

# City of Santa Paula

## *City Council/Redevelopment Agency 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/ REDEVELOPMENT AGENCY  
MONDAY, NOVEMBER 2, 2009

**5:30 PM – Closed Session**

**6:30 PM – Regular Matters**

SANTA PAULA CITY HALL  
970 VENTURA STREET  
SANTA PAULA, CA 93060

JUDY RICE, CITY CLERK/ AGENCY SECRETARY  
CLIFFORD G. FINLEY, INTERIM 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/REDEVELOPMENT AGENCY

CITY HALL ADMINISTRATION CONFERENCE ROOM

November 2, 2009

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. **Appointment of Public Employee** – *Government Code § 54957.*  
Position: City Manager.
  - B. **Conference with Real Property Negotiator**– *Government Code § 54956.8.* Property Address: 217 N. 10<sup>th</sup> Street, Santa Paula and 221 N. Ojai St. Santa Paula. Negotiating Parties: Santa Paula Promenade, Inc. and Wind Astern, LLC, respectively. City Negotiators: Interim City Manager Clifford G. Finley and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.
6. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING –NOVEMBER 2, 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 by Abrisa Glass CEO Jim Veler**

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/REDEVELOPMENT AGENCY, 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. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on October 27, 2009. 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. **Warrants and Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn’s report dated September 1, 2009.

Invoices	10/16/09	
Wire Transfer	10/15/09	
Subtotal		\$ 25,680.01
Voided Checks	10/22/09	
Invoices	10/22/09	
Wire Transfers	10/21/09	
Subtotal		<u>\$ 375,496.60</u>
<b>TOTAL</b>		<b>\$ 401,176.61</b>

- E. **Minutes**– Adopt the Minutes from the Special City Council Meeting of October 9, 2009.
- F. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of October 19, 2009.
- G. **Minutes**– Adopt the Minutes from the Special City Council Meeting of October 23, 2009.

- H. **Amendment to Stipend Payment for Reserve Firefighters**– It is recommended that the City Council: 1) receive and file this report; and 2) take any additional, related, action that may be desirable. Fire Chief Rick Araiza's report dated October 27, 2009.
- I. **Reintroduction of Chapter 16.34 Historical Property Agreements to Title 16 of the Santa Paula Municipal Code**– It is recommended that the City Council: 1) reintroduce and waive first reading of Ordinance No. 1219 to add Chapter 16.34 Historical Property Agreements to Title 16 of the Santa Paula Municipal Code; 2) schedule a second reading and adoption of Ordinance No. 1219 for November 16, 2009; and 3) take such additional, related, action that may be desirable. Planning Director Janna Minsk's report dated October 20, 2009.
- J. **Approval of Traffic Safety Committee Recommendations Resolution No. 6627**– It is recommended that the City Council: 1) adopt Resolution No. 6627 approving the recommendations of the Traffic Safety Committee; and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6627 – A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS DATED SEPTEMBER 29, 2009.** Interim Public Works Director Jon Turner's report dated October 21, 2009.
- K. **Third Amendment to Implementation Agreement Ventura Countywide Stormwater Quality Program**– It is recommended that the City Council: 1) approve the third amendment to the 1992 implementation agreement with Ventura County Watershed Protection District for Ventura Countywide Stormwater Quality Program for one year (July 1, 2009 to June 30, 2010); 2) authorize the City Manager or his designee to participate with the Public Works directors NPDES Committee to negotiate a new implementation agreement; 3) authorize the City Manager or his designee to work with the county and other co-permittee representatives to review the principal permittee program to determine if operational efficiencies can be achieved and incorporated into the new implementation agreement; and 4) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated October 21, 2009.
- L. **Authorization to Solicit Proposals to Prepare a Solid Waste Rate Study**– It is recommended that the City Council: 1) authorize the City Manager to solicit proposals from qualified consulting firms to prepare a solid waste rate study in a form approved by the City Attorney; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated October 21, 2009.

11. **PUBLIC HEARING**

A. **COPS Grant, Next Fiscal Year**

- 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; and 4) approve the allocation of the FY 2009/2010 COPS funds in the amount of \$61,127.00 and all interest earnings towards the continued operation of the Las Piedras Community Policing building, continued maintenance of the Firearms Training program, and for part-time records Unit and Community Services Officer personnel. Chief of Police Stephen MacKinnon's report dated October 22, 2009.

12. **ORDER OF BUSINESS**

A. **Report on Senate Bill 375**– It is recommended that the City Council: 1) receive the report; and 2) direct staff as appropriate. Interim City Manager Clifford G. Finley's report dated October 22, 2009.

B. **Report on Unification Study of Santa Paula's Elementary and High School District-Santa Paula Chamber of Commerce**– It is recommended that the City Council: 1) receive the report; and 2) direct staff as appropriate. Interim City Manager Clifford G. Finley's report dated October 22, 2009.

C. **Update on Solid Waste Local Implementation Plan and Programs**– It is recommended that the City Council: 1) receive and file the update on the solid waste local implementation plan (LIP) and programs; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated October 22, 2009.

D. **Flood Plain (FEMA) Update**– It is recommended that the City Council: 1) receive and file the presentation by staff; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated October 21, 2009.

E. **Report on Santa Paula Community Healthcare Authority**– It is recommended that the City Council and Board of Directors: 1) receive the Report; 2) approve the transfer of funds, subject to concurrent from the

Creditor Committee's Trust Liaison; and 3) direct staff as appropriate. Assistant to the Interim City Manager Cliff Finley's report dated October 22, 2009.

- F. **Report on Changes to City Phone System and Temporary Closure of Public Counters Between Christmas and New Years**— it is recommended that the City Council: 1) receive the report; and 2) direct staff as appropriate. Interim City Manager Clifford G. Finley's report dated October 28, 2009.
- G. **Request for Out of State Travel—Arizona**— It is recommended that the City Council authorize: 1) authorize two City Council members to travel to Arizona during the week of November 9-13, 2009 relating to City Manager recruitment; 2) authorize all reasonable and appropriate travel expenses pursuant to the City Council's Travel Policy (Resolution No. 6258); and 3) take such additional, related, action that may be desirable. Interim City Manager Clifford G. Finley's report dated October 28, 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/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 agendaized 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 shall have 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