

CALL TO ORDER

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

ROLL CALL

Councilmember Gabino Aguirre, Councilmember Robert S. Gonzales, Councilmember Ralph 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 were also present

PUBLIC COMMENT

There was no public comment

CLOSED SESSION

- A. Conference with Legal Counsel, Anticipated Litigation—Government Code § 54956.9(b) (significant exposure to litigation). Number of cases: one.

Mayor Tovas recessed the City Council to a closed session at 6:05 p.m., and reconvened the City Council at 6:40 p.m. No reportable action. Mayor Tovas recessed the City Council at 6:40 p.m.

CALL TO ORDER

Mayor Tovas called the meeting to order at 6:47 p.m. and led the flag salute.

ROLL CALL

Councilmember Gabino Aguirre, Vice Mayor Fred W. Robinson, Councilmember Robert S. Gonzales, Councilmember Ralph J. Fernandez 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 Closed Session report.

PRESENTATIONS

A. Presentation America In Bloom-

America in Bloom Committee gave an update on the progress of AIB. Council was presented with American In Bloom t-shirts with the logo "Planting Pride in Santa Paula."

PUBLIC COMMENT

Carolyn Tulberg, 1167 Los Robles, representing Spirit of Santa Paula gave an update on the plans for this year's Winter Warming Shelter.

Chris Sayer, 19867 E. Telegraph Rd. introduced himself as the next Chamber President and spoke about the focus of the Chambers efforts.

Mike Mobley, 15500 W. Telegraph Rd. representing the Boys & Girls Club of Santa Clara Valley spoke of the annual fundraiser that will be held on news year's eve themed "Diamond, Spies and Private Eyes." The City was asked to be a co-sponsor of this event.

CITY COUNCIL, STAFF COMMUNICATIONS

City Manager Fontes spoke of the Santa Paula-Fillmore football game and congratulated the Santa Paula High School varsity players.

Councilmember Fernandez spoke of how special the event was, commenting on how well the teams played together and how proud he was to be a part of it.

Councilmember Fernandez thanked those that supported him in the election.

Mayor Tovas stated that he will give the Mayor of Fillmore the opportunity satisfy a bet by taking a Cardinals jersey to the next Fillmore Council meeting for the Mayor to wear during the meeting.

APPROVAL OF FINAL AGENDA

Councilmember Gonzales request that Item 11A be heard after 12C.

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

CONSENT CALENDAR

It was moved by Councilmember Gonzales, seconded by Councilmember Fernandez 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. **Minutes**–Adopt amended Minutes for the Special City Council Meeting of June 29, 2009. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- D. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of September 7, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- E. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of September 20, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- F. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of October 1, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- G. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of October 4, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- H. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of October 18, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- I. **Minutes**– Adopt the Minutes from the Special City Council Meeting of October 28, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.

- J. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of November 1, 2010. Deputy City Clerk Peggy Higgins' report dated November 8, 2010.
- K. **Warrants and Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn's report dated November 15, 2010.

VOIDED CHECKS	10/14/10, 10/20/10	
INVOICES	10/13/10, 10/19/10, 10/21/10	
WIRE TRANSFERS	10/14/10, 10/20/10	
SUBTOTAL		\$ 326,152.75

VOIDED CHECKS	11/04/10	
INVOICES	10/29/10, 11/04/10	
WIRE TRANSFERS	10/25/10, 11/03/10	
SUBTOTAL		\$ 862,547.57

GRAND TOTAL **\$1,188,700.32**

- L. **Response to Ventura County Grand Jury Report-Utilization of the Ventura County Juvenile Justice Facilities**– It is recommended that the City Council: 1) receive and approve the attached response letter to the Ventura County Grand Jury Report-Utilization of the Ventura County Juvenile Justice Facilities. Assistant to the City Manager Elisabeth Amador's report dated November 8, 2010.

- M. **Resolution in Support of the Southern California Association of Governments' "Business Friendly Principles"**– it is recommended that the City Council: 1) receive the report; 2) adopt Resolution No. 6709 in Support of the Southern California Association of Governments' "Business Friendly principles"; and 3) take such additional, related, action that may be desirable. **RESOLUTION NO. 6709** - A RESOLUTION OF THE CITY OF SANTA PAULA IN SUPPORT OF "Business Friendly Principles" as part of SCAG's development of a Southern California Economic Growth Strategy. Assistant to the City Manager Elisabeth Amador's report dated November 8, 2010.

- N. **Adopt-A-Park Program (Santa Paula Police Department Landscaping, Granite Ball Landscaping and Teague Park Picnic Area and Playground)**– It is recommended that the City Council: 1) approve the adoption of the Santa Paula Police Department Landscaping, Granite Ball Landscaping and Teague

Park Picnic Area and Playground through the Adopt-A-Park program that was established in April of 2002; 2) allow staff to execute an Adopt-A-Park agreement with interested parties; and 3) take such additional, related action as may be desirable. Community Services Director Brian Yanez's report dated November 4, 2010.

- O. **Overview of Santa Paula Police Towing Practices**– It is recommended that the City Council accept and file the overview report on police towing practices. Chief of Police Stephen MacKinnon's report dated November 10, 2010.
- P. **Approve Extending the Bike Trail Project Time to Completion and Resolution No. 6711 Authorizing the Submittal of a Cooperative Work Agreement (CWA) to the CALTRANS District Local Assistance Engineer (DLAE)**– It is recommended that City Council: 1) approve Resolution No. 6711 authorizing staff to submit a Cooperative Work Agreement (CWA) to the CALTRANS District Local Assistance Engineer (DLAE); and 2) take such additional, related action that may be desirable. Interim Public Works Director John Quinn's report dated November 10, 2010.

ORDER OF BUSINESS

- A. **FY 2010-11, October 2010 Monthly Update**–

Finance Director John Quinn's report dated November 10, 2010.

PUBLIC COMMENT

Duane Ashby, 542 Howie Ct. suggested that the Council consider gathering a community group to review the budget and report back to council.

It was moved by Councilmember Gonzales, seconded Mayor Tovas to receive and file this Summary Report of the Four Months Review of Revenues & Expenditures. All were in favor and the motion carried.

- B. **Consider City Refuse Division and Third Party Hauler Proposals for Residential and Commercial Franchise in the City of Santa Paula**–

Finance Director John Quinn's report dated November 10, 2010.

A power point and presentation were given by Kimberly Nilsson, Solid Waste Solutions.

PUBLIC COMMENT

Steve Marshall, 810 Virginia Terrace spoke in support of the City's refuse collection services.

Andy Castaneda, 432 Sycamore St. spoke in favor of outsourcing refuse service.

Chuck Jelloian, representing Crown Disposal referred to the staff report and pointed out that Crown Disposal scored very high in all criteria and asked Council to consider them for the city's refuse service.

Tim Fry, representing Crown Disposal stated that Crown Disposal can meet and sustain the 60% diversion rate at a competitive price, will offer employment to those that would be laid off and asked Council for their consideration.

Larry Sagely, 585 Ridgecrest spoke in favor of outsourcing the refuse service to Harrison Industries to enable the city to cut costs.

Gary Naselroad, 756 Montclair Dr. asked that if the Council choses to outsource the refuse service to consider Harrison Industries.

Rondi Gutherie, 271 Dunsmuir Ave., Ventura representative of Crown Disposal commented on the quality of Crown's proposal and urged the Council to move forward in negotiating a contact with Crown Disposal.

Duane Ashby, 542 Howie Ct. spoke against outsourcing the refuse service and asked Council to look at ways to increase revenue with the assets that the City already has.

Roger Brooks, 1100 Ojai Rd. suggested Council postpone action on this item until all relevant information can be obtained,

Richard Main, 15888 Foothill Rd. spoke in favor of outsourcing the refuse service recommended Harrison Industries.

Regular City Council Meeting
Monday, November 15, 2010
Administrative Conference Room/Council Chambers

Former Port Hueneme Mayor Murry Rosenbluth, 2591 Northstar Cir., Port Hueneme presented a letter to Council for the record and spoke against outsourcing solid waste services.

Danny Carillo, SEIU representative suggested that having the Finance Director prepare the staff report and hire a consultant to help staff with the City's proposal is a conflict of interest and asked that any action be set aside until these irregularities can be addressed.

Robert Moen, 5091 Floral Rd., Ventura spoke against outsourcing the solid waste services currently provided by the City.

Myron Harrison, 5275 Colt St., Ventura representing Harrison Industries, gave the history of the company and urged the Council to choose Harrison Industries for the city's refuse service.

Bill Camarillo, 201 Kinetic Dr., Oxnard, representing Agromin spoke in favor of the Council to focus locally when choosing a company for the city's refuse service,

Peter Gutierrez, recycling coordinator for Santa Clara Valley Disposal spoke in favor of choosing Harrison Industries for the city's refuse service.

Kelly Astor, 1851 E. First St. #1220, Santa Ana, attorney representing Harrison Industries urged Council to retain a third party hauler and enter into a contact with Harrison Industries.

Lynn Harrison, 1113 Cliff Dr. General Manager Santa Clara Valley Disposal urged the Council to enter into a contract with Harrison Industries.

Steve Smead, 513 Howie Ct. resident spoke of outsourcing solid waste collection services.

David Harrison, 1569 Pyramid Ave., Ventura, Sales Manager Harrison Industries spoke in favor of outsourcing solid waste collection services.

It was moved by Vice Mayor Robinson, seconded by Mayor Tovas, to have City Manager and City Attorney begin negotiations to enter into contract with Santa Clara Valley Disposal, Harrison Industries for solid

waste collection services. Under roll call vote Vice Mayor Robinson and Mayor Tovas were in favor. Councilmembers Aguirre, Gonzales and Fernandez were opposed. The motion failed.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre, to continue the item to the Regular Meeting of December 20, 2010 and have staff report back with additional information. Under roll call Councilmembers Aguirre, Gonzales and Fernandez were in favor. Vice Mayor Robinson and Mayor Tovas were opposed. 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 Tovas, seconded by Councilmember Fernandez to suspend the rules and continue the meeting. All were in favor and the motion carried.

C. Cancel the January 3, 2011 Regular City Council Meeting–

City Manager Jaime Fontes' report dated November 8, 2010.

It was moved by Mayor Tovas, seconded by Councilmember Gonzales to cancel the Regular meeting of January 3, 2011. All were in favor and the motion carried and the motion carried.

PUBLIC HEARING

A. Ordinance No. 1233 Adopting by Reference 2010 Edition of the California Building Standards Code, 2009 International Urban-Wildland Interface Code, and the 2009 International Property Maintenance Code–

Mayor Tovas opened the public hearing at *10:31 p.m.*

Fire Chief Rick Araiza's report dated November 8, 2010.

It was moved by Councilmember Fernandez, seconded Councilmember Gonzales to continue the public hearing to the Regular City Council meeting of December 20, 2010 to consider adoption of the proposed Ordinance. All were in favor and the motion carried.

Mayor Tovas closed the public hearing at *10:32 p.m.*

COMMUNICATIONS

None

REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Councilmember Gonzales seconded by Councilmember Fernandez to have the Economic Development Advisory Committee give a presentation before Council at a future meeting. All were in favor and the motion carried.

It was moved by Mayor Tovas, seconded by Councilmember Fernandez, to have staff bring back a recommendation to waive the conditional use permit fees for this year's Winter Warming Shelter and approve the City as co-sponsor with the Boys & Girls Club for their upcoming annual fundraiser. All were in favor and the motion carried.

ADJOURNMENT

Mayor Tovas adjourned the meeting at *10:35 p.m.*

ATTEST:

Judy Rice
City Clerk