

# 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  
MONDAY, JUNE 7, 2010

**6:15 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/ 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  
CITY HALL ADMINISTRATION CONFERENCE ROOM  
June 7, 2010  
Monday-6:15 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 Labor Negotiator**– Government Code § 54957.6. City Negotiators: City Manager Jaime M. Fontes, Acting Human Resources Manager Lorena Alvarez, Assistant to the City Manager Elisabeth Amador and Finance Director John Quinn. Employee Organizations: Santa Paula Police Officers Association (SPPOA).
6. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL AGENDA  
REGULAR MEETING – June 7, 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. **PRESENTATIONS**
  - A. Southern California Edison Annual Update – Nancy Williams
  
  - B. America in Bloom Update – John Chamberlain
  
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 June 7, 2010.

Voided Checks	05/13/10	
Invoices	05/13/10	
Wire Transfers	05/12/10	
Subtotal		\$ 46,200.66
Voided Checks	05/20/10	
Invoices	05/19 /10	
Wire Transfers	05/19/10	
Subtotal		\$473,424.05
Voided Checks	05/24/10	
Invoices	05/27/10	
Wire Transfers	05/26/10	
Subtotal		\$ 45,524.67
<b>GRAND TOTAL</b>		<b>\$565,149.38</b>

- D. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on May 25, 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. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of May 17, 2010. Deputy City Clerk Peggy Higgins’ report dated May 26, 2010.
- F. **Minutes**– Adopt the Minutes from the Special City Council Meeting of May 19, 2010. Deputy City Clerk Peggy Higgins’ report dated May 26, 2010.
- G. **November 2, 2010 General Municipal Election**– It is recommended that the City Council: 1) adopt Resolution No. 6678 calling a General Municipal Election on November 2, 2010, and requesting consolidation with other elections held on the same date; 2) adopt Resolution No. 6679 requesting the Ventura County Board of Supervisors provide election services to the City for the November 2, 2010 election; 3) adopt Resolution No. 6680 establishing requirements for Candidate Statements filed with the City Clerk to be included with voter information for an election on November 2, 2010; and 4) take such additional, related, action that may be desirable. Deputy City Clerk Peggy Higgins’ report dated June 1, 2010.
- H. **Update on Water Recycling Facility–PERC Change Order**– It is recommended that the City Council: 1) receive and file; 2) direct staff as appropriate; and 3) take such additional, related, action that may be desirable. City Manager Jaime Fontes’ report dated June 1, 2010.
- I. **Investment Report for the Quarter Ending December 31, 2009**– It is recommended that the City Council receives and files the Investment Report for the quarter ending December 31, 2009. City Treasurer Sandra K. Easley’s report dated May 18, 2010.
- J. **Authorization to Pursue Grant Funding Opportunity**– It is recommended that the City Council: 1) adopt Resolution No. 6677 to authorize the Police Department to submit a grant application for a grant opportunity. **RESOLUTION NO. 6677-** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FOR POLICE PROGRAMS AND PERSONNEL. Chief of Police Stephen MacKinnon’s report dated May 24, 2010.

11. **PUBLIC HEARINGS**

A. **Review of Project No. 2008-ANX-01: A Request for Reorganization (Including Annexation) of Fifteen Parcels Totaling Approximately 40 Acres from Unincorporated Ventura County to the City of Santa Paula and Land Use Designation of the Project Area from Existing County Agricultural and Existing Community – Urban Reserve to City Open Space – Passive and Golf Course, and Pre-Zoning the Project Area from its Existing County Agricultural Exclusive (AE-40), Two-Family Residential (R2-7,000sf) and Rural Exclusive (RE-1ac) to City Open Space-Passive (O) Zoning District–**

- 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) open the public hearing and take evidence; 2) consider the evidence received during the public hearing; 3) adopt Resolution No. 6682 approving a General Plan Amendment to designate the project area Open Space-Passive and Golf Course (Exhibit A); 4) introduce and waive first reading of Ordinance No. 1228 for pre-zoning the project area Open Space – Passive (Exhibit B); 5) schedule second reading and adoption of Ordinance No. 1228 for June 21, 2010; 6) adopt Resolution No. 6683 authorizing the City Manager or designee to file a reorganization application with LAFCO (Exhibit C); and 7) take such additional, related, action that may be desirable. **RESOLUTION NO. 6682** – A RESOLUTION AMENDING THE SANTA PAULA GENERAL PLAN FOR REAL PROPERTY REFERENCED AS THE SANTA PAULA CREEK/WATERSHED PROTECTION DISTRICT “ISLAND” PROPERTIES LOCATED WITHIN THE SANTA PAULA CREEK AND EAST OF THE CURRENT CITY LIMIT. **ORDINANCE NO. 1228** – AN ORDINANCE PREZONING APPROXIMATELY 40 ACRES LOCATED IN THE SANTA PAULA CREEK RIVERBED, EAST OF THE CURRENT CITY LIMIT AND NORTH OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY (APNS 040-0-171-225, 040-0-171-285, 107-0-170-110, 107-0-170-180, 107-0-170-195, 107-0-170-215, 107-0-170-245, 107-0-200-035, 107-0-200-055, 107-0-200-105 AND 107-0-200-125). Planning Director Janna Minsk’s report dated June 7, 2010.

B. **Approval of Notice of Consistency with the Final Environmental Impact Report for the Santa Paula Branch Line Recreational Trail master Plan (2009-CI-09)**–

- 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; 2) open the public hearing; 2) take testimonial and documentary evidence; 3) adopt Resolution No. 6681, certifying a Notice of Consistency with the Final Environmental Impact Report prepared for the bike trail project; and 4) take such additional related action that maybe desirable. **RESOLUTION NO. 6681-** A RESOLUTION CERTIFYING A FINDING OF CONSISTENCY IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE SANTA PAULA BRANCH LINE RECREATIONAL TRAIL. Planning Director Janna Minsk's report dated May 26, 2010.

12. **ORDER OF BUSINESS**

- A. **Solid Waste Privatization Feasibility Study**– It is recommended that the City Council: 1) review and consider the findings and recommendations in the Feasibility Study prepared by FCS Group; 2) receive, review and consider staff's recommendations as set forth in the staff report; 3) if desirable, direct the City Manager and designated staff to prepare a Request for Proposal (RFP) with input from the City Attorney; 4) request additional information and/or provide direction to staff as appropriate; and 5) take such additional, related, action that may be desirable. Finance Director John T. Quinn's report dated June 2, 2010.
- B. **Conceptual Approval of Proposed Police Memorial Site and Design**– It is recommended that the City Council: 1) Approve the conceptual design of a Police memorial; 2) Approve the proposed location of the Police Memorial; and 3) Take other action as appropriate. Chief of Police Stephen MacKinnon's report dated May 26, 2010.
- C. **Aggressive Solicitation Ordinance**– It is recommended that the City Council: 1) waive the first reading and introduce Ordinance No. 1229 regulating aggressive solicitation; 2) schedule a second

reading and adoption for June 21, 2010; and (3) take such additional, related action that may be desirable. **ORDINANCE NO. 1229**- AN ORDINANCE ADDING A NEW CHAPTER 133 TO THE SANTA PAULA MUNICIPAL CODE ENTITLED "AGGRESSIVE SOLICITATION." Police Chief Stephen MacKinnon's report dated June 1, 2010.

- D. **Authorization to Apply for Transportation Enhancement Activities (TEA) Funds for Improvements on Tenth Street**– It is recommended that the City Council: 1) approve the proposed project concept; 2) authorize staff to apply to the Ventura County Transportation Commission for Transportation Enhancement Activities funds for the project; and 3) take such additional, related action that may be desirable. Interim Public Works Director Norman Wilkinson's report dated May 25, 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 has discretion as to when the item will come back on the Agenda, unless the City Council/Redevelopment Agency 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