

# City of Santa Paula

*City Council*

MAYOR JAMES A. TOVIAS

VICE MAYOR FRED W. ROBINSON

COUNCILMEMBER GABINO AGUIRRE, Ph.D.

COUNCILMEMBER RALPH J. FERNANDEZ

COUNCILMEMBER ROBERT S. GONZALES



## A SPECIAL MEETING OF THE SANTA PAULA CITY COUNCIL

Tuesday, December 15, 2009

4:00 P.M.

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  
AGENDA  
SPECIAL MEETING – TUESDAY, DECEMBER 15, 2009  
4:00 P.M. – ADMINISTRATIVE CONFERENCE ROOM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**

**Pursuant to Government Code § 54954.3(a), the only public comment that will be permitted during this Special Meeting is that pertaining to the issue of City Manager appointment.** Speakers may provide public comment in accordance with Government Code § 54953. Speakers must complete Public Comments Cards to be recognized during the public comment period. Public Comment Cards will be accepted until the beginning of the public comment period. No cards will be accepted after the public comment period after the meeting begins. A Public Comment Form must be submitted to the City Clerk before 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. At all times, please write your name and address on the Public Comment Form provided.

4. **OPEN SESSION**
  - A.. **Appointment of City Manager; Approval of Employment Contract.** Consideration and possible action to appoint Mr. Jaime Fontes as City Manager beginning February 15, 2010 and approving Mr. Fontes's employment contract.  
Recommended action: (1) Appointment Jaime Fontes as City Manager beginning February 15, 2010; (2) Authorize the Mayor to execute an employment contract with Mr. Fontes in a form approved by the City Attorney; and (3) take such additional, related, action that may be desirable.
5. **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: \_\_\_\_\_

Peggy Higgins  
Deputy City Clerk/Administrative Secretary