

City of Santa Paula

City Council Agenda

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



A REGULAR MEETING OF THE
SANTA PAULA CITY COUNCIL
MONDAY, FEBRUARY 1, 2010

5:30 P.M. – Closed Session

6:30 P.M. – Regular Matters

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

JUDY RICE, CITY CLERK
CLIFFORD G. FINLEY, INTERIM CITY MANAGER
KARL H. BERGER, CITY 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
CITY HALL ADMINISTRATION CONFERENCE ROOM
February 1, 2010
Monday-5:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
4. **ORDER OF BUSINESS**
 - A. **Appoint Assistant to the City Manager Elisabeth Amador, Acting Human Resources Manager Lorena Alvarez and Finance Director John Quinn to be Labor Negotiator for 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.
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 Finance Director John Quinn. 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.
6. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL AGENDA
REGULAR MEETING – February 1, 2010
MONDAY – 6:30 P.M. – COUNCIL CHAMBERS

1. **CALL TO ORDER**
2. **INVOCATION**
3. **FLAG SALUTE**
4. **ROLL CALL**
5. **CLOSED SESSION REPORT**
6. **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.

7. **CITY COUNCIL, STAFF COMMUNICATIONS**
8. **APPROVAL OF FINAL AGENDA**
9. **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	01/12/10	
	01/14/10	
Wire Transfer	01/13/10	
Subtotal		\$ 717,622.99

Invoices	01/22/10	
Wire Transfers	01/21/10	
Subtotal		\$ 30,604.98

Grand Total \$ 748,227.97

- D. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on January 26, 2010. 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.
- E. **Resolution Establishing a Ticket and Pass Distribution Policy in Accordance with Fair Political Practice Commission Regulations. If Adopted, the Policy Would Identify the Public Purposes that are Fulfilled When the City Distributes Tickets and Passes to Public Officials for Attendance at Various Functions**– It is recommended that the City Council: 1) adopt Resolution No. 6648 to establish a ticket and pass distribution policy in accordance with Fair Political Practice Commission regulations; and 2) take such additional related action as may be desired.
RESOLUTION NO. 6648– A RESOLUTION ESTABLISHING A

POLICY FOR THE DISTRIBUTION OF TICKETS AND PASSES RECEIVED BY THE CITY OF SANTA PAULA PURSUANT TO CALIFORNIA CODE OF REGULATIONS § 18944.1. Deputy City Clerk Peggy Higgins' report dated January 20, 2010.

- F. **Appointment of Member to the Citizens Transportation Advisory Committee**– It is recommended that the City Council appoint John Bravo to the Citizens Transportation Advisory Committee to fill a vacancy with an indefinite term. Deputy City Clerk Peggy Higgins' report dated January 25, 2010.

- G. **Consideration of New Park Hours for City Parks, Recreation Areas and Athletic Fields**– It is recommended that the City Council: 1) adopt Resolution No. 6601, revising the hours of operation for all public parks and recreation areas from dawn to 1 hour after sunset except for lighted athletic fields as identified in the resolution, and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6601**– A RESOLUTION ADOPTED IN ACCORDANCE WITH SANTA PAULA MUNICIPAL CODE § 95.04 ESTABLISHING CLOSING HOURS FOR CERTAIN PARKS. Community Services Director Brian Yanez's report dated January 25, 2010.

- H. **Updated Governing body Resolution for Homeland Security Grant**– It is recommended that the City Council adopt Resolution No. 6650 "A Resolution of the City Council of the City of Santa Paula designating authorized agent for the Department of Homeland Security Grant Subgranted through the State of California." Finance Director John Quinn's report dated January 27, 2010.

- I. **Request for Out-of-State Travel** – It is recommended that the City Council (1) approve the out-of-state travel for police personnel to attend training in Baltimore, MD on February 23-25, 2010; and (2) take such additional, related, action that may be desirable. Chief of Police Steve MacKinnon's report dated January 25, 2010.

- J. **City of Santa Paula-City of Fillmore-County of Ventura Greenbelt (09-CI-03)**– It is recommended that the City Council: 1) introduce and waive first reading of Ordinance No. 1226 which will amend Ordinance No. 1216, the Santa Paula/Fillmore/County Greenbelt to reconcile a mapping error, include additional acreage of a golf course (68 acres) and add a proposed ordinance to the affected agencies; 3) schedule a second reading and adoption of Ordinance No. 1226 for February 16, 2010; and 4) take such additional, related, action that may be desirable. **ORDINANCE NO. 1226**– AN ORDINANCE AMENDING ORDINANCE NO. 1216 AFFECTING THE SANTA

PAULA – FILLMORE GREENBELT. Planning Director, Janna Minsk's report dated January 22, 2010.

- K. **Adopt Resolution No. 6644 Notice of Intent to Abandon a Portion of Santa Cruz Street between Steckel Drive and Vernon Place**– It is recommended that the City Council: 1) adopt the proposed Resolution of Intention to abandon Santa Cruz Street, between Steckel Drive and Vernon Place; and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6644**– A RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO VACATE A PORTION OF SANTA CRUZ STREET WITHIN THE CITY OF SANTA PAULA. Interim Public Works Director Jon Turner's report dated January 6, 2010.

10. **ORDER OF BUSINESS**

- A. **Santa Paula School Districts' Reorganization Process**– It is recommended that the City Council: 1) receive the report; 2) take any additional action that may be desired including, without limitation, possible adoption of a resolution; and 3) take such additional, related, action that may be desirable. Assistant to the City Manager, Elisabeth Amador's report dated January 24, 2010.
- B. **Ordinance No. 1224 – Regulation of Animals Within the City's Jurisdiction**– It is recommended that the City Council Conduct: 1) waive first reading and introduce Ordinance No. 1224 amending Chapter 91 of the Santa Paula Municipal Code; 2) schedule second reading and adoption of the Ordinance for the February 16 Council meeting; and 3) take such additional, related action that may be desirable. **ORDINANCE NO. 1224**– AN ORDINANCE AMENDING CHAPTER 91 OF THE SANTA PAULA MUNICIPAL CODE IN ITS ENTIRETY REGARDING THE REGULATION OF ANIMALS WITHIN THE CITY'S JURISDICTION. Chief of Police Stephen MacKinnon's report dated January 26, 2010.

11. **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, Staff, Employees
- B. City Attorney
- C. City Council

12. **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.

13. **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