

**CALL TO ORDER**

Mayor Tovas called the meeting to order at 5:38 p.m.

**ROLL CALL**

Mayor James A. Tovas, Vice Mayor Fred W. Robinson and Councilmember Ralph Fernandez responded to roll call. City Manager Jaime M. Fontes, City Attorney Karl H. Berger, City Clerk Judy Rice were also present. Councilmember Robert G. Gonzales arrived at 5:50 p.m. and Councilmember Gabino Aguirre was absent.

**PUBLIC COMMENT**

No public comment.

**ORDER OF BUSINESS**

No order of business.

- A. **Conference with Legal Counsel, Existing Litigation** – Government Code § 54956.9 (a). *Shanin Azarmehr v. City of Santa Paula*, Ventura County Superior Court Case No. 56-2010-00375537-CU-WM-VTA.
- B. **Conference with Legal Counsel, Existing Litigation** – Government Code § 54956.9(a). *City of Santa Paula v. Verizon California, Inc.*, California Public Utilities Commission Case No. C1004016 filed February 23, 2010.
- C. **Conference with Labor Negotiator**– Government Code § 54957.6. City Negotiators: City Manager Jaime M. Fontes, Acting Human Resources Manager Lorena Alvarez, Assistant to the City Manager Elisabeth Amador and Finance Director John Quinn. Employee Organizations: Santa Paula Police Officers Association (SPPOA), Ventura County Professional Firefighters Association (VCPFA), representing Santa Paula Full-time Firefighters.

Mayor Tovas recessed the City Council to a closed session at 5:38 p.m., and reconvened the City Council at 6:30 p.m. No reportable action. Mayor Tovas recessed the City Council at 6:30 p.m.

### **CALL TO ORDER**

Mayor Tovias called the meeting to order at 6:40 p.m. Kay Wilson-Bolton led the invocation and Vice Mayor Robinson led the flag salute.

### **ROLL CALL**

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

### **CLOSED SESSION REPORT**

No reportable action.

### **PRESENTATIONS**

- A. Presentation of Badges to Reserve Fire Fighters Raul Ayala, Erik Franco, David Lombardi, Robert Hain, Kyle Jensen, Joshua Liko and Nick Bacigalupo

Fire Chief Rick Araiza presented the Reserves their badges as they took the oath of office.

- B. Presentation of Santa Paula Citrus Festival Poster

Bill Grant presented the Council with ceramic tiles depicting the poster.

- C. Update on Economic Development Collaborative-Ventura County (EDC-VC) City/Chamber Sponsored Workshops

Chamber President Nan Drake and Chamber Director of Marketing Services Barbara Kroon explained the purpose of the workshops and invited the public.

- D. Dilly Dally Car Rally

Coordinator Barbara Kroon described this first time event sponsored by Soroptimist of Santa Paula and the Odd Fellows of Santa Paula.

E. Update of Weed Abatement

Fire Chief Rick Araiza reported on the process and status of this years weed abatement program.

F. Citizens Patrol Scope of Duties

Chief of Police Stephen MacKinnon described the training and functions of the Citizens Patrol, how the patrol saves time and costs by freeing patrol officers time from handling lower level tasks.

G. PERC Update

City Manager Jaime Fontes and City Attorney Karl Berger gave an update regarding ongoing discussions between the city and PERC.

**PUBLIC COMMENT**

Ginger Gerhardi, 1181 Los Robles Dr., representing the Ventura County Fair Board spoke of the dates and events of this year's fair.

**COMMUNICATIONS**

Councilmember Fernandez spoke of the upcoming events at the Blanchard Library for children and teens.

Vice Mayor Robinson spoke of the Santa Clara Valley Hospice Casino Night fundraiser at the Glen Tavern.

**APPROVAL OF FINAL AGENDA**

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to move Item 12 B to be heard before Public Hearing items. All were in favor and the motion carried.

**CONSENT CALENDAR**

Councilmember Gonzales requested that Items 10H, I, K and L be pulled for discussion with Item 10K to be heard before 10I.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to approve the balance of the Consent Calendar as amended.

- 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 June 21, 2010.

Invoices	06/01/10	
	06/03/10	
Wire Transfers	06/02/10	
	06/03/10	
Subtotal		\$ 569,685.22
<b>GRAND TOTAL</b>		<b>\$ 569,685.22</b>

- D. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of June 7, 2010. Deputy City Clerk Peggy Higgins’ report dated June 15, 2010.
- E. **Second Reading and Adoption of Ordinance No. 1229**– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1229; 2) take such additional, related, action that may be desirable. **ORDINANCE NO. 1229- AN ORDINANCE ADDING A NEW CHAPTER 133 TO THE SANTA PAULA MUNICIPAL CODE ENTITLED “AGGRESSIVE SOLICITATION.”** Deputy City Clerk Peggy Higgins’ report dated June 15, 2010.
- F. **Authorize Participation in the 2010-2012 Local Government Utility Partnership Program with Southern California Edison, Southern California Gas Company and Ventura County Regional Energy Alliance**– It is recommended that the City Council: 1) adopt Resolution No. 6688 authorizing the participation in the 2010-2012 Local Government Utility Partnership Program with Southern California Edison, Southern California Gas Company and Ventura County Regional Energy Alliance; 2) designate City manager or designee as “Energy Champion”

contact to facilitate the City's participation in the Program; and 3) take such additional, related, action that may be desirable. **RESOLUTION NO. 6688**- A RESOLUTION OF THE SANTA PAULA CITY COUNCIL APPROVING AND AUTHORIZING SUPPORT FOR PARTICIPATION IN A LOCAL GOVERNMENT ENERGY EFFICIENCY PARTNERSHIP PROGRAM BETWEEN VENTURA COUNTY REGIONAL ENERGY ALLIANCE (VCREA), SOUTHERN CALIFORNIA EDISON (SCE) AND SOUTHERN CALIFORNIA GAS COMPANY (SCG). Assistant to the City Manager Elisabeth Amador's report dated June 10, 2010.

- G. **Resolution No. 6690, Harding Park Operation Funds**– It is recommended that the City Council: 1) adopt Resolution No. 6690 which confirms and clarifies current expenditures from the Harding Park Trust Fund; 2) provide such additional direction to staff that may be desirable; and 3) take such additional, related, action that may be desirable. Community Services Director Brian J. Yanez's report dated June 21, 2010. **RESOLUTION NO. 6690**– A RESOLUTION APPROVING EXPENDITURE OF FUNDS FOR OPERATIONS AT HARDING PARK.
- J. **Amend Santa Paula Branch Line Bike Trail Right of Way Acquisition Contract with Hamner, Jewell and Associates** – It is recommended that the City Council: 1) amend the existing contract for \$67,950 from Account 229.5.9036.290 to include an additional \$16,000 (Task Order 2008-07B); 2) authorize the City Manager to execute a task order amendment, in a form approved by the City Attorney, for \$16,000 to Hamner, Jewell and Associates for the additional work and approve amendments up to the budget amount; and 3) take such additional, related action that may be desirable. Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.

**CONSENT CALENDAR (SEPARATE ACTION ITEMS)**

- H. **Request for Out-of-State Travel**

Police Chief Stephen MacKinnon's report dated June 15, 2010.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to approve the out-of-state travel for the Police Command Staff to attend the CALEA Training Conference in Las Vegas, NV on July 28-30, 2010. Upon roll call vote Councilmember Fernandez and Vice Mayor Robinson were in favor,

Councilmember Gonzales and Mayor Tovas were opposed. With the absence of Councilmember Aguirre and a tie vote the item is continued to the next Council meeting.

K. Rejection of Bids, Arterial Paving Project 08/09 Peck Road-

Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to reject all bids for the Arterial Paving Project 08/09 and authorize staff to re-advertise. All were in favor and the motion carried.

I. Proposition 1B Pavement Maintenance Project; Project Closeout and Filing of Notice of Completion-

Interim Public Works Director Norm Wilkinson's report dated June 14, 2010.

It was moved by Vice Mayor Robinson, seconded by Councilmember Fernandez to authorize the City Manager to execute the Change Orders No. 1 and No. 2 for \$56,257.30 and \$18,980.62 respectively, for the Proposition 1B Street Pavement Maintenance Project, receive and file the project Notice of Completion and approve final project accounting and allocate additional bond funding for change order payments. Upon roll call vote Councilmember Fernandez, Vice-Mayor Robinson and Mayor Tovas were in favor. Councilmember Gonzales was opposed. The motion carried.

L. Adopt Resolution No. 6691 Authorizing the County of Ventura Road Maintenance Division to perform Street Paving Improvement Tasks-

Finance Director, John T. Quinn's report dated June 16, 2010.

**PUBLIC COMMENT**

Cindy Eaves, Regional Field Representative for Construction Industry Force Account Council (CIFAC) spoke against the contract between the City and the County of Ventura and requested that the job be put out to bid to the public.

It was moved by Mayor Tovas, seconded by Councilmember Gonzales to adopt Resolution No. 6691 validating the contract between the City and Ventura County for maintenance work, waiving bid requirements, approving

specifications, and authorizing the City Manager to execute a work order in a form approved by the City Attorney and allocate \$70,000 from the Traffic Congestion Relief Fund (317) to be used to maintain streets not included in the Capital Improvement Budget. Under roll call vote all were in favor and the motion carried.

**RESOLUTION 6691**

A RESOLUTION APPROVING A STREET PAVING MAINTENANCE PROJECT WITHIN THE CITY WITHOUT THE NEED FOR COMPETITIVE BIDDING AS OTHERWISE REQUIRED BY THE SANTA PAULA MUNICIPAL CODE.

- B. Changes to the Ventura Intercity Service Transit Authority (VISTA) Dial a Ride Bus Service–

Assistant to the City Manager Elisabeth Amador's report dated June 16, 2010.

It was moved by Vice Mayor Robinson, seconded by Councilmember Gonzales to transfer \$45,000 from the TDA fund to continue the service at its present level. Under roll call vote all were in favor and the motion carried.

**PUBLIC HEARING**

- A. Tax Equity Fiscal Reform Act (TEFRA) Public Hearing for Paseo Santa Barbara Project

Assistant to the City Manager Elisabeth Amador's report dated June 11, 2010.

Upon verification of proper notification and posting by the City Clerk, Mayor Tovas opened the Public Hearing at 7:46 p.m.

Councilmembers Gonzales and Fernandez, Vice Mayor Robinson and Mayor Tovas stated that they received a telephone call from an executive of Cabrillo Economic Development Corp. to discuss this subject.

**PUBLIC COMMENT**

Bernardo M. Perez, Cabrillo Economic Development Corporation urged Council to approve the resolution.

It was moved by Vice Mayor Robinson, seconded by Councilmember Fernandez to adopt Resolution No. 6689. Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6689

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY.

Mayor Tovas closed the Public Hearing at 8:14 p.m.

B. Approve Development Impact Fees

Assistant to the City Manager Elisabeth Amador's report dated June 16, 2010.

Upon verification of proper notification and posting by the City Clerk, Mayor Tovas opened the Public Hearing at 8:15 p.m.

Dino Serifini, 6020 Cornerstone Ct., San Diego representing PMC presented a Power Point showing the justification for increased development impact fees.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to continue the item to a future date. All were in favor and the motion.

RESOLUTION NO. 6687

A RESOLUTION ADOPTING DEVELOPMENT IMPACT FEES IN ACCORDANCE WITH SANTA PAULA MUNICIPAL CODE § 160.60.

Mayor Tovas closed the Public Hearing at 9:45 p.m.

**RECESS TO BREAK**

Mayor Tovas recessed the Council to a break at 9:45 p.m.

**RECONVENED TO REGULAR MEETING**

Mayor Tovas reconvened the meeting at 9:55 p.m.

**PUBLIC HEARING**

C. Review of Project No. 2008-ANX-01: A Request for Reorganization (Including Annexation) of Fifteen Parcels Totaling Approximately 40 Acres from Unincorporated Ventura County to the City of Santa Paula

and Land Use Designation of the Project Area from Existing County Agricultural and Existing Community – Urban Reserve to City Open Space – Passive and Golf Course, and Pre-Zoning the Project Area from its Existing County Agricultural Exclusive (AE-40), Two-Family Residential (R2-7,000sf) and Rural Exclusive (RE-1ac) to City Open Space-Passive (O) Zoning District–

Planning Director Janna Minsk's report dated June 21, 2010.

Upon verification of proper notification and posting by the City Clerk, Mayor Tovas opened the Public Hearing at 9:55 p.m.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to adopt Resolution No. 6682 approving a General Plan Amendment to designate the project area Open Space-Passive and Golf Course (Exhibit A), introduce and waive first reading of Ordinance No. 1228 for pre-zoning the project area Open Space–Passive, schedule second reading and adoption of Ordinance No. 1228 for August 16, 2010, adopt Resolution No. 6683 authorizing the City Manager or designee to file a reorganization application with LAFCO (Exhibit C). All were in favor and the motion carried.

RESOLUTION NO. 6682

A RESOLUTION AMENDING THE SANTA PAULA GENERAL PLAN FOR REAL PROPERTY REFERENCED AS THE SANTA PAULA CREEK/WATERSHED PROTECTION DISTRICT "ISLAND" PROPERTIES LOCATED WITHIN THE SANTA PAULA CREEK AND EAST OF THE CURRENT CITY LIMIT.

ORDINANCE NO. 1228

AN ORDINANCE PREZONING APPROXIMATELY 40 ACRES LOCATED IN THE SANTA PAULA CREEK RIVERBED, EAST OF THE CURRENT CITY LIMIT AND NORTH OF THE UNION PACIFIC RAILROAD RIGHTOF- WAY (APNS 040-0-171-110, 040-0-171-125, 040-0-171-135, 040-0-171-145, 040-0-171-255, 040-0-171-285, 107-0-170-110, 107-0-170-180, 107-0-170-195, 107-0-170-215, 107-0-170-245, 107-0-200-035, 107-0-200-055, 107-0-200-105 AND 107-0-200-125).

RESOLUTION NO. 6683

A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO FILE AN APPLICATION WITH THE VENTURA COUNTY LOCAL AREA

FORMATION COMMISSION TO INITIATE REORGANIZATION (ANNEXATION AND COUNTY DISTRICT/SERVICE AREA DETACHMENT) PROCEEDINGS FOR REAL PROPERTY LOCATED WITHIN THE SANTA PAULA CREEK AND EAST OF THE CURRENT CITY LIMIT.

Mayor Tovias closed the Public Hearing at 10:00 p.m.

**ORDER OF BUSINESS**

A. Fiscal Year 2010-11 Proposed Budget

Finance Director John Quinn's report dated June 16, 2010.

It was moved by Vice Mayor Robinson, seconded by Councilmember Fernandez to approve the proposed City and RDA FY 2010-11 Annual Operating and Capital Improvement Budgets by adopting City Resolution No. 6685 and the Redevelopment Agency Resolution No. 2010-02(R). Under roll call vote Vice Mayor Robinson, Councilmember Fernandez and Mayor Tovias were in favor. Councilmember Gonzales abstained. The motion carried.

**RESOLUTION NO. 6685**

A RESOLUTION ADOPTING THE 2010-11 FINAL OPERATING BUDGET FOR THE CITY OF SANTA PAULA AND ADOPTING THE 2010-11 CAPITAL IMPROVEMENT BUDGET.

**RESOLUTION NO. 2010-02(R)**

A RESOLUTION ADOPTING THE 2010-11 OPERATING BUDGET FOR THE SANTA PAULA REDEVELOPMENT AGENCY.

C. Co-Sponsorship of Santa Paula Airport 80<sup>th</sup> Anniversary Airshow

City Manager Jaime M. Fontes' report dated June 15, 2010.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to approve co-sponsorship of the Santa Paula Airport 80<sup>th</sup> Anniversary Airshow and authorize the City Manager to execute a co-sponsorship agreement with the Santa Paula Airport Association in a form approved by the City Attorney. All were in favor and the motion carried.

D. Award of the Santa Paula Branch Line Bike Trail Project to G2K Construction, Inc.

Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to continue the item to a future date. All were in favor and the motion carried.

E. Resolution Approving Plans and Specifications for the Las Piedras Park Renovation Project

Interim Public Works Director Norman S. Wilkinson's report dated June 14, 2010. Community Services Director Brian Yanez presented the report.

It was moved by Gonzales, seconded by Councilmember Fernandez to adopt Resolution No. 6686 approving the plans and specifications for the Las Piedras Park Renovation Project and authorize staff to advertise for bids. All were in favor and the motion carried.

**RESOLUTION NO. 6686**

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE LAS PIERAS PARK RENOVATION PROJECT.

F. Designation of Voting Delegate for 2010 League of California Cities Annual Conference

Deputy City Clerk Peggy Higgins' report dated June 14, 2010.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to nominate Mayor Tovas as a voting delegate and Vice Mayor Robinson as alternate delegate for the 2010 League of California Cities Annual Conference. All were in favor and the motion carried.

**COMMUNICATIONS**

Mayor Tovas mentioned the Santa Clara Valley Hospice Casino Night fundraiser at the Glen Tavern.

**REQUEST FOR FUTURE AGENDA ITEMS**

None.

**ADJOURNMENT**

Mayor Tovas adjourned the meeting at 10:22 p.m.

ATTEST:

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Judy Rice  
City Clerk