

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
MONDAY, SEPTEMBER 21, 2009

5:30 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
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 AGENDA
CITY HALL ADMINISTRATION CONFERENCE ROOM

September 21, 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). Andrew Hernandez v. City of Santa Paula Police Department, et al., USDC Case No. CV07-08360RGK(CTx); David P. Lindsay v. City of Santa Paula, et al., USDC Case No. CV08-02925 RGK(JCx); Vasquez v. City of Santa Paula, et al., USDC Case No. CV09-02590-DSF(MANx); Velasco v. City of Santa Paula, et al. VCSC Case No. 56-2008-00328406-CU-OE-VTA; Menchaca v. City of Santa Paula, VCSC Case No. 56-2008-00311905-CU-PO-VTA.*

 - B. **Conference with Legal Counsel; Liability Claims Update (including Workers Compensation)**– *Government Code § 54956.95. Claims Against: City of Santa Paula. Claimants: Sally/Orlando Menchaca; Andrew Hernandez; David Lindsay; Max Vasquez; Michelle Velasco; Alejandro Ramirez; Eduardo Arana; Leonard Olvera; Joaquin Nava; Manuel Guerrero; Cynthia Chapek; Joe Ferguson; Gene French; Angel Gutierrez; Rob Howard; Carlos Juarez; Helen Ketchpaw; Adolfo Paez; Inez Ramirez; Manuel Ruiz; Noah Sharp; Mark Trimble; Edward Vasquez; Tony Villanueva; James Ward; Michael Wortman; Doug Araiza; Robert Cooper; Kenneth Cott; David LaGessee; David Lusk; Harold Marschall; Gary Marshall; Louis Medina; Mark Trimble; Juan Velasco.*

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

SANTA PAULA CITY COUNCIL / REDEVELOPMENT AGENCY AGENDA
REGULAR MEETING – MONDAY SEPTEMBER 21, 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 Recognizing 33 Years of Services United, Inc.

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**

A. Water Recycling Facility Update

B. Recruitment for City Manager 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 September 14, 2009.

Invoices	09/04/09	
Wire Transfer	09/02/09	
Subtotal		\$ 191,357.88
Voided Checks	09/11/09	
Invoices	09/10/09	
Wire Transfers	09/09/09	
Subtotal		<u>\$ 544,125.90</u>
TOTAL		\$ 735,483.78

- D. **Minutes**– Adopt the minutes from the Regular City Council Meeting of September 8, 2009. Deputy City Clerk Peggy Higgins’ report dated September 15, 2009.
- E. **Presentation by Mayor Fernandez Regarding the Santa Paula Water Recycling Facility in Washington D.C.**– It is recommended that the City Council: 1) receive and file information provided by Mayor Ralph Fernandez regarding his presentation at the *4th Annual Water Finance: Investment Opportunities in the World’s Most Valuable Resource Conference* in Washington D.C.; 2) acknowledge that Mayor Fernandez’s presentation is related to an important governmental function, i.e., the methodology selected by the City Council for delivering the water recycling facility; and 3) take such additional, related, action that may be desirable.

Interim City Manager, Clifford G. Finley's report dated September 14, 2009.

- F. **Transportation Development Act claims Fiscal Year 2009/10**– It is recommended that the City Council adopt the attached resolutions authorizing filing claims for and allocation of Transportation Development Act (TDA) funds. Finance Director John Quinn's report dated September 14, 2009. **RESOLUTION NO. 6620** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE FILING OF A CLAIM WITH THE VENTURA COUNTY TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT FUNDS FOR FISCAL YEAR 2009/10.

- G. **Annual Report on Supplemental Law Enforcement Services Fund-Citizens Option for Public Safety Grant**– It is recommended that the City Council receive this report and file the attached annual activity report for the Supplemental Law Enforcement Services Fund (SLESF), also known as the Citizens Option for Public Safety (COPS) Grant, for the fiscal year ending June 30, 2009. Finance Director John Quinn's report dated September 14, 2009.

- H. **Approval of a Three-Year On-Call Services Agreement with BioResources Consultants, Inc.**– It is recommended that the City Council: 1) authorize the City Manager to execute the attached Three-Year On-Call Services Agreement for professional environmental monitoring services with Bio Resources Consultants, Inc. 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 September 14, 2009.

- I. **Approval of Task Order No. 3D with Hawks and Associates for Continued Coordination Regarding a Flood Map Revision and Floodwall Design for the Water Recycling Facility**– It is recommended that the City Council: 1) authorize the City Manager to execute Task Order No. 3D for \$19,800 with Hawks & Associates to provide continued engineering support for continued FEMA coordination of a request for a Conditional Letter of Map Revision (CLOMR) for the proposed Water Recycling Facility (WRF) and floodwall design; 2) approve a budget of \$22,770, (which includes a 15% contingency) to complete the work; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated September 10, 2009.

11. **PUBLIC HEARING**

A. **City of Santa Paula-City of Fillmore-County of Ventura Greenbelt Agreement (09-CI-03)**

- 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 evidence received during the public hearing; 4) adopt Resolution No. 6618 to amend the General Plan; 5) introduce and waive first reading of Ordinance No. 1216 to implement a Greenbelt Agreement with Ventura County and Fillmore; 6) direct staff to forward the proposed ordinance to the reciprocal agencies; 7) schedule a second reading and adoption of Ordinance No. 1216 for October 5, 2009; and 8) take such additional, related action that may be desirable. Planning Director Janna Minsk's report dated September 14, 2009. **RESOLUTION NO. 6618** A RESOLUTION AMENDING THE SANTA PAULA GENERAL PLAN RELATED TO THE GREENBELT AGREEMENT. **ORDINANCE NO. 1216** AN ORDINANCE IMPLEMENTING AN AGREEMENT BETWEEN THE CITY OF SANTA PAULA, THE CITY OF FILLMORE, AND THE COUNTY OF VENTURA TO PRESERVE UNINCORPORATED COUNTY LANDS LOCATED BETWEEN THE CITY OF FILLMORE AND THE CITY OF SANTA PAULA FOR AGRICULTURAL AND OPEN SPACE PURPOSES ("THE GREENBELT").

B. **Review of Project No. 2008-ANX-03: A request for annexation of seven parcels totaling approximately 27.59 acres from unincorporated Ventura County to the City of Santa Paula and pre-zoning the project area from its existing county Agricultural Exclusive (AE-40) zoning district to city Rural Residential (R-A 20) zoning district.**

- 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 and take evidence. 2) consider the evidence received during the public hearing; 3) introduce and waive first reading of Ordinance No. 1220 for rezoning the project area Rural residential (Exhibit A); 4) adopt Resolution No. 6616 approving annexation and authorizing the City Manager or designee to file an annexation application with LAFCO (Exhibit B); and 5) take such additional, related action as may be appropriate. Planning Director Janna Minsk's and Deputy Planning Director Stratis Perros' report dated September 15, 2009. **ORDINANCE NO. 1220** AN ORDINANCE PREZONING APPROXIMATELY 27.59 ACRES LOCATED AT THE NORTHERN TERMINUS OF GRANT LINE STREET AND EAST OF THELMA BEDELL ELEMENTARY SCHOOL (APNS 101-0-330-025, 101-0-330-065, 101-0-330-070, 101-0-330-080, 040-0-071-025, 040-0-171-075, AND 040-0-171-015). **RESOLUTION NO. 6616** A RESOLUTION AUTHORIZING ANNEXATION AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO FILE AN APPLICATION TO INITIATE REORGANIZATION (ANNEXATION) PROCEEDINGS FOR REAL PROPERTY LOCATED AT THE NORTHERN TERMINUS OF GRANT LINE STREET.

12. **ORDER OF BUSINESS**

- A. **City Manager Recruitment Input from Community and City Staff**– It is recommended that the City Council: 1) receive and file input from the community and City staff regarding the City Manager recruitment; and 2) take such additional, related action that may be desirable. Human Resources Manager Kathy Campbell's report dated September 15, 2009.
- B. **Request for Affordable Housing Funds from Santa Paula Housing Authority's acquisition of 220 W. Main Street**– It is recommended that the City Council: 1) receive the report; 2) approve a \$420,000 RDA grant to Santa Paula Housing Authority; and 3) authorize the Interim City Manager to execute those documents, in a form approved by the City Attorney to execute the grant. Assistant to the City Manager Elisabeth Amador's report dated September 11, 2009
- C. **Request for Affordable Housing Funds from Habitat for Humanity of Ventura County's acquisition of vacant lot at 430 14th Street (behind Las Piedras Park).** – It is recommended that the Board: 1) receive the report; 2) approve a \$95,000 RDA grant to Habitat for Humanity of Ventura County; and 3) authorize the Interim City Manager to execute applicable documents, in a form approved by the City Attorney, to execute

the grant. Assistant to the City Manager, Elisabeth V. Amador's report dated September 11, 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