

# City of Santa Paula

## *City Council/Redevelopment Agency*

### *Agenda*

MAYOR/CHAIR FRED W. ROBINSON  
VICE MAYOR/VICE CHAIR ROBERT S. GONZALES  
COUNCILMEMBER/DIRECTOR RICHARD C. COOK  
COUNCILMEMBER/DIRECTOR RALPH J. FERNANDEZ  
COUNCILMEMBER/DIRECTOR JAMES A. TOVIAS



A REGULAR MEETING OF THE  
SANTA PAULA CITY COUNCIL

MONDAY, AUGUST 15, 2011

6:00 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 6:30 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  
AUGUST 15, 2011  
MONDAY-6:00 P.M.

1. **CALL TO ORDER**
  
2. **ROLL CALL**
  
3. **PUBLIC COMMENT**
  
4. **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 - Anticipated Litigation**  
Significant Exposure to Litigation - *Government Code § 54956.9*  
(one case): California Rural Legal Assistance letter dated January 18, 2011.
  
5. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING – AUGUST 15, 2011  
MONDAY – 6:30 P.M. – COUNCIL CHAMBERS

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

- A. **Update of Branch Line Bike Trail Project** – Interim Public Works Director Brian Yanez.
- B. **Update of Solid Waste Services from Crown Disposal** – Interim Public Works Director Brian Yanez.

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. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on June 28, 2011. 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.
- D. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of June 20, 2011. Deputy City Clerk Peggy Higgins’ report dated July 26, 2011.
- E. **Warrants and Certificates**– Review, approve, and file the attached warrants and certifications. Interim Finance Director Sandra K. Easley report dated August 15, 2011.

VOIDED CHECKS	6/16/11	
INVOICES	6/14/11 – 6/16/11	
WIRE TRANSFERS	6/15/11	
SUBTOTAL		\$ 895,481.94

INVOICES	6/21/11 -6/23/11 -6/24/11	
WIRE TRANSFERS	6/22/11 – 6/24/11	
SUBTOTAL		\$ 651,474.89
VOIDED CHECKS	6/30/11	
INVOICES	6/29/11 – 6/30/11	
WIRE TRANSFERS	6/29/11 - 6/30/11	
SUBTOTAL		\$ 2,904,132.67
INVOICES	7/7/11	
WIRE TRANSFERS	7/6/11 – 7/7/11	
SUBTOTAL		\$ 1,007,143.83
VOIDED CHECKS	7/12/11	
INVOICES	7/12/11 – 7/14/11	
WIRE TRANSFERS	7/13/11 - 7/14/11	
SUB-TOTAL		\$ 3,344,829.23
VOIDED CHECKS	7/22/11	
INVOICES	7/21/11 – 7/22/11	
WIRE TRANSFERS	7/20/11	
SUB-TOTAL		\$ 123,134.94
VOIDED CHECKS	7/28/11	
INVOICES	7/28/11	
SUBTOTAL		\$ 215,501.33
<b>GRAND TOTAL</b>		<b><u>\$ 9,141,698.83</u></b>

- F. **Second Reading and Adoption of Ordinance No. 1238**- It is recommended that the City Council: 1) waive the second reading and adopt Ordinance no. 1238; and 2) take such additional, related, action that may be desirable. ORDINANCE NO. 1238 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AMENDING ORDINANCE NO. 1186 TO ELIMINATE FEES AND CHARGES FOR SOLID WASTE SERVICE. Deputy City Clerk Peggy Higgins' report dated July 26, 2011.
- G. **Request to Approve Repayment of Preservation Program Grant for Property Located at 225 Moultrie Place** – It is recommended that the Board of Directors: 1) receive the report; 2) approve a \$4,000 repayment amount; and 3) authorize the City Manager to execute a repayment agreement in a form approved by the City Attorney. Assistant to the City Manager Elisabeth V. Amador's report dated August 2, 2011.
- H. **Annual Report on Supplemental Law Enforcement Services Fund Citizens Option for Public Safety Grant** – It is recommended that the City Council: 1) receive this report and file the attached annual activity report for the Supplemental Law Enforcement Services Fund (SLESF), also known as the Citizens Option for Public

Safety (COPS) Grant, for the fiscal year ending June 30, 2011. Interim Finance Director Sandra K. Easley's report dated August 4, 2011.

- I. **Investment Reports for the Quarters Ending March 31 and June 30, 2011** – It is recommended that the City Council receive and file the Investment Reports for quarter endings March 31, 2011 thru June 30, 2011. Interim Finance Director Sandra K. Easley's report dated August 4, 2011.
- K. **Research into a Council Policy on Uniform Changes** – It is recommended that the City Council: 1) receive and file this report; and 2) take such additional, related, action that may be desirable. Chief of Police Stephen MacKinnon's report dated August 1, 2011.
- L. **Grand Jury Response – Santa Paula Police Firing Range**– It is recommended that the City Council: 1) receive and file this report; 2) approve the response letter to the Grand Jury; and 3) take such additional, related, action that may be desirable. Chief of Police Stephen Mackinnon's report dated August 2, 2011.
- M. **Award of Contract for 4.0 MG Tank and Pipeline Project to Pacific Hydrotech Corporation**– It is recommended that the City Council: 1) allocate \$7,262,000 from the FY 11/12 approval capital project budget and bond proceeds for 4.0 Prestressed Buried Tank & Pipeline Project from Account No. 620.5.9210.660; and 2) authorize the City Manager to execute a contract with Pacific Hydrotech Corporation for \$6,639,377.00 in a form approved by the City Attorney and approve contract change orders as needed for additional work up to the budgeted amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez' report dated August 4, 2011.
- N. **Arterial Paving Project 08/09; Final Accounting and Notice of Completion**– It is recommended that the City Council: 1) adopt the final project accounting and accept the Notice of Completion for the Arterial Paving Project 08/09; and 2) take such additional, related action that may be desirable. Interim Public Works Director Brian Yanez' report dated August 2, 2011
- O. **Santa Paula Branch Line Project Change Orders Nos. 1-9 and Change Order No. 11**– It is recommended that City Council: 1) receive and file Change Orders Nos. 1-9 in the amount of \$188,958 with Granite Construction Company; 2) authorize City Manager to execute Change Order No. 11 for an amount not to exceed \$60,000 with Granite Construction Company, and (3) take such additional,

related action that may be desirable. Interim Public works Director Brian Yanez' report dated July 28, 2011.

- P. **Approval of a Three-Year On-Call Services Agreement with Sespe Consulting, Inc.** – It is recommended that the City Council: 1) authorize the City Manager to execute the attached Three-Year On-Call Services Agreement for environmental engineering consulting with Sespe Consulting, Inc., in a form approved by the City Attorney; and 2) take such additional, related action that may be desirable. Interim Public works Director Brian Yanez' report dated August 2, 2011.
- Q. **Approval of a Three-Year On-Call Services Agreement with Sierra Traffic Service, Inc.**– It is recommended that the City Council: 1) authorize the City Manager to execute the attached Three-Year On-Call Services Agreement for traffic services with Sierra Traffic Service, Inc., in a form approved by the City Attorney; and 2) take such additional, related action that may be desirable. Interim Public Works director Brian J. Yanez' report dated August 3, 2011.
- R. **Approval of Traffic Safety Committee Recommendations Resolution No. 6756**– It is recommended that the City Council: 1) adopt Resolution No. 6756 approving the recommendations of the Traffic Safety Committee and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6756 – A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS, DATED DECEMBER 14, 2010 AND JUNE 13, 2011.** Interim Public Works Director Brian Yanez' report dated July 26, 2011.

## 11. **PUBLIC HEARING**

### A. **Amendments to Master Schedule of Fees for Municipal Services**

- 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 this report; 2) approve Resolution No. 6757, adopting a new master

schedule of fees and charges for municipal services; and 3) take such additional, related, action that may be desirable. RESOLUTION NO. 6757 – A RESOLUTION ADOPTING NEW FEE SCHEDULES FOR CITY DEPARTMENTS TO RECOVER COSTS INCURRED FROM PROVIDING VARIOUS PUBLIC SERVICES. Interim Finance Director Sandra K. Easley's report dated August 4, 2011.

**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 2011/2012 grant; and 2) approve the allocation of the FY 2010/2011 COPS funds in the amount of \$100,000.00 and all interest earnings towards the continued operation of the Las Piedras Community Policing Building, continued maintenance of the Firearms Training Program, for part-time Records Unit and Evidence Management personnel, and for upgrades/renovations to the police facility. Chief of Police Stephen MacKinnon's report dated August 1, 2011.

**C. Review of Project No. 2010-ZC-01: A Request for a Zone Change from Highway Commercial (C-H) Zoning District to General Commercial (C-G) Zoning District for a 4.93 Acre Parcel Developed with an Existing Commercial Shopping Center**

- 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 and take evidence; 2) consider the evidence received during the public hearing; 3) introduce and waive first reading of

Ordinance No. 1239 for a Zone Change to Commercial General; and 4) take such additional, related action as may be appropriate. ORDINANCE NO. 1239 – AN ORDINANCE APPROVING A ZONE CHANGE FOR APPROXIMATELY 4.93 ACRES LOCATED AT 957 FAULKNER ROAD (APN 098-0-020-375). Planning Director Janna Minsk’s and Deputy Planning Director Stratis Perros’ report dated August 3, 2011.

D. **Review of Project No. 2011-CI-02: A request by Crown Disposal to Continue Solid Waste Disposal Operations at the City Owned Palm Avenue Municipal Yard.**

- 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 and take evidence; 2) consider the evidence received during the public hearing; 3) adopt Resolution No. 6758 to approve the project; and 4) take such additional, related action as may be appropriate. RESOLUTION NO. 6758 – A RESOLUTION APPROVING SOLID WASTE DISPOSAL OPERATIONS AT 600 S. PALM AVENUE, APN 104-0-195-015, -025, -035, -045; 107-0-140-485; 104-0-065-205, 0215, -235, -245. Planning Director Janna Minsk’s and Deputy Planning Director Stratis Perros’ report August 4, 2011.

12. **ORDER OF BUSINESS**

A. **Request of City Affordable Housing Trust Funds for the Ventura County Housing Trust**– It is recommended that the City Council: 1) receive the report; 2) approve a \$50,000 City grant to Ventura County Housing Trust Fund; and 3) authorize the City Manager to execute the necessary grant documents in a form approved by the City Attorney. Assistant to the City Manager Elisabeth V. Amador’s report dated August 2, 2011.

B. **Request for Affordable Housing Trust Funds for the Orchards at Santa Paula-220 W. Main Street**– It is recommended that the City Council: 1) receive the report; 2) approve a \$458,000 City grant to Santa Paula Housing Authority; and 3) authorize the City Manager to execute those documents in a form approved by the City Attorney to execute the grant. Assistant to the City Manager Elisabeth V. Amador’s report dated August 1, 2011.

- C. **Designation of Voting Delegate for 2011 League of California Cities Annual Conference-** It is recommended that the City Council: 1) designate a voting delegate and alternate delegate for the 2011 League of California Cities Annual Conference. Deputy City Clerk Peggy Higgins' report dated August 8, 2011.
- D. **Costs for Legal Services Provided by the City Attorney-** It is recommended that the City Council: 1) receive and file this report; and 2) take such additional, related, action that may be desirable. City Manager Jaime Fontes' report dated August 4, 2011.

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/Santa Paula Healthcare Authority. 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