

**CALL TO ORDER**

Mayor Tovas called the meeting to order at 6:05 p.m.

**ROLL CALL**

Mayor James A. Tovas, Vice Mayor Fred W. Robinson, Councilmember Gabino Aguirre, Councilmember Fernandez and Councilmember Gonzales responded to roll call. City Manager Jaime Fontes, City Attorney Karl H. Berger and City Clerk Judy Rice were also present.

**PUBLIC COMMENT**

None

**CLOSED SESSION**

- A. **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.
- B. **Conference with Legal Counsel, Existing Litigation**– Government Code § 54956.9(a). *Coalition for Responsible Development v. City of Santa Paula, et al.*, VCSC Case No. BS120290.

**CALL TO ORDER**

Mayor Tovas called the meeting to order at 6:35 p.m. The invocation was given by Deacon Al Guilin and the flag salute was led by Vice Mayor Robinson.

**ROLL CALL**

Councilmember Robert S. Gonzales, Councilmember Ralph J. Fernandez, Councilmember Gabino Aguirre, Vice Mayor Fred W. Robinson, and Mayor James A. Tovas responded to roll call vote. City Manager Jaime M. Fontes, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present.

**CLOSED SESSION REPORT**

No closed session.

**PRESENTATIONS**

A. Legislative Update from League of California Cities- Channel Counties  
Regional Public Affairs Manager David Mullinax

Dave Mullinax described the function of the League of California Cities and the actions being taken to get an initiative called Californians To Protect Local Taxpayers & Vital Services on the ballot to stop the State's raid on money coming to Cities.

B. Wastewater Treatment Plant Update– PERCWATER Vice President  
Bob Nespeca

Mr. Nespeca gave PowerPoint presentation updating the Council on the status of the Wastewater Treatment Plant. He thanked Public Works Director Cliff Finley and his staff for all of their help and work on getting the plant operational. He further explained the time-line for the plant to become fully operational.

C. Presentation of the Door Hanger Project- Fire Chief Araiza and Chief  
of Police MacKinnon

Chief of Police MacKinnon explained the purpose of the Door Hanger Project. They stated that in the event of a disaster there is the possibility that citizens will be without public services for up to 48 hrs. Citizens were encouraged to keep the door hanger easily accessible to use in case of a disaster and for neighbors to watch out for each other. Fire Chief Araiza stated there will be a community event at the gazebo on April 17 at 10:00 a.m. where volunteers will begin distributing the door hangers. He also announced that a new Spanish speaking CERT class is starting Friday, April, 9<sup>th</sup>, 6:30 p.m. at Guadalupe Church.

**PUBLIC COMMENT**

Ventura Councilmember Carl Morehouse, representing the Channel Counties Division, League of California Cities explained the process of collecting signatures to get the Californians To Protect Local Taxpayers & Vital Services Initiative on the ballot. He also encouraged the Council to send one delegate to SCAG Conference and General Assembly in May.

Eileen McCarthy, CRLA staff attorney on behalf of a Santa Paula client informed Council that she emailed each member a letter regarding the Housing Element and provided the City Clerk with a copy.

Al Escobedo, 318 N. 13<sup>th</sup> St. spoke of his concerns regarding cars making u-turns on Main St., and skate boarders and bicyclers that are not abiding by the laws. He expressed his concern about elementary school safety.

Tim Hicks 560 Howie Ct., thanked the City and staff for sponsoring a successful Easter Egg party at the Community Center for the children in the community and expressed hopes that it would continue.

Nan Drake, Chamber of Commerce Chairperson, spoke of the various upcoming Chamber activities and commented on the success of this year's first Cruise Night.

Bill Grant, representing Kiwanis, reported that the 43<sup>rd</sup> annual Citrus Festival will be held July 16, 17 and 18. He expressed his gratitude to the City for all of the support and assistance given throughout the years. He stated that last year there were 25,000 in attendance and expects to have a great turnout this year. He especially thanked Brian Yanez and the city staff that put in hours of labor to make the Citrus Festival a success. Mr. Grant, representing the Recreation Commission attended the Easter Egg party and said it was a success and great fun for all the children.

### **CITY COUNCIL, STAFF COMMUNICATIONS**

Councilmember Gonzales received a complaint about weeds in the railway corridor and requested that staff make contact with Ventura County Probation Department to see if an arrangement could be made to have the weeds cleared at no cost to the City.

City Manager Jaime Fontes stated that staff is resolving workers compensation issues regarding use of volunteers for clean up projects within the city.

Public Works Director Clifford Finley stated that this is the future bike path and as the bike path is developed staff will be looking for ways to maintain it.

Councilmember Ralph Fernandez expressed concerns over the weeds growing in the median at Cameron and Santa Paula St. and asked that it be added as a project to the next Santa Paula Beautiful day.

### **APPROVAL OF FINAL AGENDA**

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to approve the agenda as presented. All were in favor and the motion carried.

### **CONSENT CALENDAR**

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to pull Item 10G for discussion. All were in favor and the motion carried.

Regular City Council Meeting  
Monday, April 5, 2010  
Administrative Conference Room and Council Chambers

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to pull Item 10J for discussion. All were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson 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 warrants and certifications. Finance Director John T. Quinn’s report dated March 1, 2010.

|                |          |    |            |
|----------------|----------|----|------------|
| Voided Checks  | 03/11/10 |    |            |
| Invoices       | 03/08/10 |    |            |
| Wire Transfer  | 03/10/10 |    |            |
| Subtotal       |          | \$ | 381,846.78 |
|                |          |    |            |
| Invoices       | 03/15/10 |    |            |
| Wire Transfers | 03/17/10 |    |            |
| Subtotal       |          | \$ | 80,613.32  |
|                |          |    |            |
| Grand Total    |          | \$ | 462,460.10 |

- D. Planning Commission Action Report– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on March 23, 2010. 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.
- E. Minutes– Adopt the Minutes from the Special City Council Meeting of March 10, 2010. Deputy City Clerk Peggy Higgins’ report date March 30, 2010.
- F. Minutes– Adopt the Minutes from the Regular City Council Meeting of March 15, 2010. Deputy City Clerk Peggy Higgins’ report dated March 30, 2010.

- H. Well 12 Emergency Pump Motor Repairs, Resolution No. 6665– It is recommended that the City Council 1) Adopt Resolution No. 6665 finding that an emergency exists within the City and authorizing contracting without the need for bidding pursuant to Public Contract Code § 22050 to repair Well 12; 2) allocate \$54,956 from the Water Main Replacement Capital Project Phase III account 620.5.9108.660, 3) award the emergency repair contract for \$45,400.59 to Layne Christensen, 4) authorize the City Manager to award the oversight of the repair to Hopkins Groundwater Consultant's, Inc., for \$4,560.00, authorize the City Manager to approve any change orders up to the project budget amount to complete the project, and 5) take such additional, related action that may be desirable. **RESOLUTION NO. 6665**- A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF SANTA PAULA CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY. Director of Public Works Clifford G. Finley's report dated March 30, 2010.
- I. Award Farm Worker Monument Project to Mendez Concrete, Inc.– It is recommended that the City Council: 1) allocate \$168,000 from Account Number 8002208, 2) authorize the City Manager to execute a contract with Mendez Concrete, Inc. for \$153,458.78 in a form approved by the City Attorney and approve contract change orders up to the budgeted amount, and 3) take such additional, related action that may be desirable. Director of Public Works Clifford G. Finley's report dated March 25, 2010.

**CONSENT CALENDAR (SEPARATE ACTION ITEMS)**

- G. Personnel Rule Amendments and Revision of Santa Paula Municipal Code §33.12–

Interim Human Resources Manager Lorena Alvarez's report dated March 30, 2010

It was moved by Councilmember Fernandez, seconded by Councilmember Aguirre to waive first reading of Ordinance No. 1221 amending Santa Paula Municipal Code §33.12 relating to the abolition of positions by the City Council, schedule second reading and adoption for November 2, 2009 and adopt Resolution No. 6622 amending the Personnel Rules to provide guidance and policies relating to layoffs, harassment, and employee appearance. All were in favor and the motion carried.

**ORDINANCE NO. 1221**

AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE § 33.12 RELATING TO THE ABOLITION OF PERSONNEL POSITIONS BY THE CITY COUNCIL.

**RESOLUTION NO. 6622**

A RESOLUTION AMENDING THE CITY OF SANTA PAULA PERSONNEL RULES AND REGULATIONS.

- J. Adoption of Resolution No. 6661 State Master Agreement 07-5121R and Program Supplement Agreement 010-N–

Director of Public Works Clifford G. Finley's report dated March 22, 2010.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to adopt Resolution No. 6661 authorizing the City Manager to sign the State Local Program Supplement Agreement No. 010-N in a form approved by the City Attorney making available \$242,008 of Federal Grant Funds for the Peck Road Paving Project construction. All were in favor and the motion carried.

**RESOLUTION NO. 6661**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING THE CITY MANAGER TO SIGN THE PROGRAM SUPPLEMENT AGREEMENT 010N FOR PROJECT ESPL-5121(019).

**PUBLIC HEARINGS**

- A. Adopt Resolution No. 6660 to Abandon a Portion of Santa Cruz Street between Steckel Drive and Vernon Place –

Public Works Director Clifford G. Finley's report dated March 29, 2010

Upon verification of proper notification and posting by the City Clerk, Mayor Tovias reopened the Public Hearing at 7:40 p.m.

It was moved by Vice Mayor Robinson, seconded by Mayor Tovias to adopt Resolution No. 6660 abandoning Santa Cruz Street, between east of Steckel Drive and east of Vernon Place in accordance with Streets and Highways Code Section § 8320. Under roll call vote Councilmember Gonzales, Councilmember Aguirre, Vice Mayor Robinson and Mayor Tovias were in favor. Councilmember Fernandez was opposed. The motion carried.

**RESOLUTION NO. 6660**

A RESOLUTION ABANDONING SANTA CRUZ STREET BETWEEN  
STECKEL DRIVE AND VERNON PLACE.

**ORDER OF BUSINESS**

- A. Consider City Sponsorship for the Citrus Balloon Classic Balloon Festival–

Finance Director John T. Quinn's' report dated March 31, 2010.

**PUBLIC COMMENT**

Carla Edwards, representing the Citrus Classic Balloon Festival updated the Council on the progress in funding the event and addition sponsorships that have been received.

It was moved by Gonzales, seconded by Aguirre to authorize the City Manager to execute an agreement in a form approved by the City Attorney, to sponsor the Citrus Classic Balloon Festival with an additional \$4,500 contribution. Under a roll call vote all were in favor and the motion carried.

- B. East Area One Specific Plan Area, Related Property, Annexation–

Planning Director Janna Minsk's report dated April 5, 2010.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Robinson to adopt Resolution No. 6664 amending Resolution No. 6465, adopted February 26, 2008 to conform with existing law, adopt Resolution No. 6663 authorizing the City Manager, or designee, to take all reasonable actions to facilitate the expedited processing of the East Area One Specific Plan Area annexation with the Local Area Formation Commission ("LAFCo") and authorize the City Manager, or designee, to file an application with the Planning Department for a General Plan amendment and annexation affecting a portion of the East Area 2 Expansion Area. Upon roll call vote all were in favor and the motion carried.

**RESOLUTION NO. 6664**

A RESOLUTION AMENDING RESOLUTION NO. 6465 AUTHORIZING  
THE CITY MANAGER OR DESIGNEE FILE AN APPLICATION TO  
INITIATE REORGANIZATION PROCEEDINGS FOR REAL PROPERTY

LOCATED WITHIN THE EAST AREA ONE EXPANSION AREA AND ADJOINING PARCELS.

**RESOLUTION NO. 6663**

A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ALL REASONABLE ACTIONS NECESSARY TO EXPEDITE REORGANIZATION PROCEEDINGS WITH THE LOCAL AREA FORMATION COMMISSION TO ANNEX THE EAST AREA ONE SPECIFIC PLAN AREA.

C. Update on Solid Waste Local Implementation Plan and Programs-

Director of Public Works Clifford G. Finley's report dated March 30, 2010.

It was moved by Vice Mayor Robinson, seconded by Councilmember Fernandez to receive and file the update on the solid waste local implementation plan (LIP) and program. All were in favor and the motion carried.

D. Adoption of Resolution No. 6666 Establishing Policies and Procedures for Accepting Contributions, Donations, Gifts, Bequests and Devices for Public Purposes-

Public Works Director Clifford G. Finley's report dated March 31, 2010.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to adopt Resolution No. 6666 establishing policies and procedures for accepting contributions, donation, gifts, bequests, and devices for public purposes. All were in favor and the motion carried.

**RESOLUTION NO. 6666**

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR ACCEPTING CONTRIBUTIONS, DONATIONS, GIFTS, BEQUESTS, AND DEVICES FOR PUBLIC PURPOSES.

**COMMUNICATIONS**

Mayor Tovas stated that he attended the League of Cities meeting in Pismo Beach and was pleased to see that the League of Cities is very active. He stated that the initiative for the ballot is critical as the money that is being taken by the State helps pay for the maintenance of the City of Santa Paula.

Councilmember Aguirre reminded the public that the census forms have been mailed and how critical it is for every citizen to complete and return it.

**REQUEST FOR FUTURE AGENDA ITEMS**

It was moved by Councilmember Gonzales, seconded by Vice Mayor Robinson to schedule a Goal Setting Session with new City Manager. All were in favor and the motion carried.

It was moved by Vice Mayor Robinson, seconded by Councilmember Fernandez for Fire Chief Araiza to report back on weed abatement efforts.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to invite a representative of "America in Bloom" to give a presentation to Council.

**ADJOURNMENT**

Mayor Tovas adjourned the meeting at 8:49 p.m.

ATTEST:

---

Judy Rice  
City Clerk