

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 21, 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/ 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 21, 2010
Monday-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 Legal Counsel, Existing Litigation** – Government Code § 54956.9 (a). *Shanin Azarmehr v. City of Santa Paula*, Ventura County Superior Court Case No. 56-2010-00375537-CU-WM-VTA.
 - B. **Conference with Legal Counsel, Existing Litigation** – Government Code § 54956.9(a). *City of Santa Paula v. Verizon California, Inc.*, California Public Utilities Commission Case No. C1004016 filed February 23, 2010.
 - C. **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), Ventura County Professional Firefighters Association (VCPFA), representing Santa Paula Full-time Firefighters.
6. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL AGENDA
REGULAR MEETING – June 21, 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. Presentation of Badges to Reserve Fire Fighters Raul Ayala, Erik Franco, David Lombardi, Robert Hain, Kyle Jensen, Joshua Liko and Nick Bacigalupo – Fire Chief Rick Araiza

 - B. Presentation of Santa Paula Citrus Festival Poster – Bill Grant

 - C. Update on Economic Development Collaborative-Ventura County (EDC-VC) City/Chamber Sponsored Workshops– Chamber President Nan Drake and Chamber Director of Marketing Services Barbara Kroon

 - D. Dilly Dally Car Rally– Coordinator Barbara Kroon

 - E. Update of Weed Abatement– Fire Chief Rick Araiza

 - F. Citizens Patrol Scope of Duties– Chief of Police Stephen MacKinnon

 - G. PERC Update

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 21, 2010.

Invoices	06/01/10	
	06/03/10	
Wire Transfers	06/02/10	
	06/03/10	
Subtotal		\$ 569,685.22
GRAND TOTAL		\$ 569,685.22

- D. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of June 7, 2010. Deputy City Clerk Peggy Higgins’ report dated June 15, 2010.

- E. **Second Reading and Adoption of Ordinance No. 1229**– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1229; 2) 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.” Deputy City Clerk Peggy Higgins’ report dated June 15, 2010.

- F. **Authorize Participation in the 2010-2012 Local Government Utility Partnership Program with Southern California Edison, Southern California Gas Company and Ventura County Regional Energy Alliance**– It is recommended that the City Council: 1) adopt Resolution No. 6688 authorizing the participation in the 2010-2012 Local Government Utility Partnership Program with Southern California Edison, Southern California Gas Company and Ventura County Regional Energy Alliance; 2) designate City manager or designee as “Energy Champion” contact to facilitate the City’s participation in the Program; and 3) take such additional, related, action that may be desirable. **RESOLUTION NO. 6688-** A RESOLUTION OF THE SANTA PAULA CITY COUNCIL APPROVING AND AUTHORIZING SUPPORT FOR PARTICIPATION IN A LOCAL GOVERNMENT ENERGY EFFICIENCY PARTNERSHIP PROGRAM BETWEEN VENTURA COUNTY REGIONAL ENERGY ALLIANCE (VCREA), SOUTHERN CALIFORNIA EDISON (SCE) AND SOUTHERN CALIFORNIA GAS COMPANY (SCG). Assistant to the City Manager Elisabeth Amador’s report dated June 10, 2010.

- G. **Resolution No. 6690, Harding Park Operation Funds**– It is recommended that the City Council: 1) adopt Resolution No. 6690

which confirms and clarifies current expenditures from the Harding Park Trust Fund; 2) provide such additional direction to staff that may be desirable; and 3) take such additional, related, action that may be desirable. Community Services Director Brian J. Yanez's report dated June 21, 2010. **RESOLUTION NO. 6690**– A RESOLUTION APPROVING EXPENDITURE OF FUNDS FOR OPERATIONS AT HARDING PARK.

- H. **Request for Out-of-State Travel**– It is recommended that the City Council: 1) approve the out-of-state travel for the Police Command Staff to attend the CALEA Training Conference in Las Vegas, NV on July 2-30, 2010; and 2) take such additional, related, action that may be desirable. Police Chief Stephen MacKinnon's report dated June 15, 2010.
- I. **Proposition 1B Pavement Maintenance Project; Project Closeout and Filing of Notice of Completion**– It is recommended that the City Council: 1) authorize the City Manager to execute the Change Orders No. 1 and No. 2 for \$56,257.30 and \$18,980.62 respectively, for the Proposition 1B Street Pavement Maintenance Project; 2) receive and file the project Notice of Completion; 3) approve final project accounting and allocate additional bond funding for change order payments; and 4) take such additional, related action that may be desirable. Interim Public Works Director Norm Wilkinson's report dated June 14, 2010
- J. **Amend Santa Paula Branch Line Bike Trail Right of Way Acquisition Contract with Hamner, Jewell and Associates** – It is recommended that the City Council: 1) amend the existing contract for \$67,950 from Account 229.5.9036.290 to include an additional \$16,000 (Task Order 2008-07B); 2) authorize the City Manager to execute a task order amendment, in a form approved by the City Attorney, for \$16,000 to Hamner, Jewell and Associates for the additional work and approve amendments up to the budget amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.
- K. **Rejection of Bids, Arterial Paving Project 08/09 Peck Road**– It is recommended that the City Council: 1) reject all bids for the Arterial Paving Project 08/09; 2) authorize staff to re-advertise; and 3) take such additional, related action that may be desirable. Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.
- L. **Adopt Resolution No. 6691 Authorizing the County of Ventura Road Maintenance Division to perform Street Paving**

Improvement Tasks– It is recommended that the City Council: 1) adopt Resolution No. 6691 validating the contract between the City and Ventura County for maintenance work, waiving bid requirements, approving specifications, and authorizing the City Manager to execute a work order in a form approved by the City Attorney; 2) allocate \$70,000 from the Traffic Congestion Relief Fund (317) to be used to maintain streets not included in the Capital Improvement Budget; and 2) take such additional, related, action that may be desirable. Finance Director, John T. Quinn’s report dated June 16, 2010.

11. **PUBLIC HEARINGS**

A. **Tax Equity Fiscal Reform Act (TEFRA) Public Hearing for Paseo Santa Barbara Project**–

- 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 Santa Paula City Council: 1) open the public hearing; 2) consider any testimony or written evidence; 3) adopt Resolution No. 6689; and 4) take such additional, related, action that may be desirable. **RESOLUTION NO. 6689-** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY. Assistant to the City Manager Elisabeth Amador’s report dated June 11, 2010.

B. **Approve Development Impact Fees**– It is recommended that the City Council: 1) receive and review the report; 2) adopt Resolution No. 6687 setting development impact fee amounts as shown in Exhibits “A” and “B”; and 3) take such additional, related, action that may be desirable. Assistant to the City Manager Elisabeth Amador’s report dated June 16, 2010.

- 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) receive and review the report; 2) adopt Resolution No. 6687 adopting development fee amounts as shown in Exhibits “A” and “B”; and 3) take such additional, related, action that may be desirable. **RESOLUTION NO. 6687-** A RESOLUTION ADOPTING DEVELOPMENT IMPACT FEES IN ACCORDANCE WITH SANTA PAULA MUNICIPAL CODE § 160.60. Assistant to the City Manager Elisabeth Amador’s report dated June 16, 2010.

C. **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 (**continued from June 7, 2010**)
- 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 August 16, 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 RIGHTOF- WAY (APNS 040-0-171-110, 040-0-171-125, 040-0-171-135, 040-0-171-145, 040-0-171-255, 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). **RESOLUTION NO. 6683**– A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO FILE AN APPLICATION WITH THE VENTURA COUNTY LOCAL AREA FORMATION COMMISSION TO INITIATE REORGANIZATION (ANNEXATION AND COUNTY DISTRICT/SERVICE AREA DETACHMENT) PROCEEDINGS FOR REAL PROPERTY LOCATED WITHIN THE SANTA PAULA CREEK AND EAST OF THE CURRENT CITY LIMIT. Planning Director Janna Minsk’s report dated June 21, 2010.

12. **ORDER OF BUSINESS**

- A. **Fiscal Year 2010-11 Proposed Budget**– It is recommended that the City Council consider and approve the proposed City and RDA FY 2010-11 Annual Operating and Capital Improvement Budgets by adopting City Resolution No. 6685 and the Redevelopment Agency Resolution No. 2010-02(R). **RESOLUTION NO. 6685**- A RESOLUTION ADOPTING THE 2010-11 FINAL OPERATING BUDGET FOR THE CITY OF SANTA PAULA AND ADOPTING THE 2010-11 CAPITAL IMPROVEMENT BUDGET. **RESOLUTION NO. 2010-02(R)**- A RESOLUTION ADOPTING THE 2010-11 OPERATING BUDGET FOR THE SANTA PAULA REDEVELOPMENT AGENCY. Finance Director John Quinn’s report dated June 16, 2010.
- B. **Changes to the Ventura Intercity Service Transit Authority (VISTA) Dial a Ride Bus Service**– 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 June 16, 2010.
- C. **Co-Sponsorship of Santa Paula Airport 80th Anniversary Airshow**– It is recommended that the City Council approve co-sponsorship of the Santa Paula Airport 80th Anniversary Airshow and authorize the City Manager to execute a co-sponsorship agreement with the Santa Paula Airport Association in a form approved by the City Attorney. City Manager Jaime M. Fontes’ report dated June 15, 2010.

- D. **Award of the Santa Paula Branch Line Bike Trail Project to G2K Construction, Inc.** – It is recommended that the City Council: 1) allocate \$4,163,565 from fiscal year 2009/2010 approved capital project budget for the Santa Paula Branch Line Bike Trail Project; 2) authorize the City Manager to execute a contract with G2K Construction, Inc. for \$3,613,565.00 in a form approved by the City Attorney and approve contract change orders as needed for additional work up to the budgeted amount; 3) authorize the City Manager to execute contract task orders for related engineering and construction administration services as needed up to the budgeted amount in a form approved by the City Attorney; and 4) take such additional, related action that may be desirable. Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.
- E. **Resolution Approving Plans and Specifications for the Las Piedras Park Renovation Project**– It is recommended that the City Council 1) adopt Resolution No. 6686 approving the plans and specifications for the Las Piedras Park Renovation Project; 2) authorize staff to advertise for bids; and 3) take such additional, related action as may be desirable. **RESOLUTION NO. 6686- A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE LAS PIERAS PARK RENOVATION PROJECT.** Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.
- F. **Designation of Voting Delegate for 2010 League of California Cities Annual Conference**– It is recommended that the City Council: 1) designate a voting delegate and alternate delegate for the 2010 League of California Cities Annual Conference. Deputy City Clerk Peggy Higgins' report dated June 14, 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