

City of Santa Paula

City Council/Redevelopment Agency 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
TUESDAY, FEBRUARY 16, 2010

6:30 P.M. – Regular Matters

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

JUDY RICE, CITY CLERK/ AGENCY SECRETARY
JAIME M. FONTES, 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
AGENDA
REGULAR MEETING – FEBRUARY 16, 2010
TUESDAY – 6:30 P.M. – COUNCIL CHAMBERS

1. **CALL TO ORDER**

2. **INVOCATION**

3. **FLAG SALUTE**
 - A. **Color Guard, Mercer- Prieto VFW Post 2043**

4. **ROLL CALL**

5. **CLOSED SESSION REPORT**

6. **PRESENTATIONS**
 - A. **State of the City Address by Mayor Tovias**
 - B. **Oath of Office for City Manager Jaime Fontes**
 - C. **Proclamation for Leaving Interim City Manager Clifford G. Finley by Mayor Tovias**

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 February 16, 2010.

Invoices	01/28/10	
Wire Transfer	01/27/10	
Voided Checks	01/28/10	
Subtotal		\$ 2,045,562.55

Invoices	02/05/10	
Wire Transfers	02/03/10	
Subtotal		\$ 27,188.85

Grand Total \$ 2,072,751.40

- D. **Second Reading and Adoption of Ordinance No. 1224**– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1224 amending Chapter 91 of the Santa Paula Municipal Code; and 2) 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. Deputy City Clerk Peggy Higgins’ report dated February 8, 2010.
- E. **Second Reading and Adoption of Ordinance No. 1226**– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1226 amending Ordinance No. 1216 affecting the Santa Paula-Fillmore Greenbelt. **ORDINANCE NO. 1226** – AN ORDINANCE AMENDING ORDINANCE NO. 1216 AFFECTING THE SANTA PAULA-FILLMORE GREENBELT. Deputy City Clerk Peggy Higgins’ report dated February 8, 2010.
- F. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of January 19, 2010. Deputy City Clerk Peggy Higgins’ report dated February 8, 2010.
- G. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of February 1, 2010. Deputy City Clerk Peggy Higgins’ report dated February 8, 2010.
- H. **Minutes**– Adopt the Minutes from the Special City Council Meeting of February 4, 2010. Deputy City Clerk Peggy Higgins’ report dated February 8, 2010.

11. **ORDER OF BUSINESS**

- A. **Update on Santa Paula Creek Cleanup**– It is recommended that the City Council: 1) receive and file the presentation by staff; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated February 4, 2010.
- B. **Preserve America Grant Application**– It is recommended that the City Council: 1) adopt Resolution No. 6654 relating to the Preserve America Grant Program; and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6654**– A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE FUNDS FROM THE PRESERVE AMERICA GRANT FUNDS.

Assistant to the City Manager Elisabeth Amador's report dated February 8, 2010.

- C. **Proposition 84 – Statewide Park Development and Community Revitalization Grant Application**– It is recommended that the City Council: 1) adopt Resolution No. 6653 for the Statewide Park Development and Community Revitalization Program; and 2) take such additional, related, action that may be desirable. **RESOLUTION NO. 6653**– A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE FUNDS FROM THE STATEWIDE PARK PROGRAM GRANT PROGRAM. Assistant to the City Manager Elisabeth Amador's report dated February 8, 2010.

- D. **Annual Audited Financial Reports for the City of Santa Paula & Redevelopment Agency for Fiscal Year Ended June 30, 2009**– It is recommended that the City Council: 1) receive and file the Annual Audited Financial Statements for Fiscal Year Ended June 30, 2009; 2) return to staff requesting further information or to provide additional direction. Finance Director John Quinn's report dated February 8, 2010.

- E. **FY 2009-10 January 2010 Monthly Update**– It is recommended that the City Council: 1) receive and file this Summary Report of Budget Revenues & Expenditures; and 2) request additional information and/or provide direction to staff as appropriate. Finance Director John Quinn's report dated February 10, 2010

- F. **Adopt Resolution No. 6635 Approving the Plans and Specifications for the Santa Paula Branch Line Bike Trail Project**– It is recommended that the City Council: 1) adopt Resolution No. 6635 approving the plans and specifications for the Santa Paula Branch Line Bike Trail Project; 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. **RESOLUTION NO. 6635**– A RESOLUTION APPROVING THE DESIGN AND PLANS AND SPECIFICATIONS FOR THE SANTA PAULA BRANCH LINE BIKE TRAIL PROJECT PURSUANT TO GOVERNMENT CODE SECTION 830.6. Interim Public Works Director Jon Turner's report dated February 4, 2010.

- G. **Adoption of the Five Year Capital Improvement Program**– It is recommended that the Council: 1) receive and file the update on the five year Capital Improvement Program; and 2) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner's report dated February 8, 2010.

- H. **Approval of Task Order No. 19B with Benner & Carpenter for Continued Topographic Surveying Work related to the Crosstown Pipeline Design**– It is recommended that the City Council: 1) approve an additional budget allocation of \$18,215 for survey work to complete the cross town pipeline design; 2) authorize the City Manager to execute Task Order No. 19B for up to \$15,840 with Benner & Carpenter to provide the topographic survey data for the Crosstown Pipeline Design; 3) authorize the City Manager to approve any additional work to complete the design work up to the budgeted amount; and 4) authorize the City Manager to take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated February 4, 2010.
- I. **Authorize the Purchase of One Wastewater Vector Truck for the Wastewater Division**– It is recommended that the City Council: 1) authorize a cooperative purchase with the City of Askdale, California in accordance with SPMC §41.13; 2) approve the purchase of one new vector truck built by International Trucks to be purchased outright for the newly created Wastewater Division; 3) authorize the City Manager to issue a purchase order to Municipal Maintenance Equipment in a form approved by the City Attorney for \$301,900.31; and 4) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated February 4, 2010

12. **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

13. **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 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