

# 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 6, 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 6, 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. 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: City Manager Wally Bobkiewicz and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.
  - E. **Conference with Labor Negotiaton**– 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 6, 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. Proclamation for Public Health Week

B. Presentation by Chief of Police Stephen MacKinnon regarding recent mountain lion sightings.

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. **Warrants and Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn’s report dated February 2, 2009.

Voided Checks	03/12/09	
Invoices	03/12/09	
Wire Transfer	03/11/09	
Subtotal		\$ 410,869.87

Voided Checks	03/18/09	
Invoices	03/20/09	
Wire Transfers	03/18/09	
Subtotal		\$ 111,766.31

Voided Checks	03/26/09	
Invoices	03/26/09	
Wire Transfers	03/25/09	
Subtotal		\$ 563,522.08

<b>TOTAL</b>	<b>\$ 1,086,158.26</b>
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- D. **Fire Memorandum of Understanding (MOU) for 2009**—It is recommended that the City Council adopt Resolution No. 6568 approving the Memorandum of Understanding (MOU) for the 2009 contract year between the City of Santa Paula and the Ventura County Professional Fire Association, a duly recognized employee organization representing the City of Santa Paula’s Fulltime Firefighters’ Unit. Human Resources Manager Kathy Campbell’s report dated April 1, 2009.
- E. **Agreement with Duncan Solutions for the Management of Parking Citations**—It is recommended that the City Council authorize the City Manager to enter into an amended contract with Duncan Solutions, in a form approved by the City Attorney, to manage parking citations. Chief of Police Chief Stephen MacKinnon’s report dated March 31, 2009.
- F. **Award of Union 76 Gas Station Demolition Project to 3-Bar Corporation**— It is recommended that the City Council 1) allocate \$18,450 from the Redevelopment Agency fund to account no. 550.5.9257.660 for the Union 76 Gas Station Demolition Project; 2) authorize the City Manager to execute a contract with 3-Bar Corporation for \$16,760 in a form approved by the City Attorney and approve change orders up to the budgeted amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s March 25, 2009.
- G. **Adopt Resolution No. 6563 Approving Plans and Specifications for the 5<sup>th</sup> Street/Harvard Blvd. Lighted Crosswalk Improvement Project**— It is recommended that the City Council 1) adopt Resolution No. 6563 approving the plans and specifications for the 5<sup>th</sup> Street/Harvard Blvd. Lighted Crosswalk Improvements 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 March 20, 2009.
- H. **Adopt Resolution No. 6567 Approving the Plans and Specifications for the Felkins Road Wastewater Main Installation Project**— It is recommended that the City Council 1) adopt Resolution No. 6567 approving the plans and specifications for the Felkins Road Wastewater Main Installation 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 March 26, 2009.
- I. **Approval of Traffic Safety Commissions Recommendations Resolution No. 6564**— It is recommended that the City Council 1) adopt Resolution No. 6564 approving the recommendations of the Traffic Safety Committee; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated March 25, 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. **Sponsorship of Citrus Classic Balloon Festival**–It is recommended that the City Council 1) co-sponsor the Citrus Classic Balloon Festival and allocate \$10,000.00 in sponsorship fees (\$5,000 from each agency); and 2) authorize the City Manager to execute a sponsorship agreement in a form approved by the City Attorney. City Manager Wally Bobkiewicz’s report dated March 30, 2009.
- C. **City of Santa Paula-City of Fillmore-County of Ventura Greenbelt (09-CI-03)**– It is recommended that the City Council 1) consider whether to amend the Santa Paula/Fillmore/County Greenbelt to include replacement acreage for removal of East Area; 2) consider whether to amend the current Greenbelt Agreement and make it an Ordinance; 3) if desirable, direct staff to prepare an ordinance amending the Santa Paula/Fillmore/County Greenbelt in accordance with City Council direction; and 4) take such additional, related, action that may be desirable. Planning Director Janna Minsk’s report dated March 5, 2009.
- D. **Information on Medium High Density Residential Zone (R-3) and High Density Residential Zone (R-4)**– It is recommended that the City Council 1) consider whether to amend the Santa Paula Municipal Code (“SPMC”) regulating development standards in the Medium High Density and High Density Residential Zones (R-3 and R-4); 2) if desirable, direct staff to prepare an ordinance amending the SPMC in accordance with City Council direction; 3) if an ordinance is drafted, direct staff to conduct environmental review and submit a draft ordinance to the Planning Commission for a recommendation to the City Council; and 4) take such additional, related, action that may be desirable. Planning Director Janna Minsk’s report dated March 11, 2009.
- E. **Adoption of Solid Waste Local Implementation Plan**– It is recommended that the City Council 1) adopt the solid waste implementation plan (LIP); and

- 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated March 30, 2009.
- F. **Adoption Urgency Ordinances 1205 & 1206 for Both Solid Waste Franchisees and Introduction of Ordinances 1207 & 1208 Extending Solid Waste Franchisee Contract Until June 2010**– It is recommended that the City Council 1) adopt Urgency Ordinance Nos. 1205 and 1206, upon a 4/5 vote, extending the term of existing solid waste franchises with Ojai Rubbish Service, Inc., and Santa Clara Disposal until June 1, 2010; 2) waive first reading and introduce Ordinances Nos. 1207 and 1208 to accomplish the same extension; 3) schedule second reading and adoption of Ordinance Nos. 1207 and 1208 for April 20, 2009; and 4) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated March 26, 2009.
- G. **Authorize Payment of Regional Water Quality Control Board (RWQCB) Fines**– It is recommended that the City Council 1) allocate \$48,000 from the Wastewater Fund balance to Account 610.5.5063.193 for wastewater system permit violations; 2) authorize the City Manager to sign ancillary documents relating to the fines reviewed and approved by the City Attorney and pay the fine amount; 3) authorize the City Manager and City Attorney to collect \$18,000 from Southwest Water Company for fines associated with plant operation; and 4) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated March 25, 2009.
- H. **Purchase of 70.8 Acre feet of Santa Paula Basin Water Rights**–It is recommended that the City Council 1) authorize the City Manager to execute the Water Rights Purchase and Sales Agreement in a form approved by the City Attorney with McConica Citrus Partnership for the purchase of 70.80 acre feet of groundwater production rights in the Santa Paula Basin for a price of \$553,500.00; and 2) take such additional, related action that may be desirable. Public Works Director Cliff Finley's report dated April 1, 2009.
- I. **Authorize to Proceed with Water and Sewer Rate Increase Process**– It is recommended that the City Council 1) Authorize the City Manager or his designate to initiate a public notification process for proposed water and sewer rate increases pursuant to Proposition 218 requirements; 2) Request additional information and/or provide direction to staff as appropriate. Finance Director John Quinn's report dated April 1, 2009.
- J. **Plaza Amistad-Cabrillo Economic Development Corporation**–It is recommended that the City Council 1) review communications received from Cabrillo Economic Development Corporation; 2) discuss appropriate next steps including the appointment of a two member negotiating committee; and 3) provide direction to staff as necessary. City Manager Wally Bobkiewicz's report dated March 31, 2009.

K. **Award Craig Drive Water Distribution Pipeline Installation Project to Williams Pipeline**– It is recommended that the City Council 1) allocate \$397,105 from the FY 08/09 approved budget capital project for waterline replacement for the Craig Avenue Water Distribution Pipeline Installation Project; 2) authorize the City Manager to execute a contract with Williams Pipeline Inc., for \$345,306.70 in a form approved by the City Attorney and approve change orders up to the budgeted amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated March, 30, 2009.

L. **Authorization to Pursue Grant Funding Opportunity**–It is recommended that the City Council adopt Resolution 6571 to authorize the Police Department to submit a grant application for a federal grant opportunity. Chief of Police Stephen MacKinnon’s report dated March 31, 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

13. **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.

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: \_\_\_\_\_  
Deputy City Clerk/Administrative Secretary Peggy Higgins

