

CALL TO ORDER

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

ROLL CALL

Mayor/Chair Ralph J. Fernandez, Vice Mayor/Vice Chair James A. Tovias, Councilmember/Director Gabino Aguirre, Councilmember/Director Fred W. Robinson and Councilmember/Director Robert S. Gonzales responded to roll call. Interim City Manager/Executive Director Clifford G. Finley, City/Agency Attorney Karl H. Berger, City/Agency Secretary Clerk Judy Rice were also present.

PUBLIC COMMENT

No public comment.

CLOSED SESSION

- 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.

Mayor/Chair Fernandez recessed the City Council/Redevelopment Agency to a closed session at 5:35 p.m., and reconvened the City Council/Redevelopment Agency at 6:30 p.m. No reportable action. Mayor/Chair Fernandez recessed the City Council/Redevelopment Agency at 6:30 p.m.

CALL TO ORDER

Mayor Fernandez called the Council/Redevelopment Agency to order at 6:40 p.m. Pastor Ron Dybvig led the invocation and Mayor/Chair Fernandez led the Flag Salute.

ROLL CALL

Mayor/Chair Ralph J. Fernandez, Vice Mayor/Vice Chair James A. Tovias, Councilmember/Director Robert S. Gonzales, Councilmember/Director Gabino Aguirre and Councilmember/Director Fred W. Robinson respond to roll call vote. Interim City Manager/Executive Director Clifford G. Finley, City/Agency Attorney Karl H. Berger, City Clerk/Agency Secretary Judy Rice, Deputy City Clerk/Agency Secretary Peggy Higgins and Peggy Kelly from the Santa Paula Times were also present

CLOSED SESSION REPORT

No reportable action.

PRESENTATIONS

- A. Presentation of Proclamation Recognizing 33 Years of Services United, Inc.

Councilmember Aguirre presented a proclamation Executive Director Benito Juarez in recognition of Services United's 33 years of service to the Santa Clara Valley.

Interim Public Works Director Jon Turner gave an update on the success Santa Paula Beautiful. Mr. Turner said that for the event there were 175 volunteers involved that collected 3 ½ tons of yard waste, 500 lbs of recyclable material and over 200 lbs. of trash. Many trees and scrubs were planted. The City had no budget for this years event and many stepped up with donations of food for volunteers, funds and in-kind donations.

PUBLIC COMMENT

Cathy Barringer, 1334 Forest Dr. promoted The River Valley Club, an adult day facility and gave information on the services the Club provides. River Valley Club Executive Director Leya Murphy also spoke of the benefits of the Club's services.

Carlos Guzman, 933 Yale St. spoke about his concerns regarding illegal vendors at the parks and asked Council to review Ord. 121.

Woody Maxwell, 15325 Todd Ln. presented pictures of property surrounding the Waste Water Treatment Plant and asked the Council to consider compensating the property owner for the loss of view.

Pamela Lindsey, 769 Skyline Dr. spoke on behalf of Rotary of Santa Paula regarding this years Pumpkin Patch to be held each Saturday and Sunday from October 3rd through October 31st.

CITY COUNCIL/REDEVELOPMENT AGENCY, STAFF COMMUNICATIONS

A. Water Recycling Facility Update

Interim City Manager Clifford Finley stated there was nothing to report at this time. Mayor Fernandez announced that he had visited the facility and was very impressed with the plant and the progress.

B. Recruitment for City Manager Update

Interim City Manager Finley stated that Human Resources Manager Kathy Campbell would be reporting on the recruitment under Item 12A.

APPROVAL OF FINAL AGENDA

It was the consensus of the City Council/Redevelopment Agency to approve the Final Agenda as presented.

CONSENT CALENDAR

Mayor/Chair Fernandez requested 10E be pulled. It was moved by Councilmember/Director Gonzales, seconded by Vice Mayor/Vice Chair Tovias to approve the Consent Calendar as amended. All were in favor, 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

Regular City Council/Redevelopment Agency Meeting
Monday, September 21, 2009
Administrative Conference Room/Council Chambers

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.
- 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.

CONSENT CALENDAR (SEPARATE ACTION ITEM)

- E. Presentation by Mayor Fernandez Regarding the Santa Paula Water Recycling Facility in Washington D.C.

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

It was moved by Mayor Fernandez, seconded by Councilmember Gonzales to 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. and 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. Under roll call vote, all were in favor. The motion carried.

PUBLIC HEARING

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

Planning Director Janna Minsk's report dated September 14, 2009

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:15 p.m. There was no public testimony.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to adopt Resolution No. 6618 to amend the General Plan, introduce and waive the first reading of Ordinance No. 1216 to implement a Greenbelt Agreement with Ventura County and Fillmore and schedule a second reading

and adoption of Ordinance No. 1216 for October 5, 2009. All were in favor under roll call vote and the motion carried.

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").

- A. 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.

Planning Director Janna Minsk's report dated September 14, 2009

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:22 p.m.

Deputy Planning Director Stratis Perros introduced an amended Resolution No. 6616.

PUBLIC COMMENT

Bob Braitman, 8277 Cheshire St, Ventura representing property owner Charles Stewart spoke in support of Project No. 2008-ANX-03.

Mayor/Chair Fernandez recommended that the school owned parcel be zoned Institutional instead of R20 to clarify the use of the parcel in the future.

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.

It was moved by Mayor Fernandez, seconded by Councilmember Gonzales to introduce and waive first reading of Ordinance No. 1220 as amended for rezoning the project area Rural residential, adopt Resolution No. 6616 as amended approving annexation and authorizing the City Manager or designee to file an annexation application with LAFCO. All were in favor and the motion carried.

ORDER OF BUSINESS

A. City Manager Recruitment Input from Community and City Staff

Human Resources Manager Kathy Campbell's report dated September 15, 2009.

PUBLIC COMMENT

Former Mayor Ray Luna, 634 N. 9th St. spoke in favor of the Council hiring Interim City Manager Clifford G. Finley as the new City Manager.

It was moved by Councilmember Aguirre, seconded by Councilmember Robinson to receive and file the report. All were in favor under roll call vote and the motion carried.

B. Request for Affordable Housing Funds from Santa Paula Housing Authority's acquisition of 220 W. Main Street

Assistant to the City Manager Elisabeth Amador's report dated September 11, 2009.

PUBLIC COMMENT

Ramsey Jay, Director of the Santa Paula Housing Authority responded to questions from Council regarding the financing of the project. He explained that

the facility will be a 49 bed facility with one bedroom units of 640 sq. ft. each and will be available to residents age 55 and over, of low and very low income.

It was moved by Councilmember/Director Gonzales, seconded by Vice Mayor/Vice Chair Tovias to receive the report, approve a \$420,000 RDA grant to Santa Paula Housing Authority and have the Interim City Manager/Executive Director execute those documents, in a form approved by the City/Agency Attorney to execute the grant. All were in favor and the motion carried.

- 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)

Assistant to the City Manager/Executive Director, Elisabeth V. Amador's report dated September 11, 2009.

It was moved by Councilmember/Director Gonzales, seconded by Vice Mayor/Vice Chair Tovias to receive the report, approve a \$95,000 RDA grant to Habitat for Humanity of Ventura County and authorize the Interim City Manager/Executive Director to execute applicable documents, in a form approved by the City/Agency Attorney, to execute the grant. All were in favor and the motion carried.

CITY/AGENCY COMMUNICATIONS

None.

REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovias to have staff report back to Council on the permit process and illegal vendors in the park. All were in favor and the motion carried.

ADJOURNMENT

Mayor Fernandez recessed the Council at 8:15 p.m.

ATTEST:

Judy Rice
City Clerk