

CALL TO ORDER

Mayor Robinson called the meeting to order at 6:32 *p.m.*

ROLL CALL

Councilmember Richard C. Cook, Vice Mayor Robert S. Gonzales Councilmember Ralph Fernandez, Councilmember James A. Tovias and Mayor Fred W. Robinson 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

No Closed Session.

PRESENTATIONS

A. Recognition of Police Explorer- Cindy Bermudes

Police Chief Stephen MacKinnon presented a commendation to Cindy Bermudes for meritorious action.

PUBLIC COMMENT

James Robles, 812 Teague Dr., spoke in support of maintaining the City's Solid Waste Division and asked Council to closely review the budget and gather all information in regards to solid waste.

Rod Elliott, 1315 E. Main St., spoke in opposition to the city's current policy for installing water meters and asked Council to review the policy.

Sheila Tate, CEO, Boys and Girls Club of the Santa Clara Valley, gave an update on the financial status of the organization and thanked the Council for their support.

Debbie Johnson, representing the Downtown Merchants Association thanked Council and the staff for the downtown decorations and encouraged everyone to shop Santa Paula this holiday season.

Danny Carillo, SEIU representative, requested Council to move the Solid Waste privatization item indefinitely and also discouraged Council from adopting the recommendation of staff to eliminate a full time Customer Service Representative.

CITY COUNCIL, STAFF COMMUNICATIONS

Vice Mayor Gonzales commented on the completion of the waste water treatment plant and asked for a meeting with the CRWQCB to ask them to move on the chloride issue.

City Attorney Berger stated that a letter was sent to RWQCB announcing that the City's requirements were completed.

APPROVAL OF FINAL AGENDA

It was moved by Councilmember Fernandez, seconded by Councilmember Tovas approve the agenda as presented.

CONSENT CALENDAR

Councilmember Cook requested Items E, G and H be pulled for discussion and recused himself from Item C because he wasn't on the Council for this meeting.

Councilmember Fernandez requested Items F, J, and L be pulled for discussion.

It was moved by Mayor Robinson, seconded by Councilmember Fernandez 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. Minutes– Adopt amended Minutes for the Regular City Council Meeting of November 15, 2010 Deputy City Clerk Peggy Higgins' report dated December 13, 2010.

- D. 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	11/08/10, 11/16/10, 11/17/10	
INVOICES	11/12/10, 11/18/10	
WIRE TRANSFERS	11/10/10, 11/17/10	
SUBTOTAL		\$ 1,833,287.21
VOIDED CHECKS	11/24/10	
WIRE TRANSFERS	11/24/10	
SUBTOTAL		\$ 162,001.49
INVOICES	12/01/10, 12/02/10	
WIRE TRANSFERS	11/29/10, 12/01/10	
SUBTOTAL		\$1,160,007.37
GRAND TOTAL		\$3,155,296.07

- I. Adoption of a Technical Reserve Officer Position– Adopt the position of Technical Reserve Officer to be placed within the Santa Paula Police Department. Chief of Police Stephen MacKinnon’s report dated December 8, 2010.
- K. Approve Amendment No. 2 for a New Appendix 22 in the DBOF Agreement with Santa Paula Water, LLC that Provides Additional Flow Ranges for Energy Usage Guarantees– It is recommended to: 1) authorize the City Manager to execute an amendment in a form approved by the City Attorney to add low flow ranges that will allow calculations for energy usage guarantees to be extended to lower flow values; 2) take such additional, related, action that may be desirable. Acting Public Works Director John T. Quinn’s report dated December 20, 2010.
- M. Appoint Assistant to the City Manager Elisabeth Amador, Human Resources Manager Lorena Alvarez and Finance Director John Quinn to be Labor Negotiators for Employee Organizations– Santa Paula Community Service Officers Unit, Santa Paula Police Officers Association, SEIU Local 721, Ventura County Professional Firefighters Association, Management, Supervisory & Professional Association; Executive Management, Mid-Management, Confidential, Part-time Temporary, and Seasonal Employees Groups.

CONSENT CALENDAR (SEPARATE ACTION ITEMS)

- E. Request to Postpone the Consideration of City Refuse Division and Third Party Hauler Proposals for Residential and Commercial Franchise in the City of Santa Paula to the Regular City Council meeting of January 18, 2010–

City Manager Jaime Fontes' report dated December 14, 2010.

It was moved by Councilmember Cook, seconded Councilmember Fernandez to postpone the consideration of the City's Solid Waste Division and third party hauler proposals for residential and commercial franchise in the City of Santa Paula to the Regular City Council meeting of January 18, 2010. Under roll call vote all were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to move into Closed Session at end of meeting to discuss Items 10E and 10J. Under roll call vote all were in favor and the motion carried.

- G. Amendment to the Position Control Listing and Classification Plan for 2010-2011–

Human Resources Manager Lorena Alvarez's report dated December 14, 2010

It was moved by Councilmember Cook, seconded by Councilmember Tovias to adopt Resolution No. 6714 amending the City's Position Control Listing and Classification Plan in the adopted FY 2010-11 Budget to Un-fund one full-time vacant Customer Service Representative Position and authorize funding of two new part-time Customer Service Representative positions and authorize the City Manager, Human Resources Manager and the Finance Director to execute any documents in forms approved by the City Attorney and take action to implement the change. Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6714

A RESOLUTION AMENDING THE ADOPTED FISCAL YEAR 2010-11 BUDGET TO UNFUND A FULL TIME CUSTOMER SERVICE REPRESENTATIVE POSITION AND FUND TWO PART TIME CUSTOMER SERVICE REPRESENTATIVES. .

- H. Formation of a Community Development Block Grant Advisory Committee for the 2011/12 Application Cycle–

Assistant to the City Manager Elisabeth Amador's report dated December 14, 2010

It was moved by Councilmember Cook, seconded by Councilmember Fernandez to approve the formation of a Community Development Block Grant (CDBG) Advisory Committee for the 2011/12 CDBG Application. All were in favor and the motion carried.

- L. Award Santa Paula Branch Line Bike Trail Planting and Irrigation Project to West Coast Public Works, Inc.-

Acting Public Works Director, John T. Quinn's report dated December 20, 2010.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales authorize the City Manager to execute an agreement in a form approved by the City Attorney with West Coast Public Works, Inc. for the Planting and Irrigation Portion of the overall Bike Trail Project and allocate \$479,000 from the TE funds approved for this project. All were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Mayor Robinson to form a sub-committee consisting of Mayor Robinson and Councilmember Fernandez to review the planting and irrigation plans and report back to Council at a later date. All were in favor and the motion carried.

PUBLIC HEARING

- A. Review of Project no. 2010-DR-07: A Request in Accordance with the Mills Act to Establish a Historical Property Agreement Between the City of Santa Paula and the Owner of a Qualified Historical Property (Glen Tavern Inn)-

Upon verification of proper notification and posting by the City Clerk, Mayor Robinson opened the Public Hearing at 7:48 p.m.

Planning Director Janna Minsk's report dated December 10, 2010.

It was moved by Councilmember Tovias, seconded by Vice Mayor Gonzales adopt Resolution No. 6713 authorizing the approval of a historical property agreement between the City and the Glen Tavern Inn property owner.

Mayor Robinson closed the public hearing at 7:57 p.m.

RESOLUTION NO. 6713

A RESOLUTION AUTHORIZING A HISTORICAL PROPERTY AGREEMENT FOR THE GLEN TAVERN INN LOCATED AT 134 N. MILL STREET (APN: 103-0-112-015) [PROJECT NO. 2010-DR-07]

- B. 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–

Upon verification of proper notification and posting by the City Clerk, Mayor Robinson opened the Public Hearing at 7:59 *p.m.*

Fire Chief Rick Araiza's report dated October 25, 2010

ORDINANCE 1233

AN ORDINANCE INCORPORATING THE FOLLOWING MODEL CODES INTO THE SANTA PAULA MUNICIPAL CODE BY REFERENCE: (1) CALIFORNIA BUILDING CODE, VOLUMES I AND II, CALIFORNIA RESIDENTIAL CODE, AND CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 EDITION; (2) CALIFORNIA ELECTRICAL CODE, 2010 EDITION; (3) CALIFORNIA PLUMBING CODE, 2010 EDITION; (4) CALIFORNIA MECHANICAL CODE, 2010 EDITION; (5) CALIFORNIA FIRE CODE, 2010 EDITION; (6) INTERNATIONAL URBAN-WILDLAND INTERFACE CODE, 2009 EDITION; (7) INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION; (8) CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, 2010 EDITION; AND (9) MAKING MISCELLANEOUS REVISIONS TO CHAPTER 150 (BUILDING REGULATIONS) TO PROVIDE CONSISTENCY WITH THE CALIFORNIA BUILDING STANDARDS CODE.

RECESS TO A BREAK

Mayor Robinson recessed the Council to a break at 8:09 *p.m.*

RECONVENE TO REGULAR SESSION

Mayor Robinson reconvened the Council at 8:16 p.m.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Gonzales to waive second reading and adopt Ordinance No. 1233 regarding update of the City's Building Regulations. Under roll call vote all were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Gonzales to introduce a new Ordinance with the verbatim language of Ordinance No. 1233 except with the additional Section 12 to read as follows: "Section 12: Building Plans that are submitted to the City of Santa Paula and are determined to be substantially complete by the City of Santa Paula Planning Director; that is detailed architectural plans have been submitted and plan check fees have been paid to the City before the expiration of 60 days following the Councils adoption of this ordinance are exempt from the regulations contained within this ordinance. Persons may appeal the Director's decision in accordance with the Santa Paula Municipal Code." A public hearing to consider adopting the new Ordinance was scheduled for the next available regular City Council meeting. All were in favor and the motion carried.

Mayor Robinson closed the public hearing at 8:22 p.m.

ORDER OF BUSINESS

A. Approval of Construction Management Agreement with AECOM –

Acting Public Works Director John Quinn's report dated December 15, 2010.

It was moved by Councilmember Gonzales, seconded by Councilmember Tovas to approve a budget allocation of \$658,188 for construction management services related to the 4 million gallon (MG) water reservoir to be constructed in Steckel Canyon, to authorize the City Manager to execute a Professional Services Agreement for the budgeted amount with AECOM Technical Services, Inc. in a form approved by the City Attorney. Under roll call vote Councilmember Cook and Tovas, Vice Mayor Gonzales and Mayor Robinson were in favor. Councilmember Fernandez was opposed. The motion carried.

B. Amendment No. 4 - Professional Services Agreement with Bio Resources Consultants for Additional Monitoring and Reporting Services–

Acting Public Works Director John Quinn's report dated December 15, 2010.

It was moved by Councilmember Cook, seconded by Mayor Robinson to authorize the City Manager to amend the existing Agreement with Bio Resources Consultants in a form approved by the City Attorney in the amount of \$498,946 to continue monitoring and reporting for up to five additional years in accordance with requirements and specifications developed by the California Department of Fish & Game and to allocate an additional budget amount \$498,946 from the WRF Project Account No. 610.5.9241.290 for Amendment No. 4. Upon roll call vote Mayor Robinson, Vice Mayor Gonzales, Councilmembers Cook and Tovias were in favor. Councilmembers Fernandez and Tovias were opposed. The motion carried.

- C. Mayor's Standing Committee City Council Ad Hoc Committees– Approve appointments to the Mayor's Standing Committees. City Manager Jaime Fontes' report dated December 14, 2010.

Appointments were made by Mayor Robinson.

CLOSED SESSION

Mayor Robinson recessed the City Council to closed session for discussion of Items 10F and 10J at 8:59 *p.m.*

City Attorney Berger stated that items 10F and 10J were being discussed in closed session due to significant exposure to litigation pursuant to Government Code § 54956.9(b).

RECONVENE TO REGULAR SESSION

Mayor Robinson reconvened the City Council at 9:20 *p.m.*

CLOSED SESSION REPORT

No reportable action.

CONSENT CALENDAR (SEPARATE ACTION ITEMS)

- F. Sponsorship of Santa Clara Valley Boys & Girls Club Annual Fundraiser–

City Manager Jaime M. Fontes report dated December 14, 2010.

It was moved by Councilmember Cook, seconded by Councilmember Fernandez to co-sponsor the Boys & Girls Club annual fundraiser; Diamonds, Spies &

Private Eyes New Year's Eve dinner/auction, scheduled for Friday December 31, 2010 and directed the City Manager to allocate in-kind services and waiver of fees to the event. All were in favor and the motion carried.

J. Fees for Processing Temporary Use Permit for the Winter Warming Shelter-

Planning Director Janna Minsk's report dated December 14, 2010.

It was moved by Councilmember Gonzales, seconded by Councilmember Cook to waive fees for processing a Temporary use Permit (TUP) for the 2010 Winter Warming Shelter. All were in favor and the motion carried.

COMMUNICATIONS

City Manager Fontes requested Council to consider setting a Goal Setting meeting the first week of February, and a work/study meeting to study the solid waste issue.

Councilmember Cook stated that Rotary is preparing 500 Christmas boxes for needy families in the community.

REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook for the City Manager to report back on a monthly basis the disposition of future agenda items requested by Council. All were in favor and the motion carried.

It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovas to have report back from staff regarding landscape meters. All were in favor.

It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to have a report back from Bio Resources regarding the monitoring program in the Santa Clara Valley territory. All were in favor and the motion carried.

It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to have an update from VCRCD regarding Toland Landfill and sludge disposable. All were in favor and the motion carried.

It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to have report back on the policies and practices of waiving fees by city. All were in favor and the motion carried.

ADJOURNMENT

Mayor Robinson adjourned the meeting at *9:30 p.m.*

ATTEST:

Judy Rice
City Clerk