

**CALL TO ORDER**

Mayor Tovas called the meeting to order at 5:37 *p.m.*

**ROLL CALL**

Mayor James A. Tovas, Vice Mayor Fred W. Robinson, Councilmember Gabino Aguirre, and Councilmember Ralph J. Fernandez 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 Robert G. Gonzales arrived at 6:20 *p.m.*

**PUBLIC COMMENT**

There was no public comment.

**ORDER OF BUSINESS**

A. Interview for Commission on Aging

Beverly Fernandez was present for her interview.

B. Interview for Recreation Commission

Tommy Frutos did not appear for his interview.

C. Interview Santa Paula Housing Authority

Bob Russell, Philip C. Caruso and Maxine Garcia were present for their interview.

**CLOSED SESSION**

- A. Conference with Labor Negotiator– Government Code § 54957.6.  
City Negotiators: City Manager Jaime M. Fontes, 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 6:15 p.m., and reconvened the City Council at 6:35 p.m. No reportable action. Mayor Tovas recessed the City Council at 6:35 p.m.

### **CALL TO ORDER**

Mayor Tovas called the meeting to order at 6:44 p.m. and led the flag salute.

### **ROLL CALL**

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

### **CLOSED SESSION REPORT**

No reportable actions.

Councilmember Gonzales welcomed members of the Grand Jury.

### **PRESENTATIONS**

A. Presentation of Proclamation and City Tile for Frank Suniga

Councilmember Gonzales presented the proclamation and city tile to Frank Suniga, thanking him for his years of services to the city.

B. Presentation of Proclamation recognizing the Bracero History Project at California State University, Channel Islands

Councilmember Aguirre accepted the proclamation on behalf of California State University, Channel Islands.

C. Presentation by Jim Moore, Ventura County Transportation Commission- November 2010 Fare Adjustment

Jim Moore gave a Power Point presentation that clarified the fare adjustment.

D. Presentation by Carla Edwards - 2010 Citrus Balloon Classic Wrap-Up

Carla Edwards gave a Power Point presentation.

E. Presentation by Fire Chief Rick Araiza - Ready Santa Paula

Chief Araiza explained the purpose of Ready Santa Paula and the benefits to the community.

F. Presentation by Chief of Police Stephen MacKinnon- Moonlight at the Ranch IV, "The Roaring 20's!"

Chief MacKinnon highlighted the events activities and spoke of the benefits of this fundraiser for the Police and Fire Foundation.

**PUBLIC COMMENT**

Leon Holliday, 933 E. Santa Paula St. spoke of his concern over the handling of police action at his house.

Nan Drake, representing the Santa Paula Chamber of Commerce invited the Council and public to the upcoming Good Morning Santa Paula and Mixer sponsored by the Chamber.

Tim Fry, representing Crown Disposal stated that Crown Disposal will be filing a proposal for the solid waste contract even though they missed the pre-bid conference due to a misunderstanding.

**CITY COUNCIL, STAFF COMMUNICATIONS**

A. Update on Branch Line Trail Project

City Manager Jaime Fontes informed the Council that the Branch Line Trail Project will begin by mid-October and there is an estimated 15 months until completion.

Roger Brooks submitted a letter for the record addressing several items on the agenda.

**APPROVAL OF FINAL AGENDA**

Councilmember Gonzales requested that Item 10H be pulled to a future agenda.

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

**CONSENT CALENDAR**

Councilmember Fernandez requested that Items 9K and 9L be pulled for discussion.

It was moved by Councilmember Aguirre, seconded by Councilmember Fernandez to approve the balance of the Consent Calendar. All were in favor and the motion carried.

**PUBLIC COMMENT**

Ken Chapman, 15119 Todd Ln., representing relatives that have property at Hallock Dr., expressed concerns regarding the annexation and how it will affect their property.

- 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	08/24/10-08/26/10	
Invoices	08/25/10-08/26/10	
Wire Transfers	08/25/10	
Subtotal		\$1,072,953.72

Voided Checks	08/16/10	
Invoices	08/19/10	
Wire Transfers	08/18/10-08/20/10	
Subtotal		\$ 652,142.24

Voided Checks	08/10/10-08/12/10	
Invoices	08/10/10-08/12/10	

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Wire Transfers	08/11/10	
Subtotal		\$ 652,058.62
Invoices	08/06/10	\$ 30,029.25
Voided Checks	07/29/10	
Invoices	07/29/10	
Wire Transfers	07/28/10	
Subtotal		\$1,151,765.76
GRAND TOTAL		\$3,558,949.59

- D. Planning Commission Action Report– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on June 22, 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. Planning Commission Action Report– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on August 24, 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.
  
- F. Minutes– Adopt the Minutes from the Regular City Council Meeting of August 16, 2010. Deputy City Clerk Peggy Higgins’ report dated August 30, 2010.
  
- G. Second Reading and Adoption of Ordinance No. 1231– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1231; 2) 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. Deputy City Clerk Peggy Higgins’ report dated August 26, 2010.
  
- H. Memorandum of Understanding with the Santa Paula Police Officers Association (SPPOA)– That the City Council adopt Resolution No. 6695 approving the Memorandum of Understanding (MOU) for the 2010 contract year between the City

of Santa Paula and the Santa Paula Police Officers Association (SPPOA), a duly recognized employee organization representing the City of Santa Paula's Sworn Police Officers and Dispatch Unit. Human Resources Manager Lorena Alvarez' report dated July 26, 2010.

- I. Memorandum of Understanding with the Ventura County Professional Fire Association, Representing Santa Paula Fulltime Firefighters' Unit– It is recommended that the City Council adopt Resolution No. 6694 approving the Memorandum of Understanding (MOU) for the 2010 contract year between the City of Santa Paula and the Ventura County Professional Fire Association, representing the City of Santa Paula's Fulltime Firefighters' Unit. Human Resources Manager Lorena Alvarez' report dated July 26, 2010.
- J. Sublease of West End Mill Lot by Ventura County Museum– It is recommended that the City Council: 1) authorize the City Manager to execute an agreement for a sublease with the Ventura County Museum in a form approved by the City Attorney; and 2) take such additional, related, action that may be desirable. Assistant to the City Manager Elisabeth Amador's report dated August 25, 2010.
- M. Firing Range Contract for Short-Term Use– It is recommended that the City Council: 1) authorize the City Manager to enter into an agreement, in a form approved by the City Attorney, for the use of a temporary firing range facility; and 2) take such additional, related, action that may be appropriate. Chief of Police Stephen MacKinnon's report dated August 30, 2010.

**CONSENT CALENDAR (SEPARATE ACTION ITEMS)**

- K. Approval of Task Order No. 1 with Carollo Engineers, Inc.

Interim Public Works Director John T. Quinn's report dated September 1, 2010.

It was moved Councilmember Fernandez, seconded by Councilmember Aguirre to approve a budget allocation of \$80,000 for the initial phase of construction management services related to the 4 million gallon (MG) water reservoir to be constructed in Steckel Canyon, authorize the City Manager to execute Task Order No. 1 for the allocated amount with Carollo Engineers, Inc. Under roll call vote all were in favor and the

motion carried.

L. Approval of Task Order No. 2 with Carollo Engineers, Inc.

Interim Public Works Director John T. Quinn's report dated September 1, 2010.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to approve a budget allocation of \$196,600 for construction management services related to the Santa Paula Branch Line (Bike) Trail Project and authorize the City Manager to execute Task Order No. 2 for the budgeted amount with Carollo Engineers, Inc. All were in favor and the motion carried.

**ORDER OF BUSINESS**

A. Update on Ventura County Fish Ladder-Watershed Protection District Director Norma Camacho and Deputy Director Design and Construction Peter Sheydayi

District Director Norma Camacho provided a Power Point presentation.

**PUBLIC COMMENT**

Alasdair Coyne, P. O. Box 1523, Ojai representing Keep Sespe Wild spoke of effective flood control measures by allowing for more channel space to allow more water and sediment to pass safely downstream.

B. Hansen Agricultural Center Faulkner Farm

Assistant to the City Manager Elisabeth Amador's report dated August 25, 2010.

**PUBLIC COMMENT**

Larry Yee, 306 Del Norte Rd., Ojai spoke of Thelma Hansen's intent and desires for her Trust and asked for support to maintain the Hansen Agricultural Center at the Faulkner Farm.

Tim Hicks, 560 Howie Ct., expressed his support to maintain the Hansen Agricultural Center.

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Dorcas McFarland, 14053 Foothill Rd., spoke of her relationship with Thelma Hansen and asked for support to maintain the Hansen Agricultural Center per her Trust.

Carl Barringer, 1334 Forest Dr., expressed the value of the Hansen Agricultural Center at Faulkner Farm and asked the Council to pass a resolution to support the Hansen Trust.

Paul Skeels, 975 Monterey Pl., spoke in support of any effort of the Council to try to stop the sale of the Faulkner Farm.

Judy Klement, 728 W. Main St., spoke the sale of the Faulkner Farm and the loss of the Hansen Agricultural Center.

Mike Mobley, 15500 W. Telegraph Rd., representative of the Santa Paula Rotary Club stated that they disagree with the Board's recommendation to sell Faulkner Farm and the reasons given for that decision.

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez to receive and file the report and adopt a resolution to be submitted to the U.C. Board of Regents in support of the intentions, desires and vision of Mrs. Thelma Hansen for the Hansen Agricultural Center at Faulkner Farm as given to the U. C. system. Under roll call vote all were in favor and the motion carried.

**RECESS TO BREAK**

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

**RECONVENED TO REGULAR MEETING**

Mayor Tovas reconvened the Council at *10:03 p.m.*

C. Research in Pursuit of a Mobile Command Post

Chief of Police Stephen MacKinnon's report dated August 30, 2010.

It was moved by Vice Mayor/Vice Chair Robinson, seconded Councilmember/Director Gonzales to receive and file the report, approve expenditure of funds, subject to concurrence from the Creditor Committee's Trust Liaison and authorize the City Manager to identify, purchase and acquire a Mobile Command Post for public safety services

in accordance with the Santa Paula Municipal Code. All were in favor and the motion carried.

D. Long-Term Option for a Firing Range/Training Facility

Chief of Police Stephen MacKinnon's report dated August 30, 2010.

By consensus, the City Council directed that staff conduct further research regarding the equipment and its cost. Thereafter, staff was to return to the City Council with recommendations for purchase.

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 Councilmember Gonzales, seconded by Councilmember Fernandez to suspend the rules and continue the meeting. All were in favor under roll call vote and the motion carried

E. Approve a Three Year Contract to Provide City Engineering Services for the City of Santa Paula for Fiscal Years Ending June 30, 2011, 2012 and 2013

Finance Director John Quinn's report dated September 1, 2010

It was moved by Vice Mayor Robinson, seconded Councilmember Aguirre to authorize the City Manager to execute a Professional Services Agreement in a form approved by the City Attorney not to exceed \$80,000 for a period of six (6) months with Carollo Engineers to provide Engineering Services for the City of Santa Paula. Under roll call vote Councilmember Gonzales, Councilmember Aguirre, Vice Mayor Robinson and Mayor Tovias were in favor. Councilmember Fernandez was opposed. The motion carried.

F. Approval of Three-Year On-Call Services Agreements with Five (5) Professional Services Firms

Finance Director John Quinn's report dated September 1, 2010.

It was moved by Councilmember Fernandez, seconded Vice Mayor Robinson to authorize the City Manager to execute the attached Three-Year On-Call Services Agreements for professional services with KOA Corporation, Sam Hill & Sons, Milner-Villa Consulting, BSN Construction,

Inc. and MNS Engineers, Inc. in a form approved by the City Attorney. All were in favor and the motion carried.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Robinson to continue Item 10G and 10H to a future agenda. All were in favor and the motion carried.

G. New Department and Proposed Public Works and Finance Reorganization-It is recommended that the City Council: 1) Adopt Resolution No. 6698 creating the position of Director of Public Services and a new Department of Public Services; 2) modify the City's Position Control Listing and Position Classification and Compensation Plan in the adopted FY 2010-11 Budget to include the Director of Public Services and Public Works Superintendent and eliminate the Finance Director, Public Works Director/City Engineer, and Water Superintendent and reclassify the Assistant Finance Director to Finance Manager; 3) adopt Resolution No. 6699 amending the Position Control Listing and the Position Classification and Compensation Plan establishing the salary range for the Public Works Superintendent and Public Services Director; 4) request additional information and/or provide direction to staff as appropriate; and 5) authorize the City Manager and the Human Resources Manager, with approval from the City Attorney, to execute any related documents and take any other related actions as necessary. City Manager Jaime M. Fontes report dated September 1, 2010.

H. Update on Status of Solid Waste RFP

It is recommended that the City Council: 1) receive and file oral report from Finance Director John Quinn and; 2) take such additional, related action that may be desirable. Finance Director John Quinn's report dated September 1, 2010.

### **COMMUNICATIONS**

City Manager Fontes stated that he met with Congressman Gallegly's staff regarding the fish ladder and anticipates making a trip to Washington D.C. in the near future.

### **REQUEST FOR FUTURE AGENDA ITEMS**

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It was moved by Councilmember Gonzales, seconded by Mayor Tovias to provide Council with an update on EOC at the City Hall facility. All were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to have a report back from City Attorney Berger regarding adopting a moratorium relating to the City's expansion areas. All were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales on the future of the Public Works operation. All were in favor and the motion carried.

It was moved by Mayor Tovias, seconded Councilmember Gonzales to have a status update on pothole and streets repairs. All were in favor and the motion carried.

It was moved by Mayor Tovias, seconded Councilmember Gonzales to review the possibility of requiring a reservations system at the City's parks. All were in favor and the motion carried.

**ADJOURNMENT**

Mayor Tovias adjourned the meeting at *11:29 p.m.*

ATTEST:

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Judy Rice  
City Clerk