

**CALL TO ORDER**

Mayor Robinson called the meeting to order at 5:07 p.m.

**ROLL CALL**

Councilmember Richard C. Cook, Councilmember James A. Tovias, Councilmember Ralph J. Fernandez and Mayor Robinson responded to roll call. City Manager Jaime M. Fontes, City Attorney Karl H. Berger and City Clerk Judy Rice were also present. Vice Mayor Robert S. Gonzales arrived at 5:35 p.m.

**PUBLIC COMMENT**

None

**CLOSED SESSION**

- A. 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 Acting Finance Director Sandy Easley. Employee Organizations: SEIU Local 721; Santa Paula Police Officers Association (SPPOA); Ventura County Professional Firefighters Association (VCPFA), representing Santa Paula Full-time Firefighters; Community Services Officers (CSO); Mid-Management Association, Supervisory and Professional Association; unrepresented confidential employees (City employees who are not members of bargaining units); and Part-Time/Temporary/Seasonal.
- B. Scheduled Public Employee Performance Evaluation – *Government Code § 54957*. Title: City Manager.
- C. Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation - *Government Code § 54956.9* (one case): Santa Clara Valley Disposal DBA Harrison Industries. Letters dated March 15 and 16, 2011.

Mayor Robinson recessed the City Council to a closed session at 5:07 p.m., and recessed the City Council at 6:25 p.m. to be reconvened at 6:30 p.m. for open session. No reportable action.

**CALL TO ORDER**

Mayor Robinson called the meeting to order at 6:37 *p.m.* Deacon Al Guilen gave the invocation and Mayor Robinson led the flag salute.

**ROLL CALL**

Councilmember Richard C. Cook, Councilmember Ralph Fernandez, Councilmember James A. Tovias, Vice Mayor Robert S. Gonzales 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 REPORT**

No reportable action.

**PRESENTATIONS**

- A. Update on East Area 1– Limoneria CEO Harold Edwards and Alan Teague thanked Council and staff for all their work on East Area 1 and presented a check to the city in the amount of \$500,000.

**PUBLIC COMMENT**

Woody Maxwell, 15325 Todd Lane, representing the Malzacher Ranch discussing the City's Water Recycling Facility.

Susan Haverland, 50 Julian St., Ventura, representing California Vanpool Authority provided Council with a handout explaining the services provided by CalVans.

Laura Espinosa, 233 Corte Linda asked Council to rescind previous action to contract out solid waste service. Council and asked Council to schedule a Goal Setting Workshop to provide Council with citizen input.

**CITY COUNCIL, STAFF COMMUNICATIONS**

Acting Public Works Director Brian Yanez gave an update on the status of the Branch Line Bike Trail project.

Mayor Robinson announced that Council will be signing a letter offering Japan the City's concerns and sympathy for its people after the earthquake and tsunami.

### **APPROVAL OF FINAL AGENDA**

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

### **CONSENT CALENDAR**

It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovias 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 the Minutes from the Special City Council Meeting of February 5, 2011. Deputy City Clerk Peggy Higgins' report dated March 14, 2011.
- D. Minutes– Adopt the Minutes from the Regular City Council Meeting of February 7, 2011. Deputy City Clerk Peggy Higgins' report dated March 14, 2011.
- E. Minutes– Adopt the Minutes from the Special City Council Meeting of February 16, 2011. Deputy City Clerk Peggy Higgins' report dated March 14, 2011.
- F. Minutes– Adopt the Minutes from the Regular City Council Meeting of February 22, 2011. Deputy City Clerk Peggy Higgins' report dated March 14, 2011.
- G. Minutes– Adopt the Minutes from the Special City Council Meeting of February 28, 2011. Deputy City Clerk Peggy Higgins' report dated March 14, 2011.

- H. Minutes-Adopt the Minutes from the Regular City Council Meeting of March 7, 2011. Deputy City Clerk Peggy Higgins' report dated March 14, 2011.
- I. Minutes-Adopt the Minutes from the Special City Council Meeting of March 15, 2011. Deputy City Clerk Peggy Higgins' report dated March 16, 2011.
- J. Warrants and Certifications- Review, approve, and file the attached warrants and certifications. Assistant Finance Director Sandy Easley's report dated March 7, 2011.

VOIDED CHECKS	02/28/11		
INVOICES	03/03/11		
WIRE TRANSFERS	02/28/11-03/02/11		
		SUBTOTAL	\$ 602,173.49
INVOICES	02/23/11-02/24/11		
WIRE TRANSFERS	02/23/11-02/24/11		
		SUBTOTAL	\$ 396,851.84
		GRAND TOTAL	\$ 999,025.33

- K. Notice of Completion and Retention Payment: Felkins Road Wastewater Main Installation Project- It is recommended that the City Council: 1) receive the final project Notice of Completion (NOC); 2) authorize the final retention payment of this contract; and 3) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez' report dated March 8, 2011.

### **ORDER OF BUSINESS**

- A. Costs Related to Retirement Opportunity and Establishing Window Period for Golden Handshakes - Two Years Additional Service Credit (Miscellaneous Member Employees only)-

Human Resource Manager Lorena Alvarez' report dated March 16, 2011.

It was moved by Mayor Robinson, seconded by Councilmember Fernandez, to receive the cost associated with implementing a Golden Handshake Program pursuant to Government Code Section 20903, satisfy the requirements of Government Code Section 7507 by disclosing an estimate of the present value

of the associated additional employer contributions at a public meeting and direct staff to present a resolution and associated required certifications for adoption by the City Council on April 4, 2011 to implement this program. All were in favor and the motion carried.

- B. Consider the Best and Final Offer of the Third Party Hauler Proposals for Residential and Commercial Solid Waste Services in the City of Santa Paula–

City Manager Jaime Fontes' report dated March 17, 2011.

### **PUBLIC COMMENT**

Sheila Tata, 1400 E. Harvard Blvd. representing the Santa Clara Valley Boys & Girls Club spoke in support of Harrison Industries.

John Chamberlain spoke in support of Harrison Industries.

Kathy Ashby, 542 Howie Ct., spoke in support of Crown Disposal.

Mary Ann Burton, 2376 Jonesboro Ave., spoke in support of Harrison Industries.

Duane Ashby, 542 Howie Ct., spoke of the difficult task Council had before them.

Larry Sagely, 585 Ridgecrest Dr., spoke in support of Harrison Industries.

Patti Walker, 620 Eagle Ct., Fillmore spoke in support of Harrison Industries and concern that if Crown Disposal is chosen resulting in additional heavy traffic through Fillmore on State Route 126.

Fillmore Mayor Gayle Washburn, read a letter from the City of Fillmore to Mayor Robinson dated January 24, 2011 asking for consideration in the choice of a solid waste hauler in respect to the increase truck traffic it will generate on HWState Route 126.

Carole Sarian, 9550 Topanga Cyn. Blvd., representing Crown Disposal respectfully requested the Council's consideration in choosing Crown for the city's solid waste services.

Chuck Jellion, 9550 Topanga Cyn. Blvd., representing Crown Disposal stated that they did not get into this process to make their competitors better; they are in it to win it and offered their services for community affairs.

Peter Gutierrez, 135 ½ Garcia St. a Harrison Industries employee spoke of Harrison's commitment to its employees.

Martel Fraizer, USCW Union Representative for Harrison Industries workers spoke of Harrison's commitment to its employees.

Jane Lax, 1232 Fern Oaks Dr., spoke in favor of Harrison Industries.

David Hare, 1926 Hobart Dr., CEO of Farm Share, spoke in support of Harrison Industries.

Bonnie Wiegel, Executive Director of Food Share, spoke in support of Harrison.

Karen Sandvig, Sun Valley, Manager of Customer Service Department for Crown Disposal spoke of Crown's commitment to customer service.

Romero Quinteros, Sun Valley Crown Disposal worker spoke of the benefits of working for Crown.

Manual Loyola, Sun Valley, Crown Disposal worker spoke of the benefits of working for Crown and the opportunity available for advancements.

Cathy Hicks, 560 Howie Ct., spoke in favor of Crown Disposal and the importance of recycling.

Romero Estrada, 713 S. Kalisher St., San Fernando, spoke of Crown's commitment to community affairs and their programs for recycling.

### **RECESSED TO BREAK**

Mayor Robinson recessed the City Council to a break at 7:52 *p.m.*

### **RECONVENED TO REGULAR SESSION**

Mayor Robinson reconvened the City Council at 8:00 *p.m.*

### **PUBLIC COMMENT**

David Harrison, 1569 Pyramid Ave., Ventura, representing Harrison Industries spoke of the company's history, its services and commitment to the community.

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Monday, March 21, 2011  
Administrative Conference Room/Council Chambers

Jim Harrison, 5500 Rainier St., Ventura, representing Harrison Industries spoke of the company's attributes and of the benefits Harrison can provide to the community.

Evan Edgar, 1822 21<sup>st</sup> St., Sacramento, Civil Engineer reviewed greenhouse gas regulations and spoke of Harrison's compliance with AB 32.

Bill Camarillo, Agromin, a partner with Harrison and Limoneira spoke of their combined experience to manage local waste resources.

Francisco Ramirez Amazan, 406 E. Santa Paula St., presented a customer billing transfer statement, explained what the Enterprise Fund pays for and asked Council to review it carefully.

Gail Cullins, City of Santa Paula Customer Service Representative, spoke in favor of Crown Disposal.

Lynn Harrison, 1113 Cliff Dr., General Manager of Santa Clara Valley Disposal, stated his disappointment in Council's decision to allow Crown to participate even though it missed the pre-bid meeting and spoke of Harrison's investment in the community, environmental record, diversion record, and experience.

Patty Harrison, 113 Cliff Dr., spoke of Harrison's positive history in Santa Paula.

Debbie Romero, 260 Countryview, spoke in favor of Crown Disposal and read a letter from David Romero.

Erik Wilhite, 4728 Sunfield Ave, Long Beach, represents the grocery division for Crown Disposal and is interested in composting material recycled from the local grocery stores in Santa Paula.

Rondi Guthrie, representing Crown Disposal spoke in support of Crown Disposal.

John Marshall, outside general council for Crown Disposal spoke in support of Crown Disposal.

Tim Fry, Sun Valley, General Manager Crown Disposal spoke of the benefits and additional services Crown can provide for Santa Paula.

Sylvia Fonseca, 135½ Garcia St., E. J. Harrison employee spoke in favor of Harrison Industry and its contributions to the City.

James Robles, 812 Teague Dr. stated that the decision to privatize solid waste services should have been put up to the voters and that the money in the enterprise fund should go back to the citizens.

Kelly Astor, 1851 E. First St., Ste. 1220, Santa Ana, attorney for Harrison Industries thanked the City Council and staff for their work on this issue and spoke of Harrison's experience and years of service to Santa Paula.

Mike Mobley, 15500 W. Telegraph Rd., a local business owner spoke in favor of Harrison Industries.

Nan Drake, P. O. Box 4009, Ventura, introduced the Harrison family and employees that were in the audience and spoke of the benefits of Harrison.

**RECESS TO BREAK**

Mayor Robinson recessed the City Council to a break at 8:51 p.m.

**RECONVENED TO REGULAR SESSION**

Mayor Robinson reconvened the City Council at 9:13 p.m.

Council began discussion.

**RECESS TO BREAK**

Mayor Robinson recessed the City Council to a break at 9:58 p.m.

**RECONVENE TO REGULAR SESSION**

Mayor Robinson reconvened the City Council at 10:40 p.m.

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Vice Mayor Gonzales, seconded by Councilmember Tovias, to suspend the rules and continue the meeting. All were in favor under roll call vote, and the motion carried.

It was moved by Mayor Robinson to enter into negotiations with Harrison Industries. Motion died for lack of a second.

It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to select Crown Disposal as a third party hauler and authorize the City Manager and City Attorney to negotiate a franchise agreement with Crown Disposal.

Under roll call vote Councilmembers Cook, Tovas and Vice Mayor Gonzales were in favor. Councilmembers Fernandez and Mayor were opposed. The motion carried.

### **COMMUNICATIONS**

Mayor Robinson announced the Ventura College Expo. for those that were interested in enrolling for classes.

Councilmember Cook extended a thank you to Anthony Scott, Refuse Collections Supervisor his work on the solid waste issue and wished him a full recovery from his illness.

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

It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to have staff report back on revenue generating ideas. All were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Cook for discussion of a financial audit. All were in favor and the motion carried.

It was moved by Councilmember Tovas, seconded by Vice Mayor Gonzales to bring back for discussion local contractors preference. All were in favor and the motion carried.

It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to provide Council with a list of future agenda items. All were in favor and the motion carried.

### **ADJOURNMENT**

Mayor Robinson adjourned the City Council at 11:22 p.m.

ATTEST:

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Judy Rice  
City Clerk