

CALL TO ORDER

Mayor Gonzales called the meeting to order at 5:36 p.m.

ROLL CALL

Councilmember Dr. Gabino Aguirre, Councilmember John T. Procter, Vice Mayor Ralph J. Fernandez, and Mayor Robert S. Gonzales responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Josie Guzman Herrera and Deputy City Clerk Lorena Alvarez were also present. Councilmember Ray C. Luna arrived at 5:47 p.m.

PUBLIC COMMENT

No Public Comment.

CLOSED SESSION

- A. Conference with Legal Counsel, Existing Litigation – Government Code 54956.9(a). *Coriot, Inc. v. City of Santa Paula*, Ventura County Superior Court Case No. 56-2007-00283996-CU-WM-VTA.
- 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. 56-2007-00306633-CU-PT-VTA.
- C. Conference with Legal Counsel, Anticipated Litigation – Government Code 54956.9(b) (significant exposure to litigation). Facts or circumstances: Application No. 2007-CDP-03 from Cabrillo Economic Development Corporation. Number of cases: one.

Mayor Gonzales recessed the City Council to a closed session at 5:36 p.m., and reconvened the City Council at 6:23 p.m. No reportable action. Mayor Gonzales recessed the City Council at 6:23 p.m.

CALL TO ORDER

Mayor Gonzales called the meeting to order at 6:30 p.m. Deacon Al Guilin from St. Sebastian Church led invocation and Councilmember Aguirre led the flag salute.

ROLL CALL

Councilmember Dr. Gabino Aguirre, Councilmember Ray C. Luna, Councilmember John T. Procter, Vice Mayor Ralph J. Fernandez, and Mayor Robert S. Gonzales responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Josie G. Herrera and Deputy City Clerk Lorena Alvarez were also present.

CLOSED SESSION REPORT

City Attorney Karl H. Berger reported closed session was continued until after the regular session.

PRESENTATIONS

A. Presentation by Nancy Williams from Southern California Edison

Rudy Gonzales, Public Affairs Manager for Southern California Edison spoke in regards to the services provided by Edison.

B. Presentation by the Santa Paula Hospital

Christina Thielst, Santa Paula Hospital Administrator gave a presentation regarding the services provided at the Santa Paula Hospital.

C. Presentation of Fire Badges to Fire Reserves by Fire Chief Richard Araiza

Fire Chief Richard Araiza introduced new Fire Reserves: Aaron Boshoff, Michael Cary, Alex Horton, Matt Klein, and Ryan Sandlin.

D. Introduction of New Employees: Yolanda Bundy, Plan Check Engineer; Ceasar Hernandez, Interim Assistant Planner; Ruth Luna, Accounting Technician, and Natalie Puga, Accounting

Building & Safety Director Stephen Stuart introduced Yolanda Bundy.

Yolanda Bundy thanked the City Council and Building & Safety Director Stephen Stuart for the opportunity to serve the City of Santa Paula.

Planning Director Janna Minsk introduced Ceasar Hernandez.

Ceasar Hernandez thanked the City Council for the opportunity to serve the City of Santa Paula.

PUBLIC COMMENT

Woody Maxwell, 15325 Todd Lane, spoke in regards to ground water mounding in percolation ponds.

Katherine Maxwell, 15325 Todd Lane, spoke in regards to ground water mounding and discussed a letter dated December 24, 2007 from Regional Water Quality Control Board.

Larry Sagely, 585 Ridgecrest, spoke in regards to the need for housing balance in the City.

COMMUNICATIONS

Councilmember Procter informed the Council he attended the Santa Paula Police Officer Association dinner and the Housing Authority dinner.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Aguirre, seconded by Councilmember Luna to approve final agenda as presented. All were in favor under roll call vote and the motion carried.

CONSENT CALENDAR

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to approve the consent calendar as presented. All were in favor under roll call vote and the motion carried.

- 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 December 11, 2007.

Invoices	10/11/2007 & 10/15/2007	
Wire Transfers	10/10/2007	
Subtotal		\$ 1,067,129.59
Invoices	10/23/2007 – 10/25/2007	

Regular City Council Meeting
Monday, December 17, 2007
Administration Conference Room and Council Chambers

Wire Transfers	10/25/2007	
Subtotal		\$ 1,094,229.83
Invoices	11/02/2007	\$ 34,961.11
Wire Transfers	11/07/2007	\$ 51,599.43
Invoices	11/13/2007, 11/15/2007, & 11/16/2007	\$ 717,466.99
Invoices	11/20/2007	
Wire Transfers	11/21/2007	
Subtotal		\$ 134,467.22
Salaries	10/05/2007, 10/19/2007, & 11/02/2007	\$ 1,190,914.51
TOTAL		\$ 4,290,768.68

- D. Destruction of City Records – It is recommended that the City Council adopt Resolution No. 6444 approving the destruction of City Records described in Exhibit “A” as reviewed and approved by the City Attorney. RESOLUTION NO. 6444 – A RESOLUTION APPROVING DESTRUCTION OF CITY RECORDS. Deputy City Clerk Lorena Alvarez’s report dated December 11, 2007.
- E. Transportation Development Act Claims Fiscal Year 2007/2008 – It is recommended that the City Council adopt the attached resolutions authorizing filing claims for and allocation of Transportation Development Act (TDA) funds. RESOLUTION NO. 6440 – 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 2007/2008. RESOLUTION NO. 6441 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING ALLOCATION OF A PORTION OF THE TRANSPORTATION FUNDS RECEIPTS TO VENTURA INTERCITY SERVICE TRANSIT AUTHORITY. Finance Director John T. Quinn’s report dated November 29, 2007.
- F. Information on 2040 VCOG Population Forecast Update – It is recommended that the City Council receive and file report. Planning Director Janna Minsk and Associate Planner Judy Johnduff’s report dated December 17, 2007.
- G. Well 13 Emergency Pump Motor Repairs, Resolution NO. 6442 – it is recommended that the City Council (1) adopt Resolution No. 6442 finding that an emergency exists within the City and authorizing contracting without the need for bidding pursuant to Public Contract Code § 22050 to repair Well 13; (2) allocate \$ 79,685.43 from the Water Fund Balance to account 620.5.5073.314; (3) award the emergency repair contract for \$75,845.43 to Layne Christensen; (4) Award the oversight of the repair to Hopkins Groundwater Consultant’s, Inc., for \$3,840.

RESOLUTION NO. 6442 – A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY EXISTS WITHIN THE CITY AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO § 22050. Interim Public Works Director Jon Turner's report dated December 6, 2007.

- H. Approval of Task Order No. 3A with Hawks and Associates for Completion of a Flood Map Revision for the Water Recycling Facility – It is recommended that the City Council authorize the City Manager to execute Task Order No. 3A for \$32,600 with Hawks & Associates to provide continued engineering support for preparation of a request for a Conditional Letter of Map Revision (CLOMR) for the proposed Water Recycling Facility (WRF); and approve a budget of \$37,490, (which includes a 15% contingency) to complete the work. Public Works Director/City Engineer Clifford G. Finley's report dated December 5, 2007.
- I. Santa Paula Street Pavement Rehabilitation - Approval of Change Order No. 1 and Notice of Completion – It is recommended that the City Council (1) authorize the City Manager to execute Change Order No. 1 for a credit of \$31,583.01 to Berry General Engineering, Inc.; (2) receive and file the project Notice of Completion; and (3) take such additional, related action that maybe desirable. Interim Public Works Director Jon Turner's report dated December 5, 2007.
- J. WWTP Digester Cleaning Approval of Change Order No. 1 – It is recommended that the City Council (1) allocate \$58,230 from Wastewater Fund Balance to account No. 610.5.5063.660; (2) authorize the City Manager to execute Change Order No. 1 for \$ 58,230.00 to American Process Group, Inc.; and (3) take such additional, related action that maybe desirable. Interim Public Works Director Jon Turner's report dated December 6, 2007.
- K. Update on Funding Status of Proposition 84 – It is recommended that the City Council receive staff report and provide additional direction to staff. Public Works Director/City Engineer Clifford G. Finley's report dated December 6, 2007.
- L. Request for Out-of-State Travel – It is recommended that the City Council approve out-of-state travel for the Assistant Finance Director to attend a user conference sponsored by Tyler Technologies, Inc., the City's software vendor for its financial software (INCODE) system. The Conference will be held in New Orleans, Louisiana from February 18 – 21, 2008. Finance Director John T. Quinn's report dated December 7, 2007.
- M. Approval of Tract No. 5606 Resolution No. 6446 - It is recommended that the City Council adopt Resolution No. 6446 and approve Final Tract Map No. 5606. Interim Public Works Director Jon Turner's report dated December 12, 2007.

ORDER OF BUSINESS

A. Water Recycling Facility DBOF Project Update – Request for Extension of the Proposal Due Date

City Manager Wally Bobkiewicz and WRF Project Coordinator Clifford G. Finley's report dated December 12, 2007.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter to authorize staff to revise the request for proposals (RFP) due date from January 11, 2008 to February 8, 2008. Councilmember Aguirre, and Councilmember Procter were in favor. Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were opposed. The motion was denied.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Fernandez to authorize staff to revise the request for proposals (RFP) due date from January 11, 2008 to February 4, 2008 at 4:00 p.m. All were in favor under roll call vote and the motion carried.

B. Teague Park Soccer Fields Restoration Project

Community Services Director Brian J. Yanez's report dated December 5, 2007.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to (1) authorize the allocation of \$87,495 from account 202.5.9243.301 Parks and Recreation Facility fund for the Teague Park Soccer Field restoration; (2) authorize the City Manager to award the contract to Coleman Landscapes, Inc., for \$50,600 for the Teague Park Soccer Field Restoration Project which would include at 10% contingency; and (3) authorize the City Manager to purchase the sod and installation services for \$36,895 from Pacific Sod. All were in favor under roll call vote and the motion carried.

C. Banners Honoring Santa Paulans Currently Serving in the Armed Forces

City Manager Wally Bobkiewicz's report dated December 12, 2007.

Gerard Kapusik, spoke in support of banner program and offered to donate \$200 towards the banner program.

It was moved by Mayor Gonzales, seconded by Councilmember Procter to (1) move forward with the banner program free of charge to service member; (2) accept donations for program; and (3) continue discussion on the Council meeting of January 7, 2008. All were in favor under roll call vote and the motion carried.

RECESS TO BREAK

Mayor Gonzales recessed the City Council to break at 8:25 p.m.

RECONVENED TO REGULAR MEETING

Mayor Gonzales reconvened the City Council at 8:42 p.m.

D. Ad Hoc Committee Regarding Plaza Amistad Project

John Wisda, 550 Monte Vista, spoke in regards to his concerns on the screening procedures Cabrillo Economic Development Corporation uses when screening applicants, and asked the Ad Hoc Committee to consider assigning city staff to become involved in the screening process.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter to create a two-member ad hoc committee to work with representatives of Cabrillo Economic Development Corporation on issues relating to the proposed Plaza Amistad. Councilmember Procter, and Councilmember Aguirre were in favor. Councilmember Luna, Vice Mayor Fernandez, and Mayor Gonzales were opposed. The motion was denied.

E. Purchase of Police Vehicles

Chief of Police Stephen MacKinnon's report dated December 10, 2007.

It was moved by Councilmember Procter, seconded by Vice Mayor Fernandez to (1) waive the competitive bidding process by using the State of California competitive bidding process award as allowed under SPMC 41.13 and authorized the City Manager to enter into a contract with Wondries Fleet Division of Alhambra, CA for the purchase of three Ford Expedition; (2) enter into a contract with Santa Paula Chevrolet for the purchase of one Chevrolet Colorado pick-up truck; and (3) make a general fund budget adjustment of \$29,896 to cover the cost of re-conditioning of two existing patrol vehicles. All were in favor under roll call vote and the motion carried.

F. Contract Award for Paving Rehabilitation Project 07/08

Interim Public Works Director Jon Turner's report dated December 4, 2007.

It was moved by Councilmember Procter, seconded by Councilmember Aguirre to place priority of Prop 1B funding on Phase I. All were in favor under roll call vote and the motion carried.

It was moved by Vice Mayor Fernandez, seconded by Councilmember Luna to proceed with Option 2: Deny award of schedule A and allocate the funding of \$371,161 for use

on streets elsewhere in town. All were in favor under roll call vote and the motion carried.

It was moved by Vice Mayor Fernandez, seconded by Councilmember to (1) release the bid bond for Bond Blacktop, Inc., the apparent low bidder for the Paving Rehabilitation Project 07/08 because of non-compliance with the "Greenbook" Public Works Construction Specifications requiring prime contractor to perform at more that 50% of the work proposed; (2) award the construction contract to B.C. Rincon Construction, Inc., the second lowest bidder for \$330,180.48; (3) approve a project budget of \$363,198.53 which includes a 10% contingency for construction. All were in favor under roll call vote and the motion carried.

G. Update on Citywide Street Tree Program

Interim Public Works Director Jon Turner's report dated December 10, 2007.

It was moved by Councilmember Aguirre, seconded by Mayor Gonzales to adopt the street master plan. All were in favor under roll call vote and the motion carried.

H. Ordinance No. 1171 Adding Sections 52.022 and 52.023 to the Santa Paula Municipal Code Regarding Extra Territorial Water Service

Interim Public Works Director Jon Turner's report dated December 10, 2007.

It was moved by Councilmember Aguirre, seconded by Councilmember Procter to (1) waive first reading and introduce Ordinance No. 1171; and (2) schedule second reading and adoption for January 7, 2008. All were in favor under roll call vote and the motion carried.

I. Award of Preparation of Recycled Water Master Plan to Kennedy Jenks Consultants

Interim Public Works Director Jon Turner's report dated December 10, 2007.

It was moved by Councilmember Aguirre, seconded by Councilmember Luna to (1) allocate \$81,840 from the Wastewater fund reserves to account no. 610.5.9227.290 for the consulting cost; and (2) authorize the City Manager to enter into professional services agreement with Kennedy Jenks Consultants for the preparation of the Recycled Water Master Plan. All were in favor under roll call vote and the motion carried.

J. Contracts for State and Federal Legislative Advocacy Services

City Manager Wally Bobkiewicz's report dated December 12, 2007.

It was moved by Councilmember Procter, seconded by Vice Mayor Fernandez to authorize the City Manager to execute the following one-year agreements beginning January 1, 2008 in a form approved by the City Attorney (1) MARC Associates to provide federal legislative advocacy services for a total not to exceed \$ 28,000; and (2) Michael J. Arnold and Associates to provide state legislative advocacy services for a total not to exceed \$39,000. All were in favor under roll call vote and the motion carried.

COMMUNICATIONS

City Manager Wally Bobkiewicz asked the City Council for its consensus in having a Special Meeting on January 3, 2008 at 6:30 p.m. to discuss labor negotiations and a second Special Meeting on January 24, 2008 at 6:30 p.m. to discuss East Area One. Council agreed on proposed special meetings dates.

Vice Mayor Fernandez spoke in regards to a meeting that took place between Santa Paula, Fillmore, Caltrans, and Supervisor Long to discuss options for the center median along Hwy 126 between City of Santa Paula and the City of Fillmore.

FUTURE AGENDA ITEMS

It was moved by Councilmember Procter, seconded by Mayor Gonzales to direct staff to provide Council with a report on strategies for regulating the usage of soccer fields to include fees. All were in favor under roll call vote and the motion carried.

ADJOURNMENT

Mayor Gonzales informed the public closed session would no longer be necessary due to the actions taken by the Council through the course of the business meeting.

Mayor Gonzales and Councilmember Luna adjourned the meeting at 10:22 p.m. in memory of Sally Jimenez, Joe Bravo and Al Urias.

ATTEST:

Josie Guzman Herrera
City Clerk