

CALL TO ORDER

Mayor Tovas called the meeting to order at 6:00 p.m.

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Ralph J. Fernandez, Councilmember Robert S. Gonzales, Vice Mayor Fred Robinson, Mayor James A. Tovas, City Manager Jaime M. Fontes, City Attorney Karl H. Berger, Assistant City Attorney John C. Cotti, City Clerk Judy Rice and Deputy City Clerk were also present.

PUBLIC COMMENT

No public comment

ORDER OF BUSINESS

No order of business

CLOSED SESSION

- 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.

Mayor Tovas recessed the City Council to a closed session at 6:00 p.m., and reconvened the City Council at 6:47 p.m. No reportable action. Mayor Tovas recessed the City Council at 6:47 p.m.

CALL TO ORDER

Mayor Tovas called the meeting to order at 6:54 p.m. and led the flag salute.

ROLL CALL

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

None.

PUBLIC COMMENT

Jaime Juarez, 706 E. Santa Paula St. requested assistance in resolving his parking issues.

CITY COUNCIL, STAFF COMMUNICATIONS

None.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

It was moved by Councilmember Fernandez, seconded by Councilmember Robinson to approve the consent calendar as presented. 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 August 2, 2010.

Voided Checks	06/11/10	
Invoices	06/07/10	
	06/11/10	
Wire Transfers	06/09/10	
Subtotal		\$ 271,688.45

Regular City Council Meeting
Monday, August 16, 2010
Administration Conference Room and Council Chamber

Invoices	06/16/10	
	06/17/10	
Wire Transfers	06/16/10	
Subtotal		\$ 677,045.41
Invoices	06/24/10	
Wire Transfers	06/23/10	
	06/24/10	
Subtotal		\$2,204,557.49
Invoices	06/30/10	
Wire Transfers	06/30/10	
Subtotal		\$1,115,966.80
Invoices	07/07/10	
	07/08/10	
	07/09/10	
Wire Transfers	07/08/10	
Subtotal		\$1,331,333.21
Invoices	07/13/10	
	07/14/10	
	07/15/10	
Wire Transfers	07/14/10	
Subtotal		\$1,115,404.69
Invoices	07/23/10	
Wire Transfers	07/21/10	

GRAND TOTAL \$6,789,327.13

- D. Minutes– Adopt the Minutes from the Special City Council Meeting of June 15, 2010. Deputy City Clerk Peggy Higgins’ report dated August 5, 2010.

- E. Minutes– Adopt the Minutes from the Regular City Council Meeting of June 21, 2010. Deputy City Clerk Peggy Higgins’ report dated August 5, 2010.

- F. Minutes– Adopt the Minutes from the Special City Council Meeting of June 24, 2010. Deputy City Clerk Peggy Higgins’ report dated August 5, 2010.

- G. Minutes– Adopt the Minutes from the Special City Council Meeting of July 12, 2010. Deputy City Clerk Peggy Higgins’ report dated August 5, 2010.

- H. Second Reading and Adoption of Ordinance No. 1228– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1228; 2) take such additional, related, action that may be desirable. 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 RIGHT-OF-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). Deputy City Clerk Peggy Higgins' report dated June 23, 2010.
- I. Introduction of Ordinance Authorizing Infraction Prosecutions– It is recommended that the City Council: 1) waive the first reading and introduce Ordinance No. 1231 authorizing the City Attorney to prosecute violations of the Santa Paula Municipal Code as infractions or misdemeanors; 2) schedule a second reading and adoption for September 20, 2010; and 3) take such additional, related action that may be desirable. ORDINANCE NO. 1231– AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE § 13.07 TO AUTHORIZE THE CITY ATTORNEY TO PROSECUTE VIOLATIONS OF THE MUNICIPAL CODE AS MISDEMEANORS OR INFRACTIONS. City Attorney Karl H. Berger's report dated August 5, 2010.
- J. Adoption of Resolution No. 6696 that Revises Resolution No. 6669 in Accordance with CalRecycle Instructions that changed the Used Oil Grant Program Application (OPP) 2010-11 to a Payment Program Application– It is recommended that the City Council: 1) adopt Resolution No. 6696, authorizing submittal of Resolution No. 6696 to the Department of Resources Recycling and Recovery (CalRecycle); 2) authorizing the City Manager to execute any necessary related documents; 3) direct staff to submit a copy of the new resolution to CalRecycle no later than August 30, 2010; and 4) take such additional, related action that may be desirable. RESOLUTION NO. 6696– A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, RECEIVE, AND APPROPRIATE FUNDS FOR THE 2010-11 USED OIL PAYMENT PROGRAM PURSUANT TO TITLE 14 CODE OF CALIFORNIA REGULATIONS § 18659.1. Interim Director of Public Works John Quinn's report dated July 26, 2010.
- K. Award of Contract, Arterial Paving Project 08/09 Peck Road Repaving– It is recommended that the City Council: 1) allocate an estimated \$248,000

(the bid price will be provided at the meeting) from the FY 2009-10 approved capital project budget for Arterial Paving Project 08/09 (Peck Rd I); and 2) authorize the City Manager to execute a contract with the successful lowest responsible bidder for an estimated \$248,000(the bid price will be provided at the meeting) in a form approved by the City Attorney and approve contract change orders as needed for additional work up to the budgeted amount; and 3) take such additional, related action that may be desirable. Bid openings occur on August 11, 2010; the apparent lowest responsible bidder will be identified at that time and forwarded to the City Council for consideration on or about August 12, 2010. Interim Director of Public Works John Quinn's report dated August 12, 2010.

- L. Adoption of Resolution No. 6674 State Master Agreement 07-512R and Program Supplement Agreement 010-N— It is recommended that the City Council: 1) approve Resolution No. 6674 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 \$315,168 of Federal Grant Funds for the Peck Road Paving Project II construction; 2) approve funding the City's matching portion of the project from the CIP bond proceeds in the amount of \$40,832 and authorize staff to prepare the appropriate budget adjustment; and 3) take such additional, related action that may be desirable. RESOLUTION 6674- 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 STPL-5121(018). Interim Director of Public Works John Quinn's report dated August 11, 2010.

COMMUNICATIONS

None.

FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Mayor Tovas adjourned the meeting at 7:15 p.m.

Regular City Council Meeting
Monday, August 16, 2010
Administration Conference Room and Council Chamber

ATTEST:

Judy Rice
City Clerk