

CALL TO ORDER

Mayor Fernandez called the meeting to order at 5:30 p.m.

ROLL CALL

Mayor Ralph J. Fernandez, Vice Mayor James Tovias, Councilmember Fred Robinson, Councilmember Robert S. Gonzales, Councilmember Gabino Aguirre responded to roll call vote. Interim City Manager Clifford G. Finley, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present.

ORDER OF BUSINESS

- A. Appointment of Real Property Negotiators– Appoint Interim City Manager Clifford G. Finley and City Attorney Karl H. Berger to be Real Property Negotiators for APN 103-0-242-175.

It was moved by Mayor Fernandez, seconded by Councilmember Gonzales to appoint Interim City Manager Clifford G. Finley and City Attorney Karl H. Berger to be Real Property Negotiators for APN 103-0-242-175. All were in favor under roll call vote and the motion carried.

- B. Interview for Design Assistance Committee– The City Council will hold an applicant interview to fill a vacancy on the Design Assistance Committee for a four-year term.

1. Catherine M. Barringer

Ms. Barringer was not present for her interview.

- C. Interviews for Economic Development Advisory Committee– The City Council will hold applicant interviews to fill four vacancies on the Economic Development Advisory Committee for four-year terms, and to fill one vacancy for an unexpired term ending June 2011.

1. John A. Bravo
2. Carla Edwards
3. Sam Hishmeh
4. Donna Stewart
5. Peter Wright

John A. Bravo spoke about his interest in the city's economic development.

Carla Edwards spoke about her experience in tourism and vision for the city.

Sam Hishmeh spoke of his desire for Santa Paula's economic success and how he has a desire to be a part of it.

Donna Stewart spoke of her interest in tourism and ideas of promotion for Santa Paula.

Peter Wright spoke of his experience on the Committee and the direction he would like to see the Committee take.

CLOSED SESSION

- A. Appointment of Public Employee – *Government Code § 54957*. Position: City Manager.
- B. Conference with Real Property Negotiator– *Government Code § 54956.8*. Property Address: APN 103-0-242-175. Negotiating Parties: Edward R. Mendoza. City Negotiators: Interim City Manager Clifford G. Finley and City Attorney Karl H. Berger. Under Negotiations: Both price and terms.

Mayor Fernandez recessed the City Council to a closed session at 5:30 p.m., and reconvened the City Council at 6:48 p.m. No reportable action. Mayor Gonzales recessed the City Council at 6:48 p.m.

CALL TO ORDER

Mayor Fernandez called the meeting to order at 6:52 p.m. The invocation was led by Deacon Al Guilin and Councilmember Aguirre led the flag salute.

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Robert S. Gonzales, Councilmember Fred W. Robinson, Vice Mayor James Tovas, and Mayor Ralph J. Fernandez respond to roll call vote. Interim City Manager Clifford G. Finley, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present.

CLOSED SESSION REPORT

No closed session report.

PRESENTATION

- A. Presentation of Proclamation to Soroptimist International of Santa Paula Declaring the Month of October as "Breast Cancer Awareness Month" and November as "End Domestic Violence Month"

Councilmember Robinson presented a proclamation to Soroptimist President Barbara Kroon.

- B. Presentation of Update on Census 2010

Councilmember Aguirre introduced Eddie Hernandez from Census 2010 who talked about the time line for the upcoming census and the launch of the Complete Count Committee. Mr. Hernandez commented that the goal is to get a complete count and that all information will be confidential.

- C. Recognition of Santa Paula's Solid Waste Staff for Successful Diversion Efforts

Interim City Manager Finley introduced the Public Works Solid Waste Division staff and congratulated them on their successful diversion of solid waste efforts.

PUBLIC COMMENT

None.

STAFF COMMUNICATIONS

None.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

Councilmember Gonzales pulled item 100 for discussion.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre 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 November 9, 2009.

Invoices	10/30/09	
Wire Transfer	10/30/09	
Subtotal		\$ 127,440.87
Invoices	11/04/09	
	11/05/09	
Wire Transfers	11/04/09	
Subtotal		<u>\$ 348,577.77</u>
	Grand Total	\$ 476,018.64

- D. Minutes– Adopt the Minutes from the Special City Council Meeting of October 23, 2009. Deputy City Clerk Peggy Higgins’ report dated November 10, 2009.
- E. Minutes– Adopt the Minutes from the Regular City Council Meeting of November 2, 2009. Deputy City Clerk Peggy Higgins’ report dated November 10, 2009.
- F. Minutes– Adopt the Minutes from the Special City Council Meeting of November 4, 2009. Deputy City Clerk Peggy Higgins’ report dated November 10, 2009.
- G. Second Reading and Adoption of Ordinance 1219– It is recommended that the City Council 1) waive second reading and adopt Ordinance No. 1219; 2) take such additional, related, action that may be desirable. ORDINANCE NO. 1219–AN ORDINANCE ADDING CHAPTER 16.34 TO TITLE 16 TO THE SANTA PAULA MUNICIPAL CODE PROVIDING TAX INCENTIVES FOR THE PRESERVATION AND MAINTENANCE OF HISTORIC PROPERTIES IN ACCORDANCE WITH THE MILLS ACT (GOVERNMENT CODE §§ 50280, ET SEQ.). Deputy City Clerk Peggy Higgins’ report dated November 9, 2009.

- H. Request for Out of State Travel–Arizona– It is recommended that the City Council authorize: 1) authorize two City Council members to travel to Arizona during the month of December 2009 relating to City Manager recruitment; 2) authorize all reasonable and appropriate travel expenses pursuant to the City Council's Travel Policy (Resolution No. 6258); and 3) take such additional, related, action that may be desirable. Interim City Manager Clifford G. Finley's report dated November 9, 2009.
- I. Request to Approve the Proposed Small Business Loan Program Policies and Procedures– It is recommended that the RDA Board of Directors and City Council: 1) consider approving Resolutions No. 2009-06 (R) and No. 6632 adopting the revised Small Business Loan Program Policies and Procedures; 2) authorize the City Manager/Executive Director to execute an agreement with EDC-VC for Program support services in a form approved by the City Attorney/General Counsel; and 3) take such additional, related, action that may be desirable. Assistant to the City manager Elisabeth V. Amador's report dated November 5, 2009
- J. Transfer of Unclaimed Monies Back to Fund Balance– It is recommended that the City Council: 1) adopt Resolution No. 6583 recognizing the attached list of unclaimed monies as property of the City of Santa Paula and authorizing the transfer of said monies to the City's General Fund. RESOLUTION NO. 6583– A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ESTABLISHING UNCLAIMED MONIES BE RECOGNIZED AS PROPERTY OF THE CITY OF SANTA PAULA AND ORDERING ITS TRANSFER THEN CITY'S GENERAL FRUND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50053. Finance Director John Quinn's report dated November 5, 2009.
- K. 2009-CUP-03, Enforcement Agreement for Jose Romo (Pizza Nostra Restaurant)– It is recommended that the City Council: 1) authorize the City Manager to execute an enforcement agreement, in a form approved by the City Attorney, allowing the serving of beer and wine at the property located at 650 W. Harvard Avenue (Assessor's Parcel Number 102-0-203-325); and 2) take such additional, related, action that may be desirable. Planning Director Janna Minsk's report dated October 30, 2009.
- L. Adoption of Title 22 Report for Recycled Water Use Project– It is recommended that the City Council: 1) adopt the Title 22 Report of water reuse prepared by DDB Engineering; 2) authorize the City Manager to make technical changes to the Report based upon comments from DHS and Regional Board, in a form approved by the City Attorney; and 3) take such additional, related action that may be desirable. Interim Public Works Director Jon Turner's report dated November 9, 2009.

- M. Approval of Traffic Safety Committee Recommendations Resolution No. 6585– It is recommended that the City Council: 1) adopt Resolution No.6585 approving the recommendations of the Traffic Safety Committee; and 2) take such additional, related action that may be desirable. RESOLUTION NO. 6585 - A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS, DATED OCTOBER 27, 2009. Interim Public Works Director Jon Turner’s report dated November 5, 2009.
- N. Approve 7th Street Wastewater Main Replacement Project– It is recommended that the City Council: 1) adopt Resolution No. 6629 approving the plans and specifications for the 7th Street Wastewater Main Replacement Project; 2) authorize the City Manager to advertise the plans and specifications to receive construction bids; and 3) take such additional, related action that may be desirable. RESOLUTION NO. 6629 RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE 7TH STREET WASTEWATER MAIN REPLACEMENT PROJECT. Interim Public Works Director Jon Turner’s report dated November 5, 2009.
- P. Approve Resolutions 6630 and 6631 for the Recycled Water Distribution System Facilities Planning Grant– It is recommended that the City Council: 1) approve Resolution Nos. 6630 and 6631 authorizing the application and acceptance of the grant from the Water Recycling Facilities Planning Grant Program; and 2) take such additional, related action that may be desirable. RESOLUTION NO. 6630 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO LOCATE, APPLY FOR, OBTAIN, ACCEPT, EXECUTE DOCUMENTS FOR, DEPOSIT, AND OTHERWISE TAKE ANY REASONABLE ACTION RELATED TO OBTAIN ANY AND ALL MONIES FROM ANY POSSIBLE FEDERAL, STATE, OR LOCAL FUNDING SOURCE INCLUDING, WITHOUT LIMITATION, THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD. RESOLUTION NO. 6631 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO LOCATE, APPLY FOR, OBTAIN, ACCEPT, EXECUTE DOCUMENTS FOR, DEPOSIT, AND OTHERWISE TAKE ANY REASONABLE ACTION RELATED TO OBTAIN ANY AND ALL MONIES FROM ANY POSSIBLE FEDERAL, STATE, OR LOCAL FUNDING SOURCE INCLUDING, WOTHOUT LIMITATION, THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD. Interim Public Works Director Jon Turner’s report dated November 9, 2009.

CONSENT CALENDAR (SEPARATE ACTION ITEMS)

O. Award Wastewater Pipeline Repair Project to Aguilera Brothers Construction, Inc.

Interim Public Works Director Jon Turner's report dated November 5, 2009.

Councilmember Gonzales commented on the fact that Aguilera Brothers Construction, Inc. is a local company.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to allocate \$99,485 from the FY 09/10 approved capital budget for wastewater pipeline rehabilitation, to authorize the Interim City Manager to execute a contract with Aguilera Brothers Contractors, Inc., for \$86,509 in a form approved by the City Attorney and approve contract change orders up to the budgeted amount. All were in favor under roll call vote and the motion carried.

PUBLIC HEARING

A. City of Santa Paula General Plan Housing Element Update Project No. 2007-CI-07

Planning Director Janna Minsk's report dated November 5, 2009.

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:14 p.m.

Consultant from John Douglas of Conexus presented the update to the 2008-2014 Housing Element draft.

PUBLIC COMMENT

Eileen McCarthy, staff attorney for CRLA on behalf of a client in need of affordable and adequate sized housing expressed concern regarding the use of the inventory of land, size of parcels and residential density including in East Area I.

Sonja Flores, Fillmore, Coordinator of House Farm Workers of Ventura County, commented that the loss of 60 units due to the Paseo Santa Barbara lawsuit needs to be made up in future development and the City has an obligation to update its development standards because they stand in the way of the City meeting its share of the regional housing need.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to continue the Public Hearing to the Regular City Council meeting of January 19, 2009. All were in favor under roll call vote and the motion carried.

ORDER OF BUSINESS

A. Update on New CDBG Application and Funding Process

Assistant to the City manager Elisabeth V. Amador's report dated November 5, 2009.

Council directed staff to move forward with the funding process and investigate the possibility of terminating the Agreement the City has with the County and continued item to its Regular meeting of December 7, 2009.

Mayor Fernandez recused himself from Item 12B due to a conflict due to his employment with the Ventura College District and turned the meeting over to Vice Mayor Tovas.

B. Update on New Ventura College East Campus

Assistant to the City Manager Elisabeth V. Amador's report dated November 9, 2009.

Council directed staff to report back at the December 7 Council meeting regarding how much money is left in the fund to be expended, write letter to VCCSD outlining the Council's position regarding the expenditure of those funds and have Council members attend a VCCSD Board meeting to present the letter.

RECESS TO BREAK

Vice Mayor Tovas recessed the Council to a break at 8:50 p.m.

RECONVENE TO REGULAR MEETING

Mayor Fernandez reconvened the meeting at 9:05 p.m.

C. Report on Garage and Yard Sales

Fire Chief Richard Araiza's report dated November 5, 2009.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Tovas to receive and file this report. All were in favor under roll call vote.

D. Approve City Resolution No. 6581 and Redevelopment Agency Resolution No. 2009-05 (R) authorizing a Joint Powers Agreement for the Formation of the Santa Paula Utility Authority; and, acting in their role as the Board of Directors for the Santa Paula Utility Authority approve Resolution No.

2009-01 (U) adopting its by-laws; and, approve Resolution No. 6628 authorizing staff to solicit a proposal from the Santa Paula Utility Authority to lease the water and wastewater enterprises and to set a public hearing date of December 7, 2009 to evaluate such proposal.

Finance Director John Quinn's report dated November 11, 2009.

It was moved by Councilmember Aguirre, seconded by Councilmember Robinson to approve Resolution No. 6581 authorizing a Joint Powers Agreement with the Santa Paula Redevelopment Agency creating Santa Paula Utility Authority. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 6581

A RESOLUTION APPROVING A JOINT POWERS AGREEMENT WITH SANTA PAULA REDEVELOPMENT AGENCY CREATING SANTA PAULA UTILITY AUTHORITY AND AUTHORIZING THE MAYOR TO EXECUTE THAT AGREEMENT.

It was moved by Councilmember Aguirre, seconded by Councilmember Robinson to approve Resolution No. 2009-05 (R) authorizing a Joint Powers agreement with the City of Santa Paula creating Santa Paula Utility Authority. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 2009-05 (R)

A RESOLUTION APPROVING A JOINT POWERS AGREEMENT WITH THE CITY OF SANTA PAULA CREATING SANTA PAULA UTILITY AUTHORITY AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THAT AGREEMENT.

It was moved by Councilmember Gonzales, seconded by Councilmember Robinson to approve Santa Paula Utility Authority Resolution No. 2009-01(U) adopting its By-Laws and authorizing certain other actions in connection therewith. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 2009-01 (U)

A RESOLUTION OF THE SANTA PAULA UTILITY AUTHORITY APPROVING AND ADOPTING ITS BYLAWS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovas to approve Resolution No. 6628 authorizing staff to solicit a proposal from the Santa

Paula Utility Authority to lease the water and wastewater enterprises and to set a public hearing date of December 7, 2009 to evaluate such proposal. All were in favor under roll call vote and the motion carried.

RESOLUTION NO. 6628

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING STAFF TO SOLICIT A PROPOSAL FROM THE SANTA PAULA UTILITY AUTHORITY TO LEASE THE CITY'S MUNICIPAL WATER AND WASTEWATER SYSTEMS AND SETTING A PUBLIC HEARING DATE TO EVALUATE SUCH PROPOSAL.

E. October 2009 Monthly Budget Update

Finance Director John Quinn's report date November 9, 2009.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovias to review the budget status and additional information and file report. All were in favor under roll call vote and the motion carried.

F. Adoption of Ordinances No. 1222 and 1223-Landscape Water Conservation Standards and Water Conservation

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

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to waive first reading and introduce Ordinance Nos. 1222 and 1223 adding Chapters 58 and 59, respectively, to the Santa Paula Municipal Code to conform with State guidelines and schedule second reading and adoption of the Ordinances for the December 7th Council meeting.

ORDINANCE NO. 1222

AN ORDINANCE ADDING A NEW CHAPTER 58 TO THE SANTA PAULA MUNICIPAL CODE ESTABLISHING WATER CONSERVATION MEASURES IN ACCORDANCE WITH WATER CODE § 375.

ORDINANCE NO. 1223

AN ORDINANCE AMENDING TITLE V OF THE CITY OF SANTA PAULA MUNICIPAL CODE, ADDING A NEW CHAPTER 59 (LANDSCAPE WATER CONSERVATION STANDARDS).

G. Request for Joint Meeting with Council and School Districts

Interim City Manager Clifford G. Finley's report dated November 10, 2009.

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

COMMUNICATIONS

Interim City Manager Finley will bring an item to the December 7 meeting to request that the Council cancel the regularly scheduled meeting on December 21.

Councilmember Gonzales reminded the Council of the unveiling of the incinerator at the Toland landfill is on November 18th at 10:00 a.m.

Mayor Fernandez announced the Santa Paula Christmas Parade on November 28th.

Vice Mayor Tovas requested that the citizens make Santa Paula their first stop for gasoline as gas stations in Santa Paula are in the top five sales tax generators in the City.

FUTURE AGENDA ITEMS

Councilmember Gonzales requested an update on the Greenbelt Ordinance that went to City Council of Fillmore.

ADJOURNMENT

Mayor Fernandez adjourned the meeting at 10:19 p.m.

ATTEST:

Judy Rice
City Clerk