

CALL TO ORDER

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

ROLL CALL

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

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

- A. **Conference with Real Property Negotiator**– *Government Code § 54956.8*. Property Address: APN 103-0-242-175. 221 S. Mill Street, Santa Paula. 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.
- B. **Conference with Labor Negotiators** – *Government Code 54957.6*. City Negotiator: Interim City Manager Clifford G. Finley and Human Resources Manager Kathy Campbell. Employee Organizations: Santa Paula Community Service Officers Unit, Santa Paula Police Officers Association, SEIU Local 721, Ventura County Professional Firefighters Association, Management, Supervisory & Professional Association; Executive Management, Mid-Management, Confidential, Part-time, Temporary, and Seasonal Employees Groups.
- C. **Conference with Legal Counsel, Existing Litigation**– *Government Code § 54956.9 (a)*. *Escalante v. City of Santa Paula*, VCSC Case No. 56-2009-00360349-CU-EI-VTA.

Councilmember Gonzales arrived at 5:45 p.m. and Councilmember Fernandez arrived at 6:00 p.m.

Mayor Tovas moved the City Council to a closed session for the reasons stated on the agenda at 5:36 p.m., and reconvened the City Council in open session at 6:06 p.m. No reportable action. Mayor Tovas recessed the City Council at 6:06 p.m.

CALL TO ORDER

Mayor Tovias reconvened the meeting to order at 6:33 p.m. The invocation was led by Reverend Carolyn Price and Councilmember Aguirre led the flag salute.

ROLL CALL

Councilmember Robert S. Gonzales, Councilmember Ralph J. Fernandez, Councilmember Gabino Aguirre, Vice Mayor Fred W. Robinson, and Mayor James A. Tovias 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.

CLOSED SESSION REPORT

No reportable action.

PRESENTATION

A. Proclamation Given by Vice Mayor Robinson to Big Brothers Big Sisters

Councilmember Robinson presented a proclamation to Isbell Middle School's Big Brothers Big Sisters Coordinator, Ilene Reynozo. Ricardo Morales spoke of the benefits of having a Big Brother and expressed his appreciation to the organization and Councilmember Robinson who is his Big Brother.

B. Update on Continental Wind Power by Jim Winsayer

Mr. Winsayer was not present and there was no update given.

C. Presentation of Proclamation and City Tile to Kathleen J. Campbell

Councilmember Fernandez presented a proclamation and City Tile to Kathleen J. Campbell and thanked her and expressed his appreciation on behalf of the Council for the impact she has made on the City of Santa Paula as Human Resources Manager.

Ms. Campbell expressed her appreciation to the Council and asked it to always remember the staff in their future decisions.

Interim City Manager Finley invited Interim Public Works Director Jon Turner to give Council an update on the state of the city due to the recent rains and Public

Works' progress in resolving any problems. Mr. Turner answered questions from Council.

PUBLIC COMMENT

Cathy Fernandez, representing the Girl Scout Troops of Santa Paula announced that the annual cookie sale has begun and presented the Council each with a box of cookies and invited the Council and public to help support the local Girls Scouts by purchasing cookies.

Reverend Carolyn Price, 740 E. Main St. representing Task Force to End Homelessness in Santa Paula invite the Council to be a sponsor to a local community event on March 20, 2010, called Bridges out of Poverty Santa Paula to help broaden awareness of homeless issues as they intersect with poverty and the economy.

Donna Nelson, Isbell Middle School Chorus Director and Cynthia R. Cruz, 429 S. Dartmouth Rd., Isbell Chorus Mom invited Council to participate in a McDonalds McTeacher fundraiser on January 21, 2010 to raise funds for the Heritage Musical Festival in Fullerton.

CITY COUNCIL, STAFF COMMUNICATIONS

Councilmember Aguirre attended the Martin Luther Tribute and Jazz Requiem, at the Universal Unitarian Church where music and readings were performed honoring the life and times of Martin Luther King.

Councilmember Aguirre attended the Epoce Nueva Art Show at Casa Mexicano and stated that it was well attended, expressed his appreciation to Casa Mexicano for providing the venue and stated that the intention is for Epoce Nueva to become an annual event.

Councilmember Aguirre stated that he felt that both of these events met the objective of bringing more cultural events to Santa Paula.

Councilmember Robinson attended the Habitat for Humanity dedication of the two new homes on Ojai Rd. along with close to 100 other people. He stated that Redevelopment funds provided by the City was money well spend.

APPROVAL OF FINAL AGENDA

Mayor Tovas requested that Item 12I and 12G be moved to the first and second items under Order of Business.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to approve the agenda as amended. All were in favor under roll call vote and the motion carried.

CONSENT CALENDAR

- 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 October 12, 2009.

Invoices	12/22/09		
	12/24/09		
Wire Transfer	12/23/09		
Subtotal		\$	208,962.26
Invoices	12/28/09		
	12/29/09		
Wire Transfers	12/30/09		
Subtotal		\$	168,507.16
Invoices	01/07/10		
	01/08/10		
Wire Transfers	01/08/10	\$	<u>29,402.20</u>
Grand Total		\$	406,871.62

- D. Second Reading and Adoption of Ordinance No. 1225– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1225. ORDINANCE NO. 1225 - AN ORDINANCE AMENDING SANTA PAULA CHAPTER 118 IN ITS ENTIRETY TO REGULATE MOTION PICTURE, RADIO AND TELEVISION PRODUCTION WITHIN THE CITY OF SANTA PAULA. Deputy City Clerk Peggy Higgins’ report dated January 12, 2010.
- E. Minutes– Adopt the Minutes from the Regular City Council Meeting of January 4, 2009. Deputy City Clerk Peggy Higgins’ report dated January 12, 2010.

- F. Approval of Traffic Safety Committee Recommendations Resolution No. 6645– It is recommended that the City Council: 1) adopt Resolution No. 6645 approving the recommendations of the Traffic Safety Committee; and 2) take such additional, related action that may be desirable. RESOLUTION NO. 6645– A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS, DATED DECEMBER 29, 2009. Interim Public Works Director Jon Turner’s report dated January 6, 2010.

It was moved by Vice Mayor Robinson, seconded by Councilmember Gonzales to approve the Consent Calendar as presented. All were in favor and the motion carried.

PUBLIC HEARING

- A. Authorize Joint Application with County of Ventura for the California FIRST Program

Assistant to the City Manager Elisabeth Amador’s report dated January 12, 2009.

Upon verification of proper notification and posting by the City Clerk, Mayor Tovias opened the Public Hearing at 7:10 p.m.

Mayor Tovias continued the public hearing to be heard after Items 12I and 12G.

ORDER OF BUSINESS

- I. Request for City to be a Co-Sponsor of the 2010 Citrus Classic Balloon Festival– Interim City Manager Clifford G. Finley’s report dated January 13, 2010.

PUBLIC COMMENT

Donna Stewart, Santa Paula Inn asked the City to support as co-sponsorship of the Citrus Classic.

Cathy Hicks, President of Santa Paula Optimist Club thanked the Council for the City’s past support of the Halloween Parade and Christmas Parade. She informed the Council that the Optimist Club raises funds from managing the parking for the Citrus Classic that goes to the Santa Paula High School band, football and wrestling teams, Isbell Middle School, Blanchard Library, and Search and Rescue.

Sam Hishmeh, Hishmeh Enterprise has supported the Citrus Classic since its inception and requested that the City of Santa Paula do the same.

Carla Edwards, Citrus Classic Balloon Festival organizer showed a Power Point presentation of the 2009 Festival.

Councilmember Aguirre, seconded by Mayor Tovas for the City to become a co-sponsor for in kind services and provide \$500. for the event. All were in favor and the motion carried.

G. Award Preparation of a Solid Waste Rate Study to R3 Consulting Group, Inc. –

Interim Public Works Director Jon Turner's report dated January 6, 2010.

PUBLIC COMMENT

Jim Harrison, Santa Clara Valley Disposal, presented a letter to Council regarding the local implementation plan and counting third-party tons and expressed his disagreement with a third party rate study.

It moved by Councilmember Fernandez, seconded by Aguirre bring this item back at the first Council meeting in July. All were in favor and the motion carried.

PUBLIC HEARING

A. Authorize Joint Application with County of Ventura for the California FIRST Program

Mayor Tovas reopened the public hearing at 8:15 p.m.

It moved by Councilmember Aguirre, seconded by Vice Mayor Robinson to adopt Resolution No. 6640 authorizing the County of Ventura to file a joint grant application for California FIRST Program. All were in favor and the motion carried.

Mayor Tovas closed the Public Hearing at 8:23 p.m.

RESOLUTION NO. 6640

A RESOLUTION AUTHORIZING THE COUNTY OF VENTURA TO SUBMIT A JOINT APPLICATION WITH FOR THE CALIFORNIA FIRST PROGRAM.

B. Citizens Option for Public Safety (COPS) Program

Police Chief Stephen MacKinnon's report dated January 11, 2010.

Upon verification of proper notification and posting by the City Clerk, Mayor Tovas opened the Public Hearing at 8:25 p.m.

It was moved by Councilmember Robinson, seconded by Councilmember Gonzales approve the allocation of the FY 2009/2010 COPS funds in the amount of \$15,173.00 for a part-time Community Service Officer. All were in favor and the motion carried.

Mayor Tovas closed the public hearing at 8:28 p.m.

RECESS TO A BREAK

Mayor Tovas recessed the Council at 8:28 p.m.

RECONVENED TO REGULAR SESSION

Mayor Tovas reconvened the Council at 8:41 p.m.

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

Planning Director Janna Minsk's report dated January 7, 2010.

Mayor Tovas opened public hearing that was continued from November 16, 2009 at 8:42 p.m.

PUBLIC COMMENT

Reverend Carolyn Price, Task Force to End Homelessness in Santa Paula stated concern regarding the number of low and very low numbers shown in the Housing Element.

Eileen McCarthy, Staff Attorney California Rural Legal Assistance, Inc. representing a Santa Paula client presented written comment and apologized that it was not turned in by December as requested by City staff and expressed concern regarding the identification and size of sites for the low and very low units.

Sonja Flores, Santa Paula Farmworkers Housing Committee submitted letter to Council requesting changes to the number of units that were lost in the Plaza

Amistad/Paseo Santa Barbara settlement agreement and that the residential land inventory is insufficient.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to exclude from the record the three letters presented to Council on January 19, 2010 from Jesse R. Ornales, Eileen McCarthy, Staff Attorney California Rural Legal Assistance, Inc. and Sonja Flores, Coordinator Santa Paula Farm Worker Housing Committee. Under roll call vote Councilmember Gonzales, and Fernandez, Vice Mayor Robinson and Mayor Tovas were in favor of the motion. Councilmember Aguirre was opposed. The motion carried.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to adopt Resolution No. 6617 (Exhibit A) amending the Housing Element of the General Plan in its entirety, authorize the City Manager or designee to forward the Housing Element to the California Department of Housing and Community Development (“HCD”) for review, authorize the City Manager or designee make non-substantive changes, approved as to form by the City Attorney, to the Housing Element required for HCD Certification and to resubmit the Element to HCD for Certification. Under roll call vote Councilmember Gonzales, and Fernandez, Vice Mayor Robinson and Mayor Tovas were in favor of the motion. Councilmember Aguirre was opposed. The motion carried.

RESOLUTION No. 6617

A RESOLUTION AMENDING THE HOUSING ELEMENT OF THE SANTA PAULA GENERAL PLAN AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO IMPLEMENT THE PURPOSE OF THIS RESOLUTION.

Mayor Tovas closed the Public Hearing at 9:30 p.m.

ORDER OF BUSINESS

A. Midyear Budget Update—

Finance Director John Quinn’s report dated January 12, 2010.

Human Resources Director Kathleen Campbell presented the Council with information on personnel budget adjustments and workforce planning.

PUBLIC COMMENT

Danny Carrillo, SEIU Local 721 thanked Kathy Campbell for her services and the work she has done in working the Union and stated that SEIU supports the personnel budget adjustments as presented by Mr. Quinn and Ms. Campbell.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Robinson to adopt Resolution No. 6646 authorizing adjustments to the adopted FY 2009-10 budget, direct the Interim City Manager to continue monitoring the FY 2009-10 budget and return with report on February 16, 2009 and adopt a schedule for FY 2010-11 budget preparation process. All were in favor and the motion carried.

RESOLUTION NO. 6646

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA PAULA APPROVING MID-YEAR
BUDGET ADJUSTMENTS TO THE ADOPTED
BUDGET FOR FISCAL YEAR 2009-10.

Councilmember Gonzales left the meeting at 9:57 p.m.

- B. Approve City Resolution No. 6643 Authorizing the Mayor to execute Indentures of Trust and Bond Purchase Contracts; and Utility Authority Resolution No. 2010(U) Authorizing the Issuance of Water Enterprise Revenue Bonds, 2010 Series, Wastewater Enterprise Revenue Bonds, 2010A Series, and Wastewater Revenue Enterprise Revenue Bonds, 2010B Series, (Taxable) in the aggregate Principal amounts not to exceed \$66,000.00, \$8,000,000 and \$10,000,000 respectively; Authorizing the Chairperson to Execute Indentures of Trust, an Escrow Agreement, Bond Purchase Contracts, and Continuing Disclosure Agreements; and Approving a Preliminary Official Statement–

Finance Director John Quinn's report dated January 13, 2010.

It was moved by Vice Mayor Robinson, seconded by Councilmember Aguirre approve Resolution No. 6643 authorizing the Mayor to execute Indentures of Trust and Bond Purchase Contracts, approve Utility Authority Resolution No. 2010(U) authorizing the issuance of Water Enterprise Revenue Bonds, 2010 Series, Wastewater Enterprise Revenue Bonds, 2010A Series, and Wastewater Revenue Enterprise Revenue Bonds, 2010B Series, (Taxable) in the aggregate principal amounts not to exceed \$66,000,000, \$8,000,000 and \$10,000,000, respectively; authorizing the Chairperson to execute Indentures of Trust, an Escrow Agreement, Bond Purchase Contracts, and Continuing Disclosure Agreements and approve a Preliminary Official Statement. All were in favor and the motion carried.

RESOLUTION NO. 6643

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE INDENTURES OF TRUST AND BOND PURCHASE CONTRACTS.

RESOLUTION NO. 2010-01 (U)

RESOLUTION AUTHORIZING THE ISSUANCE OF WATER ENTERPRISE REVENUE BONDS, 2010 SERIES, WASTEWATER ENTERPRISE REVENUE BONDS, 2010A SERIES, AND WASTEWATER ENTERPRISE REVENUE BONDS, 2010B SERIES (TAXABLE) IN THE AGGREGATE PRINCIPAL AMOUNTS NOT TO EXCEED \$66,000,000, \$8,000,000 AND \$10,000,000, RESPECTIVELY; AUTHORIZING THE CHAIRPERSON TO EXECUTE INDENTURES OF TRUST, AN EXCROW AGREEMENT, BOND PURCHASE CONTRACTS AND CONTINUING DISCLOSURE AGREEMENTS; AND APPROVING A PRELIMINARY OFFICIAL STATEMENT.

- C. Annual Financial Reports of the Local Transportation Development Act Fund (Public Resources Code) §§ 99234 and 99400 for the City of Santa Paula for the Fiscal year Ended June 30, 2009–

Finance Director John Quinn's report dated January 7, 2010.

It was moved by Mayor Tovias, seconded by Vice Mayor Robinson to receive and file the Annual Financial Reports for the Local Transportation Development Act Fund, Public Utilities Code §§ 99400 and 99234 for the Fiscal Year Ended June 30, 2009 resulting from the audits by Rivera and Company, Certified Public Accountants. All were in favor and the motion carried.

- D. 2010-2011 Community Development Block Grant Program Process and 2010-2013 Consolidated Plan–

Assistant to the City Manager Elisabeth Amador's report dated January 6, 2010.

It was moved by moved by Vice Mayor Robinson, seconded by Councilmember Fernandez to receive and file the report. All were in favor and the motion carried.

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules and Procedures, it was moved by Mayor Tovias, seconded by Councilmember Fernandez, to suspend the rules and continue the meeting. All were in favor and the motion carried.

E. Volunteer Program in the City of Santa Paula–

Human Resources Director Kathy Campbell's report dated January 12, 2010.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to approve the City's Volunteer Handbook and forms and adopt Resolution 6647 providing workers compensation coverage to volunteers. All were in favor and the motion carried.

RESOLUTION NO. 6647

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA PAULA EXTENDING WORKERS
COMPENSATION BENEFITS TO CITY
VOLUNTEERS.

F. Award of 400/600 Zone Booster Pump Station Design Project to Stantec Consultants–

Interim Public Works Director Jon Turner's report dated January 12, 2010.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Robinson to allocate \$290,630 from Account No. 620.5.9008.290 for the design consulting work and authorize the City Manager to enter into a professional services agreement with Stantec Consultants for \$264,211 in a form approved by the City Attorney for the design project and authorize the City Manager to approve contract amendments up to the budgeted amount. All were in favor and the motion carried.

H. Update of Subcommittee Discussions Regarding the Santa Paula/Fillmore/Ventura County Greenbelt–

Interim City Manager Clifford G. Finley's presented a revised map of proposed Santa Paula-Fillmore Greenbelt and a draft of the Ordinance affecting the Santa Paula-Fillmore Greenbelt for Council's review.

It was moved by Councilmember Aguirre, seconded by Mayor Tovias to include the golf course, accept the language in the draft Ordinance and bring back the

Ordinance for first reading and introduction at the Regular City Council meeting of February 1, 2010. All were in favor and the motion carried.

COMMUNICATIONS

Mayor Tovas commented the Council of the Grand Jury's periodical visit on January 11, 2010 and stated that it was successful and that in June the Grand Jury will be looking for a new member from Santa Paula.

FUTURE AGENDA ITEMS

It was moved by Councilmember Fernandez, seconded by Councilmember Aguirre to include an organizational chart in the next scheduled budget update. All were in favor and the motion carried.

It was moved by Councilmember Aguirre, seconded by Councilmember Fernandez to have Council schedule a Bridges Out of Poverty Conference in Santa Paula. All were in favor and the motion carried.

ADJOURNMENT

Mayor Tovas adjourned the meeting at 11:07 p.m.

ATTEST:

Judy Rice
City Clerk