

# 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 SPECIAL MEETING OF THE SANTA PAULA CITY COUNCIL

MONDAY, JUNE 29, 2009

**4:00 P.M. – Interviews with City Manager Executive Search Firm Candidates**

**6:00 P.M. – Closed Session**

**6:30 P.M. – Regular Matters**

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

JUDY RICE, CITY CLERK/ AGENCY SECRETARY  
WALLY BOBKIEWICZ, 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 AGENDA  
CITY HALL ADMINISTRATION CONFERENCE ROOM  
June 29, 2009  
Monday-4:00 P.M.

1. **CALL TO ORDER AND ROLL CALL**

2. **ORDER OF BUSINESS**

A. **City Manager Recruitment – Executive Search Firm Selection**– It is recommended that the City Council: 1) interview candidate executive search firms for the recruitment of the new City Manager; 2) direct the City Attorney to finalize an agreement for the selected firm; and 3) authorize the Mayor to execute the agreement.

3. **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. **Evaluation or 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: City Manager Wally Bobkiewicz and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.

C. **Conference with Labor Negotiaton**– Government Code § 54957.6. City Negotiators: City Manager Wally Bobkiewicz and Human Resources Manager Kathy Campbell. Employee Organizations: Santa Paula Police Officers Association (SPPOA); and Part-Time/Temporary/Seasonal

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

SANTA PAULA CITY COUNCIL / REDEVELOPMENT AGENCY AGENDA  
SPECIAL MEETING – MONDAY JUNE 29, 2009  
MONDAY – 6:30 P.M. - COUNCIL CHAMBERS

1. **CALL TO ORDER**
2. **INVOCATION**
3. **FLAG SALUTE**
4. **CLOSED SESSION REPORT**
5. **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.

6. **PRESENTATIONS**
  - A. **Presentation of City Tiles for Recognition of Service– Trini Bonilla, Becky Bolanos, John Dunn, Audrey Ellington, Elizabeth Garcia, Tony Villanueva,**
  - B. **Presentation of Ventura County Fair Poster by Ginger Gherardi from the Board of Directors of Ventura County Fairgrounds**
  - C. **Presentation by Carla Edwards regarding Citrus Classic Balloon Festival**
  - D. **Presentation by Mary Mata regarding the 42<sup>st</sup> Annual Citrus Festival**

E. **Presentation of Proclamation to Community Services Director Brian Yanez in Recognition of Parks & Recreation Month**

6. **CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS**

A. Water Recycling Facility Update

7. **APPROVAL OF FINAL AGENDA**

8. **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 June 23, 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 June 22, 2009.

Voided Checks	06/06/09
Invoices	06/12/09
Wire Transfer	06/10/09

Subtotal	\$ 45,130.94
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Voided Checks	06/18/09
Invoices	06/16/09
Wire Transfers	06/17/09

Subtotal \$ 421,315.54

**TOTAL** \$ 466,446.48

- E. **Membership in California Municipal Finance Authority (“CMFA”)** – It is recommended that the City Council: 1) adopt Resolution No. 6602; 2) authorize the Mayor to execute a joint powers agreement, in a form approved by the City Attorney, on the City’s behalf to join the California Municipal Finance Authority; and 3) take such additional, related, action that may be desirable. City Attorney, Karl H. Berger’s report dated June 11, 2009.
- F. **Authorization for Write-Off of Uncollectible Items**– It is recommended that the City Council authorize staff to write-off: 1) the uncollectible returned checks per the attached Exhibit A; and 2) the uncollectible utility billing accounts per the attached Exhibit B; or, 3) return to staff with further direction. Finance Director John T. Quinn’s report dated June 24, 2009.
- G. **Grand Jury Response: Detention Facilities**–It is recommended that the City Council authorize the Chief of Police to provide a response to a recommendation in the Ventura County 2008-2009 grand Jury Report. Police Chief MacKinnon’s report dated June 22, 2009.
- H. **Authorization to Pursue Grant Funding Opportunities**– It is recommended that the City Council adopt Resolution No. 6604 to authorize the Police Department to submit grant applications for two separate grant opportunities. Police Chief MacKinnon’s report dated June 22, 2009.
- I. **Request for Out-of-State Travel**–It is recommended that the City Council approve the out-of-state travel for police personnel to attend training in Tampa, Florida on July 12-16, 2009. Police Chief MacKinnon’s report dated June 22, 2009.
- J. **Adopt Sanitary Sewer Management Report**– It is recommended that the City Council: 1) adopt the City of Santa Paula Sanitary Sewer Management Program Report; and 2) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner’s report dated June 16, 2009.
- K. **Annual Contract for VISTA Bus Service 09/10**– It is recommended that the City Council: 1) approve the 2009-2010 Amendment to the Cooperative Agreement (FY 2001/2001) with the Ventura Intercity Service Transit Authority (VISTA) for the Highway 126 bus service and the Santa Paula and Fillmore Dial-A-Ride service; 2) authorize the Mayor to sign the

Amendment; and 3) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner's report dated June 17, 2009.

## 11. **PUBLIC HEARING**

### A. **Review of Project No. 2008-CDP-03: construction of a multi-family residential development on an existing vacant lot located at 210 W. Santa Barbara Street and construction of a 3,900 square foot child day care center on an existing vacant lot located at 141 Dean Drive.**

- Verification of posting by City Clerk
- Declaration of conflicts (if any)
- Declaration of ex parte contacts (if any)
- Open public hearing continued from June 15, 2009.
- Staff presentation
- Public testimony
- Discussion and action
- Close public hearing

**Suggested Action:** It is recommended that the City Council: 1) open the continued public hearing and take evidence; 2) consider the evidence received during the public hearing; 3) adopt Resolution No. 660 approving design review, lot line adjustment, 87 growth management allocations, conditional use permit, and variance; and 4) take such additional, related action as may be appropriate. Planning Director, Janna Minsk's report dated June 23, 2009.

### B. **Tax Equity Fiscal Reform Act (TEFRA) Public Hearing for Paseo Santa Barbara project.**

- 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) consider any testimony or written evidence; 3) adopt Resolution No. 6603; and 4) take such additional, related, action that may be desirable. City Attorney Karl H. Berger's report dated June 11, 2009.

## 12. **ORDER OF BUSINESS**

### A. **Settlement Agreement with Cabrillo Economic Development Corporation.** It is recommended that the City Council: 1) consider the Settlement Agreement with CEDC resolving matters regarding the Plaza

Amistad and Paseo Santa Barbara project; 2) authorize the Mayor to execute the Settlement Agreement on the City's behalf; 3) authorize the City Manager and City Attorney to implement the Settlement Agreement as necessary; and 4) take such additional, related, action that may be desirable. Oral report from City Attorney Karl H. Berger's.

- B. **Monthly Budget Report**– It is recommended that the City Council: 1) receive and file this Statement of Revenue & Expenditures; and 2) request additional information and/or provide direction to staff as appropriate. Finance Director John Quinn's report dated June 24, 2009.
- C. **Adoption of a Direction for Animal Control Services**– Adopt Resolution No. 6605 amending Resolution No. 6587 to include an Animal Services Coordinator position within the FY 09-10 Budget. Police Chief Steve MacKinnon's report dated June 24, 2009.
- D. **Public Works Wastewater Unit Implementation**– It is recommended that the City Council: 1) authorize the City Manager to negotiate with SouthWest Water Company (SWWC) and PERC Water Corporation regarding the existing treatment plant and collection system operation and maintenance contracts; 2) authorize the City Manager to activate the wastewater unit of the Utilities Division within the Public Works Department as outlined in the City's administrative code; and 3) take such additional, related action that may be appropriate. Interim Public Works Director Jon Turner's report dated June 24, 2009.
- E. **Amendment No. 2 – Professional Services Agreement with BioResources Consultants for Preparation and Implementation of the Southwestern Pond Turtle Relocation Plan**– It is recommended that the City Council: 1) authorize the City Manager to amend the existing Agreement with BioResources in a form approved by the City Attorney, in the amount of \$54,245 to develop and implement the Southwestern Pond Turtle Relocation Plan in accordance with their proposal dated June 11, 2009 and as required by the California Department of Fish & Game; 2) allocate an additional budget amount of \$60,000 from the WRF Project Account No. 610.5.9241.290 for Amendment No. 2; and 3) take such additional, related action that may be desirable. Public Works Director Cliff Finley's report dated 23, 2009.
- F. **Appointment of Interim City Manager**– It is recommended that the City Council: 1) adopt Resolution No. 6606 appointing Clifford G. Finley Interim City Manager and authorizing the Mayor to execute an employment agreement with Finley; 2) direct the City Attorney to prepare an agreement with Mr. Finley to serve as Interim City Manager for an annual salary of \$140,000. City Manager Wally Bobkiewicz's report dated June 24, 2009.

- G. **Appointment of Two Members to Planning Commission**– It is recommended that the City Council appoint two members to the Planning Commission to fill an unscheduled vacancy for a term ending June 2010 and a vacancy for a four-year term that will expire in June 2013. City Manager Wally Bobkiewicz’s report dated June 24, 2009.
- H. **Appointment of Member to Design Assistance Committee**– It is recommended that the City Council appoint a member to the Design Assistance Committee to fill an unscheduled vacancy for term ending June 2011. City Manager Wally Bobkiewicz’s report dated June 24, 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 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.

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