

# City of Santa Paula

*City Council/Redevelopment Agency/*

*Public Finance Authority /*

*Utility Authority*

**CORRECTED 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  
TUESDAY, JANUARY 19, 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  
**CORRECTED AGENDA**  
CITY HALL ADMINISTRATION CONFERENCE ROOM  
January 19, 2010  
Tuesday-5:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
4. **ORDER OF BUSINESS**
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 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.*
  - B. **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.*
  - C. **Conference with Legal Counsel, Existing Litigation**– *Government Code § 54956.9 (a). Escalante v. City of Santa Paula, VCSC Case No. 56-2009-00360349-CU-EI-VTA.*
6. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL/  
REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY/  
UTILITY AUTHORITY  
**CORRECTED AGENDA**  
REGULAR MEETING –JANUARY 19, 2009  
TUESDAY – 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. **Proclamation Given by Vice Mayor Robinson to Big Brothers Big Sisters**
  - B. **Update on Continental Wind Power by Jim Winsayer**
  - C. **Presentation of Proclamation and City Tile to Kathleen J. Campbell**

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.

Invoices	12/22/09	
	12/24/09	
Wire Transfer	12/23/09	
Subtotal		\$ 208,962.26
Invoices	12/28/09	
	12/29/09	
Wire Transfers	12/30/09	
Subtotal		\$ 168,507.16
Invoices	01/07/10	
	01/08/10	
Wire Transfers	01/08/10	\$ <u>29,402.20</u>
<b>Grand Total</b>		<b>\$ 406,871.62</b>

- D. **Second Reading and Adoption of Ordinance No. 1225**– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1225. **ORDINANCE NO. 1225** - AN ORDINANCE AMENDING SANTA PAULA CHAPTER 118 IN ITS ENTIRETY TO REGULATE MOTION PICTURE, RADIO AND TELEVISION PRODUCTION WITHIN THE CITY OF SANTA

PAULA. Deputy City Clerk Peggy Higgins' report dated January 12, 2010.

- E. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of January 4, 2009. Deputy City Clerk Peggy Higgins' report dated January 12, 2010.
- F. **Approval of Traffic Safety Committee Recommendations Resolution No. 6645**– It is recommended that the City Council: 1) adopt Resolution No. 6645 approving the recommendations of the Traffic Safety Committee; and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6645**– A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS, DATED DECEMBER 29, 2009. Interim Public Works Director Jon Turner's report dated January 6, 2010.

11. **PUBLIC HEARING**

A. **Authorize Joint Application with County of Ventura for the California FIRST Program**

- 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 City Council: 1) adopt Resolution No. 6640 authorizing the County of Ventura to file a joint grant application for California FIRST Program; and 2) take such additional, related, action that may be desirable. **RESOLUTION NO. 6640**– A RESOLUTION AUTHORIZING THE COUNTY OF VENTURA TO SUBMIT A JOINT APPLICATION WITH FOR THE CALIFORNIA FIRST PROGRAM. Assistant to the City Manager Elisabeth Amador's report dated January 12, 2009.

B. **Citizens Option for Public Safety (COPS) Program**

- 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 City Council: 1) conduct a Public Hearing to allow public comment on the allocation of the COPS FY 2009/2010 grant; and 2) approve the allocation of the FY 2009/2010 COPS funds in the amount of \$15,173.00 for a part-time Community Service Officer. Police Chief Stephen MacKinnon's report dated January 11, 2010.

C. **City of Santa Paula General Plan Housing Element Update Project No. 2007-CI-07-**

- Verification of posting by City Clerk
- Declaration of conflicts (if any)
- Declaration of ex parte contacts (if any)
- Open public hearing (continued from November 16, 2009)
- Staff presentation
- Public testimony
- Discussion and action
- Close public hearing

**Suggested Action:** It is recommended that the City Council: 1) open the continued public hearing; 2) receive documentary and testimonial evidence; 3) adopt Resolution No. 6617 (Exhibit A) amending the Housing Element of the General Plan in its entirety; 4) authorize the City Manager or designee to forward the Housing Element to the California Department of Housing and Community Development ("HCD") for review; 5) authorize the City Manager or designee make non-substantive changes, approved as to form by the City Attorney, to the Housing Element required for HCD Certification and to resubmit the Element to HCD for Certification; and 6) take such additional, related action as may be appropriate. **RESOLUTION No. 6617-** A RESOLUTION AMENDING THE HOUSING ELEMENT OF THE SANTA PAULA GENERAL PLAN AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO IMPLEMENT THE PURPOSE OF THIS RESOLUTION. Planning Director Janna Minsk's report dated January 7, 2010.

12. **ORDER OF BUSINESS**

- A. **Midyear Budget Update-** It is recommended that the City Council: 1) adopt Resolution No. 6646 authorizing adjustments to the adopted FY 2009-10 budget; 2) direct the Interim City Manager to continue monitoring the FY 2009-10 budget and return with report on February 16, 2009; and 3) adopt a schedule for FY 2010-11 budget preparation process. **RESOLUTION NO. 6646- A**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING MID-YEAR BUDGET ADJUSTMENTS TO THE ADOPTED BUDGET FOR FISCAL YEAR 2009-10. Finance Director John Quinn's report dated January 12, 2010.

- B. **Approve City Resolution No. 6643 Authorizing the Mayor to execute Indentures of Trust and Bond Purchase Contracts; and Utility Authority Resolution No. 2010(U) Authorizing the Issuance of Water Enterprise Revenue Bonds, 2010 Series, Wastewater Enterprise Revenue Bonds, 2010A Series, and Wastewater Revenue Enterprise Revenue Bonds, 2010B Series, (Taxable) in the aggregate Principal amounts not to exceed \$66,000,000, \$8,000,000 and \$10,000,000 respectively; Authorizing the Chairperson to Execute Indentures of Trust, an Escrow Agreement, Bond Purchase Contracts, and Continuing Disclosure Agreements; and Approving a Preliminary Official Statement**– It is recommended that the City Council: 1) approve Resolution No. 6643 authorizing the Mayor to execute Indentures of Trust and Bond Purchase Contracts; 2) approve Utility Authority Resolution No. 2010(U) authorizing the issuance of Water Enterprise Revenue Bonds, 2010 Series, Wastewater Enterprise Revenue Bonds, 2010A Series, and Wastewater Revenue Enterprise Revenue Bonds, 2010B Series, (Taxable) in the aggregate principal amounts not to exceed \$66,000,000, \$8,000,000 and \$10,000,000, respectively; authorizing the Chairperson to execute Indentures of Trust, an Escrow Agreement, Bond Purchase Contracts, and Continuing Disclosure Agreements; 3) approve a Preliminary Official Statement; or, 4) take such additional related action that may be desired. **RESOLUTION NO. 6643**– RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE INDENTURES OF TRUST AND BOND PURCHASE CONTRACTS. **RESOLUTION NO. 2010-01 (U)** – RESOLUTION AUTHORIZING THE ISSUANCE OF WATER ENTERPRISE REVENUE BONDS, 2010 SERIES, WASTEWATER ENTERPRISE REVENUE BONDS, 2010A SERIES, AND WASTEWATER ENTERPRISE REVENUE BONDS, 2010B SERIES (TAXABLE) IN THE AGGREGATE PRINCIPAL AMOUNTS NOT TO EXCEED \$66,000,000, \$8,000,000 AND \$10,000,000, RESPECTIVELY; AUTHORIZING THE CHAIRPERSON TO EXECUTE INDENTURES OF TRUST, AN EXCROW AGREEMENT, BOND PURCHASE CONTRACTS AND CONTINUING DISCLOSURE AGREEMENTS; AND APPROVING A PRELIMINARY OFFICIAL STATEMENT. Finance Director John Quinn's report dated January 13, 2010 (copies of the draft contract documents are on file with the City Clerk's office).

- C. **Annual Financial Reports of the Local Transportation Development Act Fund (Public Resources Code) §§ 99234 and 99400 for the City of Santa Paula for the Fiscal year Ended June 30, 2009**– It is recommended that the City Council: 1) That the City Council receive and file the Annual Financial Reports for the Local Transportation Development Act Fund, Public Utilities Code §§ 99400 and 99234 for the Fiscal Year Ended June 30, 2009 resulting from the audits by Rivera and Company, Certified Public Accountants. Finance Director John Quinn’s report dated January 7, 2010.
- D. **2010-2011 Community Development Block Grant Program Process and 2010-2013 Consolidated Plan**– 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 January 6, 2010.
- E. **Volunteer Program in the City of Santa Paula**– It is recommended that the Council: 1) review the City’s draft volunteer program; 2) approve the City’s Volunteer Handbook and forms; 3) adopt Resolution 6647 providing workers compensation coverage to volunteers; and 4) take such additional, related, action that may be desirable. **RESOLUTION NO. 6647- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA EXTENDING WORKERS COMPENSATION BENEFITS TO CITY VOLUNTEERS.** Human Resource Director’s Kathy Campbell report dated January 12, 2010.
- F. **Award of 400/600 Zone Booster Pump Station Design Project to Stantec Consultants**– It is recommended that the City Council: 1) allocate \$290,630 from Account No. 620.5.9008.290 for the design consulting work; 2) authorize the City Manager to enter into a professional services agreement with Stantec Consultants for \$264,211 in a form approved by the City Attorney for the design project and authorize the City Manager to approve contract amendments up to the budgeted amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated January 12, 2010.
- G. **Award Preparation of a Solid Waste Rate Study to R3 Consulting Group, Inc**– It is recommended that the City Council: 1) authorize a project budget of \$58,230 (which includes a 10% contingency) for the preparation of the solid waste rate study; 2) authorize the City Manager to execute a consulting contract with R3 Consulting Group, Inc., for \$52,935 in a form approved by the City Attorney; and 3) take such additional, related action that may be

desirable. Interim Public Works Director Jon Turner's report dated January 6, 2010.

- H. **Update of Subcommittee Discussions Regarding the Santa Paula/Fillmore/Ventura County Greenbelt-** Interim City Manager Clifford G. Finley's oral report.
- I. **Request for City to be a Co-Sponsor of the 2010 Citrus Classic Balloon Festival-** Interim City Manager Clifford G. Finley's report dated January 13, 2010.

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 placed on a future agenda 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