City Negotiators: Interim City Manager Clifford Finley and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.

6. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL/  
REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY/  
UTILITY AUTHORITY AGENDA  
REGULAR MEETING –JANUARY 4, 2009  
MONDAY – 6:30 P.M. – COUNCIL CHAMBERS

1. **CALL TO ORDER**
  
2. **INVOCATION**
  
3. **FLAG SALUTE**
  
4. **ROLL CALL**
  
5. **CLOSED SESSION REPORT**
  
6. **PRESENTATIONS**
  - A. **Presentation of Mayor’s Plaque to Former City Mayor Ralph Fernandez**
  
  - B. **Presentation of Proclamations and City Tiles in Recognition of Service to David W. Hamersley and Julia Romero**
  
7. **PUBLIC COMMENT**

At this time, members of the public may comment on any item not appearing on the agenda that is within the subject-matter jurisdiction of the City Council. A Public Comment Form must be submitted to the City Clerk prior to the beginning of the Public Comment period in order to be recognized to speak. Individuals submitting Public Comment Forms after the beginning of the Public Comment period will not be allowed to speak at this time, but may be recognized to speak by the Mayor at the conclusion of the meeting. Individual Councilmembers may briefly respond to Public Comments or ask questions for clarification. The City Council may direct staff to report to the City Council on the item at a later meeting. For items appearing on the Agenda, the public will be invited to make comments at the time the item comes up for City Council consideration. If a member of the public wishes to address a Consent Calendar item, please submit a Public Comment Form for that item. It may then be discussed separately by the Council, and the public will be invited to make comments at that time. At all

times, please use the microphone and write your name and address on the Public Comment Form provided.

8. **CITY COUNCIL, STAFF COMMUNICATIONS**

9. **APPROVAL OF FINAL AGENDA**

10. **CONSENT CALENDAR**

Background information has been provided to the City Council on all matters listed under the Consent Calendar and these items are considered to be routine by the City Council and are normally approved by one motion. If discussion is requested by a Councilmember on any item, or a member of the public wishes to comment on an item, that item may be removed from the Consent Calendar for separate action.

**SUGGESTED MOTION:** *Motion/Second to adopt the Consent Calendar as presented.*

- 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 Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn’s report dated October 12, 2009.

|                    |          |                        |
|--------------------|----------|------------------------|
| Voided Checks      | 12/03/09 |                        |
| Invoices           | 12/03/09 |                        |
| Wire Transfer      | 12/02/09 |                        |
| Subtotal           |          | \$ 491,698.55          |
|                    |          |                        |
| Invoices           | 12/10/09 |                        |
| Wire Transfers     | 12/09/09 |                        |
| Subtotal           |          | \$ 76,321.82           |
|                    |          |                        |
| Invoices           | 12/17/09 |                        |
| Wire Transfers     | 12/16/09 | \$ <u>931,746.42</u>   |
| <b>Grand Total</b> |          | <b>\$ 1,499,766.79</b> |

- F.D. Minutes**– Adopt the Minutes from the Regular City Council Meeting of December 7, 2009. Deputy City Clerk Peggy Higgins’ report dated December 28, 2009.
- GE. Minutes**– Adopt the Minutes from the Special City Council Meeting of December 15, 2009. Deputy City Clerk Peggy Higgins’ report dated December 28, 2009.
- HF. 5<sup>th</sup> Street/Harvard Blvd. Lighted Crosswalk Improvements Project Closeout and Notice of Completion**– It is recommended that the City Council: 1) receive and file the project Notice of Completion (NOC) and final project accounting; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated December 21, 2009.
- IG. Award Santa Paula Branch Line Bike Trail Railway Signal Design Work to Fillmore and Western Railway**– It is recommended that the City Council: 1) allocate \$75,213 from Account 229.5.9036.290; 2) authorize the City Manager to execute a contract in a form approved by the City Attorney for \$68,375 to Fillmore and Western Railway for the Design work and approve amendments up to the budget amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated December 28, 2009.
- JH. Authorize Joint Application with County of Ventura for the CaliforniaFIRST Program**– It is recommended that the City Council: 1) adopt Resolution No. 6640 authorizing the County of Ventura to file a joint grant application for CaliforniaFIRST Program; and 2) take such additional, related, action that may be desirable. Assistant to the City Manager Elisabeth Amador’s report dated December 21, 2009.

## 11. **PUBLIC HEARING**

A. **Adopt Public Financing Authority Resolution No. 2009-01 (F) Authorizing Execution of the First Amendment to the 2003 Installment Sale Agreement and the First Amendment to the 2003 Indenture of Trust.**

- Verification of posting by City Clerk
- Declaration of conflicts (if any)
- Declaration of ex parte contacts (if any)
- Open public hearing
- Staff presentation
- Public testimony
- Discussion and action
- Close public hearing

**Suggested Action:** It is recommended that the Public Financing Authority Directors adopt Resolution No. 2009-01 (F) authorizing the Chairperson to execute the First Amendment to the 2003 Installment Sale Agreement and the First Amendment to the 2003 Indenture of Trust. John T. Quinn's report dated December 2, 2009.

12. **ORDER OF BUSINESS**

- A. **Update on Santa Paula's Elementary and High School District Unification Study**– It is recommended that the City Council: 1) receive the report; and 2) direct staff as appropriate. Assistant to the City Manager Elisabeth Amador's report dated December 16, 2009.
- B. **Update on Santa Paula Art Museum RDA Request**– It is recommended that the Santa Paula Redevelopment Agency: 1) receive the report; 2) direct staff as appropriate. Assistant to the City Manager Elisabeth Amador's report dated December 16, 2009.
- C. **Introduction of Ordinance No. 1225 Amending Municipal Code Chapter 118 Regulating Filming**– It is recommended that the City Council: 1) waive first reading and introduce an Ordinance amending Santa Paula Municipal Code ("SPMC") Chapter 118 regulating filming; 2) schedule second reading and adoption for January 19, 2010; take such additional, related, action that may be desirable. Police Chief Stephen MacKinnon's report dated December 22, 2009
- D. **Update on Early Prisoner Release (Coleman-Plata lawsuits)**– It is recommended that the City Council receive and file Police Chief Stephen MacKinnon's report dated December 15, 2009.
- E. **Adopt Resolution No. 6642 Approving the Plans and Specifications for the Farm Worker Monument Project**– It is recommended that City Council: 1) adopt Resolution No. 6642 approving the plans and specifications for the Farm Worker Monument; 2) authorize the City Manager to advertise the plans and specifications to receive construction bids; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated December 19, 2009.
- F. **Approve Amendment of the Southwest Water Annual Operations and Maintenance Contract for Additional Wastewater Pipeline Video Services**– It is recommended that City Council: 1) allocate \$52,603 from the wastewater fund balance to account 610.5.5063.228 for wastewater pipeline video services (which includes a 10% contingency); 2) authorize the City Manager to amend the existing annual contract with Southwest

Water Company in a form approved by the City Attorney by \$47,820.60 to include the remaining 25% of pipeline internal video work; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated December 19, 2009.

- G. **Mayor's Standing Committee City Council Ad Hoc Committees –** Discuss the appointments to the Mayor's Standing Committees and the City Council's Ad Hoc Committees. Interim City Manager Clifford Finley's report dated December 29, 2009.
- H. **Appointment of Member to the Design Assistance Committee–** It is recommended that the City Council appoint a member to the Design Assistance Committee to fill one vacancy with a term of four years.
- I. **Appointment of Tenant Commissioner of the Santa Paula Housing Authority–** It is recommended that the City Council appoint a Tenant Commissioner to the Santa Paula Housing Authority to fill one vacancy with a term of two years.
- J. **Appointment of Members to the Recreation Commission–** It is recommended that the City Council appoint members to the Recreation Commission to fill two vacancies with terms of three years.

13. **COMMUNICATIONS**

Items of interest that are not on the agenda, such as conference or meeting reports, may be discussed under this item. No action other than "receive or refer to staff" may be taken.

- A. City Manager/Executive Director, Staff, Employees
- B. City/Agency Attorney
- C. City Council/Redevelopment Agency

14. **REQUEST FOR FUTURE AGENDA ITEMS**

Any Councilmember/Director may propose items for placement on a future agenda. Members may discuss whether or not the item should be agendized and the description of the agenda item. Any direction to the City Manager/Executive Director to place an item on a future Council/Agency Agenda, do research, or a staff report must be accompanied with a majority vote of the City Council/Redevelopment Agency. The City Manager/Executive Director shall have discretion as to when the item will come back on the Agenda, unless the City Council/Utility Authority identifies a specific meeting for the item's return.

15. **ADJOURNMENT**

State of California )  
County of Ventura ) ss  
City of Santa Paula )  
I declare under penalty of perjury that I posted this  
City Council Agenda on the bulletin board near the  
front door of City Hall, 970 Ventura Street, Santa  
Paula, California.

On \_\_\_\_\_ at \_\_\_\_\_ Signed: \_\_\_\_\_  
Deputy City Clerk/Administrative Secretary Peggy Higgins