

CALL TO ORDER

Mayor Fernandez called the meeting to order at 5:35 p.m.

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Robert S. Gonzales, Councilmember Fred W. Robinson, Vice Mayor Jim Tovas, and Mayor Ralph J. Fernandez responded to roll call. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and City Clerk Judy Rice were also present.

PUBLIC COMMENT

No public comment.

ORDER OF BUSINESS

- A. Appointment of Labor Negotiators – Appoint City Manager Wally Bobkiewicz and Human Resources Manager Kathy Campbell as the City's Labor Negotiators With 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 Confidential Employees and Part Time/Temporary/Seasonal.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Tovas to appoint City Manager Wally Bobkiewicz and Human Resources Manager Kathy Campbell as the City's Labor Negotiators. All were in favor under roll call vote and the motion carried.

CLOSED SESSION

- A. Conference with Labor Negotiators – 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 Confidential Employees and Part Time/Temporary/Seasonal.
- B. Conference with Legal Counsel, Anticipated Litigation – Government Code 54956.9(b) (significant exposure to litigation). Facts or circumstances: m

Claim submitted by Cabrillo Economic Development Corporation February 8, 2008. Number of cases: One.

Mayor Fernandez recessed the City Council to a closed session at 5:40 p.m., and reconvened the City Council at 6:20 p.m. No reportable action. Mayor Fernandez recessed the City Council at 6:20p.m.

CALL TO ORDER

Mayor Fernandez called the meeting to order at 6:30 p.m. and Pastor Chip Northup led the invocation and flag salute.

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Robert S. Gonzales, Councilmember Fred W. Robinson, Vice Mayor Jim Tovias, and Mayor Ralph J. Fernandez respond to roll call vote. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, and City Clerk Judy Rice were also present.

CLOSED SESSION REPORT

No reportable action.

PRESENTATION

No Presentations.

PUBLIC COMMENT

John Wisda, 550 Monte Vista, spoke regarding the founding fathers of Santa Paula and asked the City Council to recognize Delton Johnson as a great leader of Santa Paula.

STAFF COMMUNICATIONS

City Manager Wally Bobkiewicz reminded the Community of the scheduled Special Joint Council and the Board Members of the Santa Paula School District meeting on January 12, 2009.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

Councilmember Robinson pulled item 10J and Vice Mayor Tovias pulled item 10H for discussion.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to approve the consent calendar as amended. 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.

Invoices	12/08/08, 12/12/08	
Subtotal		\$ 62,434.69
Invoices	12/16/08,12/17/08,12/18/08	
Subtotal		\$ 779,075.00
TOTAL		\$841,509.69

- D. **Minutes** – Adopt the Minutes from the Regular City Council Meeting of September 15, 2008.
- E. **Minutes** – Adopt the Minutes from the Regular City Council Meeting of October 6, 2008.
- F. **Minutes** – Adopt the Minutes from the Regular City Council Meeting of October 20, 2008.
- G. **Enforcement Agreement for Garman’s Restaurant and Irish Pub**– It is recommended that the City Council (1) approve an enforcement

agreement and authorize the City Manager to execute an enforcement agreement, in a form approved by the City Attorney, allowing alcohol service at the property located at 932 E. Main Street (Assessor's Parcel Number 103-0-102-265); and (2) take such additional related action that may be desirable. Planning Director Janna Minsk's report dated December 18, 2008.

- I. **Adopt Resolution No. 6543 Regarding Formal Bid Protest Resolution**– It is recommended that the City Council (1) adopt Resolution 6543 regarding establishment of a formal bid protest procedure; and (2) take such additional, related, action that may be desirable. **RESOLUTION NO. 6543**– A RESOLUTION ADOPTING PROCEDURES FOR CHALLENGING AWARDS OF PUBLIC WORKS CONTRACT TO LOW BIDDERS. Interim Public Works Director Jon Turner's report dated December 22, 2008.
- K. **Receive Project Notice of Completion for Repairs Performed on Sand Gravity Filters at the existing Wastewater Treatment Plant by ERS Industrial, Inc.** – It is recommended that the City Council (1) allocate an additional budget amount of \$420 from Wastewater Fund balance to Account No. 610.5.5063.209; (2) authorize the City Manager to execute Change Order No, 1 for \$17, 067; (3) receive and file the project Notice of Completion and final project accounting; and (4) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated December 17, 2008.

CONSENT CALENDAR (SEPARATE ACTION ITEMS)

- H. **Approval of Three Year On-Call Services Agreement with Layne Christensen Company**

Interim Public Works Director Jon Turner's dated December 22, 2008.

It was moved by Vice Mayor Tovias, seconded by Councilmember Gonzales to authorize the City Manager to execute a three-year on-call service agreement for professional hydrological engineering services with Layne Christensen Company in a form approved by the City Attorney. All were in favor under roll call vote and the motion carried.

- J. **Approve Pavement Striping Annual Maintenance Project – Change Order No 1 and Receive Project Notice of Completion**

Interim Public Works Director Jon Turner's report dated December 8, 2008.

It was moved by Councilmember Robinson, seconded by Councilmember Aguirre to authorize the City Manager to (1) execute Change Order No. 1 for \$29,745.70 to Super Seal and Strip; (2) allocate and additional \$19,096.80 from Gas Tax Fund Balance; and (3) receive and file this project Notice of Completion (NOC) and final project accounting. All were in favor under roll call vote and the motion carried.

PUBLIC HEARING

A. Outdoor Displays

Planning Director Janna Mink's report dated December 10, 2008.

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:00 p.m.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to table item and return to it after item 12A. All were in favor under roll call vote and the motion carried.

ORDER OF BUSINESS

A. Plaza Amistad – Cabrillo Economic Development Corporation

City Manager Wally Bobkiewicz's report dated December 30, 2008.

Anita Pulido, 310 San Clemente Drive, spoke in support of balanced housing and additional affordable housing for farm workers.

John Wisda, 550 Monte Vista, spoke in support of the projects Cabrillo Economic Development builds and expressed his opposition towards high density housing.

It was moved by Vice Mayor Tovas, seconded by Councilmember Gonzales to (1) direct staff to request additional financial information from Cabrillo Economic Development Corporation to be discussed during the next City Council Meeting; and (2) postpone any meeting with the Cabrillo Economic Development Corporation Board of Directors until financial information is received and reviewed by the City Council. Under roll call vote Councilmember Gonzales, Vice Mayor Tovas and Mayor Fernandez were in favor. Councilmember Aguirre and Councilmember Robinson were opposed. The motion carried.

It was moved by Mayor Fernandez, seconded by Councilmember Gonzales to direct the City Attorney to draft a tolling agreement to be reviewed by the City Council during the next Council meeting. All were in favor under roll call vote and the motion carried.

RECESS TO A BREAK

Mayor Gonzales recessed the City Council to a break at 8:10 p.m.

RECONVENED TO REGULAR MEETING

Mayor Gonzales reconvened the City Council at 8:20 p.m.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to continue the public hearing to the Regular City Council meeting of February 2, 2009. All were in favor under roll call vote and the motion carried.

B. Update on the Solid Waste Franchisee Program

Interim Public Works Director Jon Turner's report dated December 18, 2008.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to receive the update on the Solid Waste Program. All were in favor under roll call vote and the motion carried.

Gerard Kapusik, 3625 Loma Vista Road, Ventura, spoke in regards to the mandates of AB939 compliance and the techniques that were used by the communities that were successful in meeting diversion requirements.

C. Information Regarding Development Code Regulations

Planning Director Janna Minsk's report dated November 4, 2008.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Tovas to (1) direct staff to provide the Council with information regarding recent inquiries of investors and the reasons why the investors re-considered investing in Santa Paula; and (2) provide the Council with information regarding steps other local jurisdictions are taking to attract investors. All were in favor under roll call vote and the motion carried.

D. Contract for State and Federal Legislative Advocacy Services

City Manager Wally Bobkiewicz's report dated December 30, 2008.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to authorize the City Manager to execute a contract in a form approved by the City Attorney for (1) a six-month agreement with Holland and Knight to provide Federal legislative advocacy services for a total not to exceed \$24,000; and (2) a one-year agreement with Michael J. Arnold and Associates to provide State legislative advocacy service for a total not to exceed \$39,000. All were in favor under roll call vote and the motion carried.

COMMUNICATIONS

No Communications.

FUTURE AGENDA ITEMS

It was moved by Vice Mayor Tovas, seconded by Councilmember Gonzales to have a discussion on the possibility of pursuing hiring a grant writer to assist the City in allocating grants. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to direct staff to provide an update on the Adams Canyon project. All were in favor under roll call vote and the motion carried.

ADJOURNMENT

Mayor Gonzales adjourned the meeting at 9:15 p.m.

ATTEST:

Judy Rice
City Clerk