

CALL TO ORDER

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

ROLL CALL

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

PUBLIC COMMENT

No public comment.

CLOSED SESSION REPORT

- 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 Labor Negotiator** - 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.

Mayor Fernandez recessed the City Council to a closed session at 5:37 p.m., and reconvened into Open Session at 6:30 p.m. No reportable action taken.

CALL TO ORDER

Mayor Fernandez called the meeting to order at 6:40 p.m. Pastor Chip Northrup led the invocation. Flag Salute was led by Councilmember Robinson.

ROLL CALL

Mayor Ralph Fernandez, Vice Mayor Jim Tovias, Councilmember Robert Gonzales, Councilmember Gabino Aguirre and Councilmember Fred Robinson respond to roll call vote. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were present. Peggy Kelly from the Santa Paula Times and Kathleen Wilson from the Ventura County Star were also present.

PRESENTATION

Chief MacKinnon gave an update on use of Reverse 911 due to the number of reports of mountain lions sited.

- A. Presentation by Councilmember Aguirre Regarding Proposition 63 Mental Health Services Act. Prevention and Early Intervention

Councilmember Aguirre presented the various components and benefits related to the prevention and early intervention needs young people as addressed in Proposition 63.

- B. Presentation by Mayor Fernandez to Bea A. Frias of Certificate of Appreciation for Ventura County Hospital Nurse of the Year. Ms. Frias co-worker, Cindy Crawford also spoke.

Mayor presented a Certificate to the Hospital Nurse Manager of Santa Paula Hospital. Bea Frias offered a heartfelt thank you to the staff of Santa Paula Hospital and the support of the community.

- C. Presentation by Larry Alamillo, Director of Washington D.C. tour group to introduce and request donations for Isbell Middle School Students for their annual Washington D.C. Trip.

Larry Alamillo, Director of Washington D.C. tour group presented the fundraising efforts of the students and the community to enable the students to go on the trip; the academic expectation of the students to qualify for the trip; the sites the kids will be seeing and how important this historical trip is to the students. Several students and their parents expressed their interest and excitement at the prospect of the Washington D.C. trip.

City Clerk Judy Rice thanked former Acting Deputy City Clerk Tiffany Leon for her work and introduced new Deputy City Clerk Peggy Higgins.

PUBLIC COMMENT

Alan Guinn and Matt Phillips spoke about Santa Paula Alumni Baseball Game.

Antonio Magana expressed his opinion regarding low income housing.

Rob Jefferson thanked the Council for privatizing trash and thanked Police Department for responding to graffiti call at his place of business.

Katherine Benner, 311 N. 9th St., promoted Youth Get Together, collaborative between youth and seniors.

Erin Benner, 311 N. 9th St., expressed his appreciation for Council's time and effort to City of Santa Paula and requested formal appreciation for Jess Ornales for serving City of Santa Paula as Planning Commissioner and expressed support of affordable housing.

STAFF COMMUNICATIONS

No staff communications.

APPROVAL OF FINAL AGENDA

City Manager Wally Bobkiewicz requested Items 12B and 12H be moved to end of Consent Calendar. It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to approve the final agenda as amended. All were in favor under roll call vote and the motion carried.

CONSENT CALENDAR

Councilmember Gonzales requested Item 10H and 10I be pulled from the Consent Calendar for discussion. It was moved by Councilmember Gonzales and seconded by Councilmember Tovas to approve the Consent Calendar as amended. Robinson stated that he will abstain on Item 10F. 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. Vice Mayor Jim Tovas; Councilmember Fred Robinson's report dated February 10, 2009.

- C. **Planning Commission Action Report** - Pursuant to Resolution No. 6456, receive and file the Planning Director's report regarding Planning Commission actions taken on February 10, 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. **Minutes**– Adopt the Minutes from the Special City Council Meeting of January 5, 2009.
- E. **Warrants and Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn's report dated February 2, 2009.

Invoices	1/23/09	
Wire Transfer	1/22/09	
Subtotal		\$ 33,830.42
Invoices	1/29/09	
Wire Transfers	1/29/09	
Subtotal		\$ 512,674.41

TOTAL \$546,504.83

- F. **Second Reading and Adoption of Ordinance No. 1201**– It is recommended that the City Council 1) waive the second reading and adopt Ordinance No. 1201; 2) take such additional, related, action that may be desirable. **ORDINANCE NO. 1201**– AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE § 16.15.050 AND 16.40.080 TO AFFECT OUTDOOR MERCHANDISE DISPLAYS. Deputy City Clerk Peggy Higgins' report dated February 9, 2009
- G. **Adoption of Ordinance No. 1203**– It is recommended that the City Council 1) adopt Ordinance No. 1203; 2) take such additional, related, action that may be desirable. **ORDINANCE NO. 1203**– AN ORDINANCE AMENDING A DEVELOPMENT AGREEMENT ADOPTED BY ORDINANCE NO. 1137 BETWEEN SANTA PAULA DEVELOPMENT, LLC AND THE CITY OF SANTA PAULA AFFECTING THE RIDGEVIEW AT VISTA GLEN RESIDENTIAL SUBDIVISION. Deputy City Clerk Peggy Higgins' report dated February 9, 2009
- J. **Time Warner Cable Spin-Off**– It is recommended that the City Council 1) review the recommended findings; 2) adopt Resolution No. 6554; and 3)take such additional, related, action that may be desirable.

RESOLUTION NO. 6554– A RESOLUTION PROVIDING FOR TRANSFER OF CONTROL OF CABLE TELEVISION FRANCHISE. Community Service Director Brian Yanez; Cable Television Counsel Bradley E. Wohlenberg's report dated February 17, 2009.

- K. **Approval of Task Order No. 3C with Hawks and Associates for Completion of a Flood Map Revision for Water Recycling Facility**– It is recommended that the City Council 1) authorize the City Manager to execute Task Order No. 3C for \$20,500 with Hawks & Associates to provide continued engineering support for preparation of request for a Conditional Letter of Map Revision (CLOMR) for the proposed Water Recycling Facility (WRF); 2) approve a budget of \$23, 575, (which includes a 15% contingency) to complete the work; and 3) take such additional, related, action that may be desirable. Public Works Director Clifford Finley's report dated February 9, 2009.
- L. **Request for Out of State Travel–Washington, DC Lobbying Trip**– It is recommended that the City Council authorize 1) Mayor Ralph Fernandez and City Manager Wally Bobkiewicz to travel to Washington, DC March 3-6, 2009 to meet with Federal elected and appointed officials; 2) authorize all reasonable and appropriate travel expenses pursuant to the City Council's Travel Policy (Resolution No. 6258). City Manager Wally Bobkiewicz's report dated February 10, 2009.

CONSENT CALENDAR (SEPARATE ACTION ITEMS)

- H. **Approve Purchase of Digital Radio Equipment from Destin Thomas Communications**

Interim Public Works Director Jon Turner's report dated February 6, 2009.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to allocate \$10,703.22 from State Gas Tax Fund Balance and \$4,963.81 from General Fund Balance and to authorize the City Manager, or designee, to execute a purchase order in the amount of \$49,017.65 to Destin Thomas Radio Communications All were in favor under roll call vote and motion carried.

- J. **Acceptance of Parcel Map No. 5619 Lot Split of Santa Paula Cemetery**

Interim Public Works Director Jon Turner's report dated February 9, 2009.

It was moved by Mayor Fernandez, seconded by Councilmember Aguirre to accept Parcel Map No. 5619 and directed the appropriate City Officials to sign and record said Map. All were in favor under roll call vote and motion carried.

ORDER OF BUSINESS

City Manager Wally Bobkiewicz requested that Item 12B be heard next, moving 12A to be heard after 12D.

B. Heritage Valley Tourism Bureau Funding

City Manager Wally Bobkiewicz recommended that the Board repeal Resolution No. 2008-02 authorizing \$25,000 in annual funding to the Heritage Valley Tourism Bureau and that he return to the Board with recommendations on options for supporting tourism in Santa Paula.

Patti Walker, City of Fillmore Mayor. Debbie Johnson, 944 E. Main St., Santa Paula Downtown Merchants Assn. Kathleen McCreary, 77E Telegraph Rd., Fillmore, Heritage Valley Tourism Bureau. Martin Hernandez, Field Assistant for Supervisor Kathy Long, Steve McClary, Heritage Valley Tourism Bureau. Della Reyes, 335 Colgate, Santa Paula, Heritage Valley Tourism Bureau all spoke in favor of Santa Paula remaining in the Bureau. John Blanchard, President and CEO of the Santa Paula Chamber of Commerce praised the Bureau efforts and concept and requests that all stakeholders take a hiatus to clarify the next steps of the Bureau and the City and reminded the Council of what the Chambers offers. Debbie Johnson, President Downtown Merchants Association expressed her concerns that the Bureau is not effective for Santa Paula or for the Downtown.

It was moved by Councilmember Robinson, seconded by Councilmember Gonzales to move the item to April 6, 2009. Under roll call vote Mayor Fernandez, Councilmember Gonzales, Councilmember Aguirre and Councilmember Robinson approved the motion and Vice Mayor Tovias opposed the motion. The motion carried.

RECESS TO A BREAK

Mayor Fernandez recessed the City Council to a break at 8:30 p.m.

RECONVENED TO REGULAR MEETING

Mayor Fernandez reconvened the City Council at 8:45 p.m.

Mayor Fernandez requested to move Item 12 C to be heard after 12 H.

H. Continental Wind Power Update

City Manager Wally Bobkiewicz read the Joint Resolution into the record and recommended that the City Council and the Board of Directors adopt a Joint Resolution.

RESOLUTION NO. 6559/ RDA RESOLUTION NO. 2009-01(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AND THE BOARD OF DIRECTORS OF THE CITY OF SANTA PAULA REDEVELOPMENT AGENCY URGING CONTINTENTIAL WIND POWER TO LOCATE IN SANTA PAULA.

Jim Winsayer, President of Continental Wind Power discussed the decision making process his management team used to pick Santa Paula as one of the 3 final cities picked to possibly move their business to. He highlighted the City's positive attitude as having the most impact on their choice along with the City's support of renewable energy. Passing of this Joint Resolution proved to him that all of the work and positive efforts of Mr. Bobkiewicz and the City's staff is supported by the Council.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to adopt the Joint Resolution. All were in favor under roll call vote and motion carried.

C. Adams Preserve Update (Adams Canyon)

John Lang, CEO Pinnacle Group updated the Council of the status of the Adams Canyon project. Financing has been extended so that the project and the land (the asset) is secure and safe. Project can not move ahead with the current economic market but Mr. Lang expressed his confidence in the future of Santa Paula and Pinnacle's commitment to Santa Paula and the Adams Canyon project.

PUBLIC HEARING

- A. 2008-DR-17 Request for Design Review of Landscaping and Exterior Elevations for the Water Recycling Facility Buildings; Extension of Peck Road and Todd Lane; and Construction of a Masonry Wall for Flood Protection Purposes

Planning Director Janna Minsk's report dated February 4, 2009

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 9:14 p.m.

Public Works Director Cliff Finley presented an overview of the project and Deputy Planning Director Stratis Perros presented an update on the design of the facility.

Nate Owen, Project Manager PERC further described the renderings and proposed materials to be used for the Water Recycling Facility Buildings

It was moved by Councilmember Robinson, seconded by Councilmember Gonzales to continue Public Hearing to March 2, 2009. All were in favor under roll call vote and motion carried.

Mayor Fernandez closed the public hearing at 10:02 p.m.

B. Introduction of Ordinance No. 1202–California Model Floodplain Management Ordinance.

Interim Public Works Director Jon Turner’s report dated February 6, 2009

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 10:03 p.m.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to waive the first reading and introduce Ordinance No. 1202 amending Chapter 151 of the Santa Paula Municipal Code, adding language to conform to State guidelines and to schedule second reading and adoption of the Ordinance for the March 2, 2009. All were in favor under roll call vote.

ORDINANCE NO. 1202

AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE CHAPTER 151 IMPLEMENTING THE NATIONAL FLOOD INSURANCE PROGRAM.

Mayor Fernandez closed the public hearing at 10:10 p.m.

City Manager Bobkiewicz requested hearing Item 12D next.

ORDER OF BUSINESS

D. Presentation and Update on the Santa Paula Creek Project

Interim Public Works Director Jon Turner’s report dated February 6, 2009

Public Works Director Jon Turner, Daryl Buxtom, Army Corp. of Engineers and Peter Shaday, Deputy Director Ventura County Water Shed Protection District, gave a presentation of the Lower Santa Paula Creek history and current status. Martin Hernandez, Aide of Supervisor Long addressed the Council's questions in the on going political process of acquiring funds to proceed with the project.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre receive and file the report on the Santa Paula Creek Project. All were in favor under roll call vote.

COUNCIL CONSENSUS TO EXTEND THE MEETING

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember Gonzales, seconded by Councilmember Aguirre, to suspend the rules and continue the meeting. All were in favor under roll call vote, and the motion carried.

City Manager Wally Bobkiewicz recommended moving Item 12A Update on Street Projects/Pothole Filling to the March 2, 2009 meeting of the Council.

E. FY 2008-09 Monthly Budget Update and Proposed Departmental Reorganization

City Manager Bobkiewicz gave an update on the State budget developments as they effect the City's budget.

Finance Director John T. Quinn's report dated February 11, 2009.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to receive and file this Statement of Revenues and Expenditures, adopt Resolution No. 6558 to merge the functions of the Building and Safety Department into the Fire Department and to adopt Resolution No. 6557 amending the position classification and compensation plan adjusting the salary of the Fire Chief and creating the position of Chief Building Official. All were in favor under roll call vote and motion carried.

RESOLUTION NO. 6557

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA TO AMEND THE POSITION CLASSIFICATION AND COMPENDATION PLAN AND FY 2008-2009 BUDGET

RESOLUTION NO. 6558

A RESOLUTION AMENDING RESOLUTION NO 6422 TO MERGE THE FUNCTIONS OF THE BUILDING AND SAFETY DEPARTMENT WITH THE FIRE DEPARTMENT.

F. Two Years Additional Service Credit (Golden Handshake)

Human Resources Manager Kathy Campbell's report dated February 6, 2009.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to adopt Resolution No. 6555 authorizing two years of additional service credit ("Golden Handshake") pursuant to Government Code § 20903 and to certify compliance with Government Code § 20903. All were in favor under roll call vote and motion carried.

RESOLUTION NO. 6555

CITY COUNCIL OF THE CITY OF SANTA PAULA RESOLUTION NO. 6555 TO GRANT ANOTHER DESIGNATED PERIOD FOR TWO YEARS ADDITIONAL SERVICE CREDIT.

G. Adopt Resolution No. 6556 Award Provision of Banking Services to Santa Clara Valley Bank

Finance Director John T. Quinn's report dated February 11, 2009.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to adopt Resolution No. 6556 awarding provision of banking services to Santa Clara Valley Bank. All were in favor under roll call vote.

RESOLUTION NO. 6556

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO AN AGREEMENT WITH THE SANTA CLARA VALLEY BANK TO PROVIDE GENERAL BANKING SERVICES.

I. Planning Commissioner Vacancy

City Manager Wally Bobkiewicz's report dated February 10, 2009.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovas to receive and file report and directed the City Manager and City Clerk to continue the recruitment of a Planning Commissioner, to have the Mayor send a letter on behalf of the City Council that is to instruct the Commission to postpone or

continue all pending decisions until a full Commission is in place, which would not be prior to Tuesday, April 14, 2009. Upon roll call vote Councilmember Aguirre abstained, Mayor Fernandez, Vice Mayor Tovas, Council members Robinson and Gonzales approved. Motion carried.

J. Amendment No.1–Professional Services Agreement to BioResources Consultants for Environmental Monitoring Services Related to the New WRF

Public Works Director Clifford Finley's report dated February 9, 2009.

It was moved by Councilmember Robinson, seconded by Councilmember Aguirre to allocate an additional budget amount of \$180,252 from the WRF Project Account No. 610.5.9241.290 and authorize the City Manager to amend the existing Agreement with BioResources in the form approved by the City Attorney, in the amount of \$180,252 to provide additional environmental monitoring services for the new WRF in accordance with their proposal dated January 15, 2009.

COMMUNICATIONS

City Manager Wally Bobkiewicz reminded; Greenbelt Subcommittee, Councilmembers Aguirre and Gonzales of meeting at Supervisor Long's office on February 20th at 1:30 p.m.; Subcommittee members Mayor Fernandez and Councilmember Gonzales of the City/Schools Joint Committee meeting at 6:00 p.m. Wednesday, February 18th; Councilmembers of the Santa Paula Chamber of Commerce Awards Luncheon at noon on Sunday, February 22nd at Logstons Restaurant; Mayor Fernandez and Vice Mayor Tovas of a meeting with Continental Wind in Administration Conference Room at 3:30 p.m., Friday, February 20th.

FUTURE AGENDA ITEMS

It was moved by Mayor Fernandez, seconded by Vice Mayor Tovas to direct the City Attorney Berger to review existing Anti-Graffiti laws and to discuss at a future date how to enhance enforcement. All were in favor and the motion carried.

It was moved by Mayor Fernandez, seconded by Councilmember Aguirre to have representatives Skillin-Carroll Mortuary to speak on future land use needs and plans for expansion. All were in favor and the motion carried.

ADJOURNMENT

Mayor Fernandez adjourned the meeting at 11:19 p.m.

ATTEST:

Judy Rice
City Clerk