

City of Santa Paula

City Council Agenda

MAYOR RALPH J. FERNANDEZ

VICE MAYOR JAMES A. TOVIAS

COUNCILMEMBER GABINO AGUIRRE, Ph.D.

COUNCILMEMBER ROBERT S. GONZALES

COUNCILMEMBER FRED W. ROBINSON



A REGULAR MEETING OF THE
SANTA PAULA CITY COUNCIL
MONDAY, OCTOBER 19, 2009

6:30 PM – Regular Matters

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
REGULAR MEETING –OCTOBER 19, 2009
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 Proclamation to Ventura County Together

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. **Minutes** – Adopt the Minutes from the Special City Council Meeting of October 1, 2009.
- D. **Minutes** – Adopt the Minutes from the Regular City Council Meeting of October, 5, 2009.
- E. **Personnel Rule Amendments and Revision of Santa Paula Municipal Code 33.12** – It is recommended that the City Council (1) introduce and waive the first reading of Ordinance No. 1221 amending Santa Paula Municipal Code 33.12 relating to the abolition of positions by the City Council; (2) schedule the second reading and adoption for November 2, 2009; (3) adopt Resolution No. 6622 amending the Personnel Rules to provide guidance and policies relating to layoffs, harrassment, and employee appearance; and (4) take such additional, related, action that may be desirable. **ORDINANCE NO. 1221** – AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE 33.12 RELATING TO THE ABOLITION OF PERSONNEL POSITIONS BY THE CITY COUNCIL. **RESOLUTION NO. 6622** – A RESOLUTION AMENDING THE CITY OF SANTA PAULA PERSONNEL RULES AND REGULATIONS. Human Resources Manager Kathy Campbell's report dated September 24, 2009.
- F. **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 \$49,500 from account 229.5.9036.290 to include an additional \$18,500 (Task Order 2008-07A); (2) authorize the City Manager to execute a task order amendment for \$18,500 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 Jon Turner's report dated October 7, 2009.

- G. **Approve Resolution No. 6626 Revising Resolution No. 6598 for the Recycled Water Distribution System Facilities Planning Grant** – It is recommended that the City Council (1) adopt Resolution No. 6626 authorizing the application and acceptance of the grant from the Water Recycling Facilities Planning Grant Program; and (2) take such additional, related action that may be desirable. **RESOLUTION NO. 6626** – A RESOLUTION AMENDING RESOLUTION NO. 6598 TO AUTHORIZE THE CITY MANAGER OR DESIGNEE TO OBTAIN FUNDING FOR RECYCLED WATER INFRASTRUCTURE FROM THE WATER RECYCLING FUND. Interim Public Works Director Jon Turner's report dated October 12, 2009.
- H. **Amending the Lease Agreement for the 113 North Mill Street Building** – It is recommended that the City Council (1) authorize the Interim City Manager and the City Attorney to execute any and all documents necessary to amend the 113 North Mill Street Building; and (2) take such additional action or provide direction as the Council may desire. Finance Director John Quinn's report dated October 13, 2009.
- I. **Project No. 2009-TM-01, Sheppard Road Parcel Map 5846, Two Lot Residential Subdivision with Dedication** – It is recommended that the City Council (1) adopt Resolution No. 6625 to approve the parcel map; and (2) take such additional, related action that may be appropriate. **RESOLUTION NO. 6625** – A RESOLUTION APPROVING A PARCEL MAP FOR RESIDENTIAL SUBDIVISION OF 0.64 ACRE PARCEL LOCATED AT 129 SHEPPARD ROAD, APN 097-0-052-125 (PROJECT NO. 2009-TM-01). Planning Director Janna Minsk and Deputy Planning Director Stratis Perros's report dated October 5, 2009.
- J. **Project No. 2009-PM-01, Calavo Industrial Subdivision Parcel Map 5841, Three Industrial Lots with Dedication** – It is recommended that the City Council (1) adopt Resolution No. 6624 to approve the parcel map; and (2) take such additional, related, action that may be appropriate. **RESOLUTION NO. 6624** – A RESOLUTION APPROVING A PARCEL MAP FOR THE CALAVO STREET INDUSTRIAL SUBDIVISION ON 5.192 ACRES LOCATED AT THE NORTHEAST CORNER OF TELEGRAPH ROAD AND CALAVO STREET, APN 097-0-040-155. Planning Director Janna Minsk and Deputy Planning Director Stratis Perros's report dated October 7, 2009.
- K. **Craig Drive Water Distribution Pipeline Installation Project Closeout and Notice of Completion** – It is recommended that the City Council (1) receive and file the project Notice of Completion (NOC) and final project accounting; and (2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated October 7, 2009.

11. **PUBLIC HEARING**

A. **2009-CI-01 Addition of Chapter 16.34 Historical Property Agreements to the Title 16 of the Santa Paula Municipal Code**

- 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; (2) receive documentary and testimonial evidence; (3) consider the evidence; (4) introduce and waive first reading of Ordinance No. 1219 to add chapter 16.34 Historical Property Agreement to Title 16 of the Santa Paula Municipal Code; (5) schedule a second reading and adoption of Ordinance No. 1219 for November 2, 2009; and (6) take such additional, related, action that may be desirable. **ORDINANCE NO. 1219** – AN ORDINANCE ADDING CHAPTER 16.34 TO TITLE 16 OF THE SANTA PAULA MUNICIPAL CODE PROVIDING TAX INCENTIVES FOR THE PRESERVATION AND MAINTENANCE OF HISTORIC PROPERTIES IN ACCORDANCE WITH THE MILLS ACT (GOVERNMENT CODE 50280, ET SEQ.). Planning Director Janna Minsk's report dated October 6, 2009.

12. **ORDER OF BUSINESS**

A. **September 2009 First Quarter Budget Update** – It is recommended that the City Council (1) review the budget status and additional information and file the report; and (2) refer the report back to staff for additional review and/or modifications. Finance Director John Quinn's report dated October 13, 2009.

B. **Strategic Plan Update** – It is recommended that the City Council accept the Strategic Plan Update and provide input as needed. Chief of Police Stephen MacKinnon's report dated October 13, 2009.

C. **Update on Comstock Homes Project** – It is recommended that the City Council receive and file the report. Fire Chief Richard Araiza's report dated October 12, 2009.

- D. **Approve Amending the Southwest Water Annual Operations and Maintenance Contract** – It is recommended that the City Council (1) allocate \$ 46,728 from the wastewater fund balance to account 610.5.5063.228 for wastewater pipeline video services; (2) authorize the City Manager to amend the existing annual contract, in a form approved by the City Attorney, with Southwest Water Company to include the remaining 25% of pipeline internal video work; and (3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated October 7, 2009.

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, Staff, Employees
- B. City Attorney
- C. City Council

14. **REQUEST FOR FUTURE AGENDA ITEMS**

Any Councilmember may propose items for placement on a future agenda. Members may discuss whether or not the item should be agendaized and the description of the agenda item. Any direction to the City Manager to place an item on a future Council Agenda, do research, or a staff report must be accompanied with a majority vote of the City Council. The City Manager 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