

City of Santa Paula

City Council/Redevelopment Agency Agenda

MAYOR RALPH J. FERNANDEZ

VICE MAYOR JIM TOVIAS

COUNCILMEMBER GABINO AGUIRRE, Ph.D.

COUNCILMEMBER ROBERT S. GONZALES

COUNCILMEMBER FRED ROBINSON



A REGULAR MEETING OF THE SANTA PAULA CITY COUNCIL/ REDEVELOPMENT AGENCY

MONDAY, APRIL 20, 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/ EXECUTIVE DIRECTOR

JUDY RICE, CITY CLERK/ AGENCY SECRETARY

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 AGENDA
CITY HALL ADMINISTRATION CONFERENCE ROOM
APRIL 20, 2009
Monday-5:30 P.M.

1. **CALL TO ORDER AND ROLL CALL**
2. **PUBLIC COMMENT**
3. **ORDER OF BUSINESS**
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, Existing Litigation**– Government Code § 54956.9 (a). *Cabrillo Economic Development Corporation v. City of Santa Paula*, 2nd Appellate District Case No. B212840.
 - B. **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.
 - C. **Conference with Legal Counsel, Anticipated Litigation**– Government Code § 54956.9 (b) (significant exposure to litigation). Facts or circumstances: Project No. 2008-CDP-03 (Cabrillo Economic Development Corporation) public hearing before Santa Paula Planning Commission on February 24, 2009 and March 10, 2009; public comment before City Council on March 19, 2009. Number of cases: one.
 - D. **Conference with Real Property Negotiator**– Government Code § 54956.8. Property Address: 217 N. 10th Street, Santa Paula and 221 N. Ojai St. Santa Paula. Negotiating Parties: Santa Paula Promenade, Inc. and Wind Astern, LLC, respectively. City Negotiators: City Manager Wally Bobkiewicz and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.
 - E. **Conference with Labor Negotiation**– 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

5. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA

REGULAR MEETING – MONDAY APRIL 20, 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 County of Ventura Healthcare Agency Director Mike Powers regarding update on Ventura County Health Care Agency.
 - B. Presentation of Proclamation to the Public Works Department in Recognition of “Public Works Drinking Water Week”. Interim Public Works Director Jon Turner.
 - C. Presentation of “Vial of Life Program” by Santa Paula Citizen Corps.
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**

Water Recycling Facility Update

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 April 14, 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 April 13, 2009.

Voided Checks	04/02/09	
Invoices	03/31/09	
Wire Transfer	04/01/09	
Subtotal		\$ 67,564.50

Voided Checks	04/08/09	
Invoices	04/09/09	
Wire Transfers	04/08/09	

Subtotal \$ 818,004.54

TOTAL \$ 885,569.04

- E. **Update on Pierce Brothers Santa Paula Cemetery**–It is recommended that the City Council 1) receive the report on Pierce Brothers Santa Paula Cemetery; and 2) provide additional direction to staff. Assistant to the City Manager Elisabeth V. Amador’s report dated April 9, 2009.
- F. **Updated Governing Body Resolution for Homeland Security Grant**– It is recommended that the City Council adopt Resolution 6572 “A Resolution of the City Council of the City of Santa Paula designation authorized agent for the Department of Homeland Security Grant Subgranted through the State of California”. Finance Director John Quinn’s report dated April 2, 2009
- G. **Investment Report for the Quarter Ending December 31, 2008**– It is recommended that the City Council receive and file the Investment Report for the Quarter Ending December 31, 2008. City Treasurer Sandra K. Easley’s report dated April 8, 2009.
- H. **Ordinance No. 1202 Amending Santa Paula Municipal Code Chapter 151 Implementing the National Flood Insurance Program**– It is recommended that the City Council 1) introduce Ordinance No. 1202 and waive the first reading; 2) schedule second reading and adoption of the ordinance for the May 4, 2009 Council meeting; 3) take such additional, related, action that may be desirable. Deputy City Clerk Peggy Higgins’ report dated April 13, 2009.
- I. **Ordinance No. 1204 Crimson Pipeline (Oil Pipeline Franchise Agreement)**– It is recommended that the City Council 1) introduce Ordinance No. 1204 and waive the first reading; 2) schedule second reading and adoption of the ordinance for the May 4, 2009 Council meeting; 3) take such additional, related, action that may be desirable. Deputy City Clerk Peggy Higgins’ report dated April 13, 2009.
- J. **Ordinance No. 1207 and 1208**– Waive second reading and adopt Ordinance Nos. 1207 and 1208 extending a non-exclusive solid waste franchise to Ojai Rubbish Service, Inc, and Santa Clara Disposal respectively. Deputy City Clerk Peggy Higgins’ report dated April 13, 2009.
- K. **Boys & Girls Club of Santa Clara Valley Facility/Recreation Park Restrooms Remodel Project No. 573 SPJ Approval of Plans & Specifications**–It is recommended that the City Council 1) adopt Resolution No. 6580 approving the construction plans and specifications

for the Boys & Girls Club of Santa Clara Valley Facility/Recreation Park Remodel Project, Project No. 573 SPJ; and 2) authorize the Director of Community Service to advertise for bids. Assistant to the City Manager, Elisabeth V. Amador's and Community Service Director, Brian Yanez's report dated April 9, 2009.

- L. **Adoption of Resolution No. 6570 Approving the Application Submittal for State Revolving Fund Financing for the Recycled Water Distribution System Project**– It is recommended that the City Council adopt 1) Resolution No. 6570 authorizing the City Manager, or designee to submit State Water Resources Control Board Revolving Fund application to assist in financing and/or grant funding for the Recycled Water Distribution System Project; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated April 13, 2009.
- M. **Adoption Resolution No. 6579 Approving the Plans and Specifications for the Proposition 1B Funding Street Pavement Maintenance Project** – It is recommended that the City Council 1) adopt Resolution No. 6579 approving the plans and specifications for the Proposition 1B Street Rehabilitation Project; 2) authorize staff to advertise for bids; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated April 13, 2009.
- N. **Public Pay Phone Removal/Permitting Update**– It is recommended that the City Council 1) receive and file the report and; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated March 16, 2009.
- O. **Adoption of Traffic Signalization/Modification Study of 10th Street/Hwy 126 and Palm Avenue Report**– It is recommended that the City Council 1) adopt the Traffic Signalization/Modification of 10th Street/SR126 and Palm Avenue/SR126 Report prepared by KOA Corporation; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated March 23, 2009.
- P. **Release of Lien for Deferred Construction On Calavo**– It is recommended that the City Council 1) authorize the City Manager or his designee to release the lien with the County Recorder on the property at 151 Calavo Street (APN 097-0-040-145 and 097-0-040-155) due to completion of deferred street improvements; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated April 7, 2009.

11.

ORDER OF BUSINESS

- A. **Heritage Valley Tourism Bureau**– It is recommended that the City Council and Board 1) adopt Resolution No. 6569 and RDA No. 2009-02 (F) repealing RDA Resolution No. 2008-02 which authorized \$25,000 in annual funding to the Heritage Valley Tourism Bureau (HVTB) and withdrawing all Agency and City support of the Bureau; 2) direct the City Manager to work with the Executive Director of the HVTB to determine if the City of Santa Paula is entitled to any portion of assets of HVTB as part of withdrawal from Bureau; and 3) direct the City Manager to work with representatives of the Santa Paula Chamber of Commerce and Downtown Santa Paula Merchants Association of alternatives for tourism marketing for Santa Paula. City Manager Wally Bobkiewicz’s report dated March 30, 2009.
- B. **Commission Based Grant Writer**– It is recommended that the City Council 1) receive the report; and 2) direct staff as appropriate. Assistant to the City Manager Elisabeth V. Amador’s report dated February 5, 2009.
- C. **Graffiti Regulations**– It is recommended that the City Council 1) receive and file the report; and 2) take such additional, related, action as may be desirable. City Attorney Karl H. Berger’s report dated March 10, 2009.
- D. **Senior Center Update**– It is recommended that the City Council receive and file this Senior Center Update report. Community Director Brian Yanez’s report dated April 6, 2009.
- E. **California Oil Museum Update**– It is recommended that the City Council receive and file this California Oil Museum update report. Community Director Brian Yanez’s report dated April 10, 2009.
- F. **3rd Quarter FY 2008-09 Budget Update – as of March 31, 2009**– It is recommended that the City Council 1) adopt Resolution No. 6578 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 May 4, 2009. Finance Director John Quinn’s report dated April 15, 2009.
- G. **City Council Summer 2009 Schedule**–It is recommended that the City Council determine its meeting schedule for July and August, 2009 and take action to cancel/reschedule any meetings as appropriate. Acting City Manager, Kathy Campbell’s report dated April 14, 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/Executive Director, Staff, Employees
- B. City/Agency Attorney
- C. City Council/Redevelopment Agency

8. **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 agendized 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.

9. **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