

City of Santa Paula

City Council Agenda

MAYOR RALPH J. FERNANDEZ

VICE MAYOR JIM TOVIAS

COUNCILMEMBER GABINO AGUIRRE, Ph.D.

COUNCILMEMBER ROBERT S. GONZALES

COUNCILMEMBER FRED W. ROBINSON



A SPECIAL MEETING OF THE SANTA PAULA CITY COUNCIL

MONDAY, JANUARY 26, 2009

5:30 P.M. – Closed Session

6:30 P.M. – Regular Matters

SANTA PAULA CITY HALL

970 VENTURA STREET

SANTA PAULA, CA 93060

WALLY BOBKIEWICZ, CITY MANAGER

JUDY RICE, CITY CLERK

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.

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
Monday, January 26, 2009
5:30 P.M.**

1. **CALL TO ORDER AND ROLL CALL**
2. **PUBLIC COMMENT**
3. **CLOSED SESSION.** *The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54950, et seq.) for the following purposes:*
 - A. **Conference with Labor Negotiator** - *Government Code § 54957.6. City Negotiators: City Manager Wally Bobkiewicz and Human Resources Manager Kathy Campbell. Employee Organizations: SEIU Local 721; Santa Paula Police Officers Association (SPPOA); Ventura County Professional Firefighters Association (VCPFA), representing Santa Paula Full-time Firefighters; Community Services Officers (CSO); Management, Supervisory and Professional Association; unrepresented management/confidential employees (City employees who are not members of bargaining units); and Part-Time/Temporary/Seasonal.*
 - B. **Conference with Legal Counsel, Existing Litigation** – *Government Code § 54956.9 (a). Cabrillo Economic Development Corporation v. City of Santa Paula, 2nd Appellate District Case No. B212840.*
 - C. **Conference with Legal Counsel, Existing Litigation** – *Government Code § 54956.9 (a). Cabrillo Economic Development Corporation v. City of Santa Paula, Ventura County Superior Court Case No. 56-2008-00327257-CU-CR-VTA.*
 - D. **Conference with Legal Counsel, Anticipated Litigation** – *Government Code § 54956.9(b) (significant exposure to litigation). Facts or circumstances: not yet known to potential plaintiff or plaintiffs. Number of cases: one.*
4. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL AGENDA
SPECIAL MEETING – MONDAY, JANUARY 26, 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 Santa Paula City Tile by City Manager Wally Bobkiewicz for Recognition of Service to Rochelle Margolin

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. Water Recycling Facility Update

9. **APPROVAL OF FINAL AGENDA**

10. **CONSENT CALENDAR**

Background information was 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 January 21, 2009.

Invoices	12/26/08	
Wire Transfers	12/24/08	
Subtotal		\$34,351.53
Invoices	12/31/08	
Wire Transfers	12/31/08	
Subtotal		\$331,157.86
Invoices	1/09/09	
Wire Transfers	1/05/09	
Subtotal		\$27,754.36
Invoices	1/13/09,1/15/09	
Wire Transfers	1/14/09	
Subtotal		\$425,751.14
	TOTAL	\$819,005.89

- D. **Minutes** – Adopt the Minutes from the Regular City Council Meeting of November 3, 2008.
- E. **Minutes** – Adopt the Minutes from the Regular City Council Meeting of November 17, 2008.
- F. **Notification of Subgrant Award**– It is recommended that the City Council adopt a Resolution accepting the State Homeland Security Grant of \$26,724. **RESOLUTION NO. 6544** – A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FOR CERT AND ACTIVE BOMBER TRAINING. Fire Chief Rick Araiza; Police Chief Stephen Mackinnon’s report dated January 12, 2009.
- G. **Adoption of Resolution No. 6546 Approving Public Works Revised Standard Construction Drawings**– It is recommended that City Council 1) adopt resolution No. 6546 approving the revised Public Works Standard Construction Drawings; 2) take such additional, related, action that may be desirable. **RESOLUTION NO. 6546**–A RESOLUTION APPROVING PUBLIC WORKS STANDARD CONSTRUCTION DRAWINGS PURSUANT TO GOVERNMENT CODE SECTION 830.6. Interim Public Works Director Jon Turner’s report dated January 15, 2009.
- H. **In-Pavement Lighted Crosswalks Projects 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; 2) take such additional, action, that may be desirable. Interim Public Works Director Jon Turner’s report dated January 5, 2009.
- I. **Destruction of Public Works Documents**– It is recommended that the City Council 1) adopt Resolution No. 6552 authorizing the destruction of certain records from the Public Works Department; 2) take such additional, related, action that may be desirable. **RESOLUTION NO. 6552**– A RESOLUTION AUTHORIZING THE DESTRUCTION OF PUBLIC RECORDS IN ACCORDANCE WITH THE CALIFORNIA GOVERNMENT CODE. Interim Public Works Director Jon Turner’s report dated January 21, 2009.
- J. **Authorize the Purchase of One Dump Truck for the Water Division and the Lease of One Budgeted Dump Truck for the Streets Division**– It is recommended that City Council 1) authorize a cooperative purchase with the City of Oxnard in accordance with SPMC §41.13; 2) approve the purchase of two new Construction Dump Trucks built by International

trucks from Gibbs, International Inc. one is to be purchased outright for the Water Division and the other is to be procured via a six-year lease with Old National Bank; 3) authorize the City Manager to issue a purchase order to Gibbs International, Inc., for \$87,674.73; 4) authorize the City Manager to enter into a 6 year lease agreement with Old National Bank for \$93,446.04 in a form approved by the City Attorney; and 5) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner's report dated January 22, 2009.

11. **ORDER OF BUSINESS**

- A. **FY 2008-09 Mid-Year Budget Update- as of December 31, 2008**– It is recommended that the City Council 1) adopt Resolution No. 6548 authorizing reductions in the adopted FY 2008-09 budget 2) direct the City Manager to continue monitoring the FY 2008-09 budget and return with a report on February 17, 2009; 3) adopt a budget schedule for the FY 2009-10 budget preparation process. **RESOLUTION NO. 6548**– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING MID-YEAR BUDGET ADJUSTMENT TO THE ADOPTED THE BUDGET FOR FISCAL YEAR 2008-09. Finance Director John Quinn's report dated January 21, 2009.
- B. **Report on the Status of the City's FY 2008-09 Capital Improvement Budget**– It is recommended that City Council 1) receive and file the attached report on the status of the FY 2008-09 Capital Improvement Budget; 2) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner's report dated January 21, 2009.
- C. **Two Years Additional PERS Service Credit** – It is recommended that City Council 1) review the costs associated with offering Two Years Additional Service Credit ("Golden Handshake") pursuant to Government Code Section 20903; 2) satisfy the requirements of Government Code Section 7507 by disclosing an estimate of the present value of the associated additional employer contributions at a public meeting; 3) instruct staff to draft a Resolution authorizing the City to offer two years additional service credit to designated miscellaneous classifications to be considered at the City Council's next regular meeting; and 4) take such additional, related, action that may be desirable. Human Resources Manager Kathy Campbell's report dated January 17, 2009.
- D. **Employment Benefits for Executive Management Employees** – It is recommended that City Council adopt Resolution No. 6550 authorizing authorizing employment benefits for Unrepresented Executive Management employees for the 2009 contract year. **RESOLUTION NO. 6550**– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTING EMPLOYMENT BENEFITS FOR

UNREPRESENTED EMPLOYEES: EXECUTIVE MANAGEMENT.
Human Resources Manager Kathy Campbell's report dated January 20, 2009.

- E. **Employment Benefits for Mid-Management Employees**– It is recommended that the City Council adopt Resolution No. 6551 authorizing employment benefits for Unrepresented, Mid-Management employees for the 2009 contract year. **RESOLUTION NO. 6551**– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTING EMPLOYMENT BENEFITS FOR UNREPRESENTED EMPLOYEES: MID –MANAGEMENT. Human Resources Manager Kathy Campbell's report dated January 20, 2009.
- F. **Plaza Amistad-Cabrillo Economic Development Corporation** – It is recommended that the City Council receive this report and provide direction to staff. City Manager Wally Bobkiewicz's report dated January 21, 2009.
- G. **Presentation on Traffic Issues Near Boys and Girls Club** – It is recommended that 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 January 12, 2009.
- H. **UCSB Forecast Project** – It is recommended that City Council receive this report and provide direction to staff. Economic Development Specialist Rochelle Margolin's report dated January 17, 2009.
- I. **Response to Business Development Questions**– It is recommended that City Council receive report. Economic Development Specialist Rochelle Margolin's report dated January 8, 2009.
- J. **Lease with Limoneira Company for Use of East Area One Soccer Field**– It is recommended that the City Council authorize the City Manager to execute a lease with the Limoneira Company, in a form approved by the City Attorney, for use of the East Area One Soccer Field. City Manager Wally Bobkiewicz's report dated January 21, 2009.

12. 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
- B. City Attorney
- C. City Council

13. 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 agendized 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.

14. 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: _____

Tiffany R. Leon
Acting Deputy City Clerk/Administrative Secretary