

CALL TO ORDER

Mayor Robinson called the meeting to order at 5:36 *p.m.*

ROLL CALL

Councilmember Richard C. Cook, Councilmember Ralph J. Fernandez and Mayor Fred W. Robinson were present. City Manager Jaime M. Fontes, City Attorney, Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present. Councilmember James A. Tovias and Vice Mayor Robert S. Gonzales were absent.

PUBLIC COMMENT

None

ORDER OF BUSINESS

- A. **Interview for the Economic Development Advisory Committee**– The City Council will hold an applicant interview to fill an unexpired vacancy on the Economic Development Advisory Committee for a four-year term.

Bruce Dickenson was present for his interviewed.

- B. **Interview for the Santa Paula Housing Authority Commission**– The City Council will hold an applicant interview to fill a vacancy as a tenant commissioner on the Santa Paula Housing Authority Commission for a two-year term.

Marjorie Fernandez was present for her interview.

CLOSED SESSION

- A. **Conference with Legal Counsel - Anticipated Litigation**– Significant Exposure to Litigation - *Government Code § 54956.9* (three cases): (1) Nicholas Construction - invoice dated April 11, 2011; (2) Santa Clara Valley Disposal DBA Harrison Industries - letters dated March 15 and 16, 2011; (3) City of Fillmore – letter dated January 24, 2011.
- B. **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.

Vice Mayor Gonzales arrived at 6:20 p.m.

Mayor Robinson recessed the City Council to a Closed Session at 5:36 p.m., and reconvened the City Council into Open Session at 6:25 p.m. No reportable action. Mayor Robinson recessed the City Council at 6:25 p.m.

CALL TO ORDER

Mayor Robinson called the City Council Meeting to order at 6:30 p.m. Deacon Al Guilin gave the invocation and Vice Mayor Gonzales led the flag salute.

ROLL CALL

Councilmember Richard C. Cook, Councilmember Ralph J. Fernandez, Vice Mayor Robert S. Gonzales and Mayor Fred W. Robinson were present. Also present were City Manager Fontes, City Attorney Karl Berger, City Clerk Judy Clerk and Deputy City Clerk Peggy Higgins. Councilmember James A. Tovias was absent.

CLOSED SESSION REPORT

No reportable action.

PUBLIC COMMENT

John Procter, representing Southern California Association of Governments invited a delegate from the Council to the annual General Assembly.

Debbie Johnson, announced the Canine Fundraiser Dinner to be held at the Community Center on April 27th in honor of retiring canine Evan and welcoming new canine Zac.

Emma Wolfe representing the American Cancer Society showed a DVD of past Relays, spoke of the Relay for Life event that will be held at the Limoneria soccer fields on April 30th and invited Council to participate.

CITY COUNCIL, STAFF COMMUNICATIONS

Councilmember Cook and Vice Mayor Gonzales attended the Santa Paula Police Memorial ground breaking.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

Vice Mayor Gonzales requested that Item 9E be pulled for discussion.

MOTION– It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to approve the balance of the Consent Calendar. 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 Regular City Council Meeting of April 4, 2011. Deputy City Clerk Peggy Higgins' report dated April 11, 2011.
- D. Minutes- Adopt the Minutes from the Special City Council Meeting of April 13, 2011. Deputy City Clerk Peggy Higgins' report dated April 14, 2011.
- F. Adoption Resolution No. 6727 - Approving the Plans and Specifications for Arterial Paving Project Phase II Peck Road– It is recommended that the City Council: 1) adopt Resolution No. 6727 approving the plans and specifications for the Arterial Paving Project Peck Road Phase II; 2) authorize staff to advertise for bids; and 3) take such additional, related action that may be desirable. RESOLUTION NO. 6727 – A RESOLUTION APPROVING THE PLANS FOR ARTERIAL PAVING

PROJECT PECK ROAD PHASE II. Interim Public Works Director Brian Yanez' report dated April 12, 2011.

- G. Annual Cooperative Agreement for VISTA Bus Service 10/11– It is recommended that the City Council: 1) approve the 2010/2011 Amendment to the Cooperative Agreement (FY 2001/2002) with the Ventura Intercity Service Transit Authority (VISTA) for the Highway 126 bus service and the Santa Paula and Fillmore Dial-A-Ride service: 2) authorize the Mayor to sign the Amendment: and 3) take such additional, related, action that may be desirable. Interim Public Works Director Brian Yanez' report dated April 12, 2011.

CONSENT CALENDAR (SEPARATE ACTION ITEM)

- E. Ad Hoc Change Order Subcommittee–

City Manager Jaime Fontes' report dated April 11, 2011.

After discussion City Attorney Berger stated that he and City Manager Fontes agreed the role of the subcommittee was completed and that the City Attorney and City Manager took direction from the entire City Council following the subcommittee's report. Mr. Berger requested that if Council chooses to continue the subcommittee that the Council specify a definitive role that the Ad Hoc Change Order Subcommittee is charged with so that the City Attorney and City Manager can implement the entire City Council's direction.

MOTION– It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to continue the Ad Hoc Change Order Subcommittee to examine issues relative to existing change orders and report back to the full body of Council. Upon roll call vote Councilmember Fernandez, Vice Mayor Gonzales and Mayor Robinson were in favor. Councilmember Cook was opposed. The motion carried.

PUBLIC HEARING

- A. Public Hearing to Consider the Increase of Certain Parking Fines–

Chief of Police Stephen MacKinnon's report dated April 5, 2011.

Upon verification of proper notification and posting by the City Clerk, Mayor Robinson opened the Public Hearing at 6:56 p.m.

MOTION – It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to adopt Resolution No. 6726 increasing the identified parking fines. Councilmember Cook, Vice Mayor Gonzales and Mayor Robinson were in favor. Councilmember Fernandez was opposed. The motion carried.

RESOLUTION NO. 6726

A RESOLUTION ADOPTING A FINE SCHEDULE PURSUANT TO CALIFORNIA VEHICLE CODE § 40203.5.

Mayor Robinson closed the Public Hearing at 7:02 p.m.

- B. Project No. 2010-CDP-05 – Request for Approval of Covenants, Conditions, and Restrictions (CC&Rs) to allow a Condominium Conversion of an existing residential duplex located at 145 S. Ojai Street–

Planning Director Janna Minsk's report dated April 12, 2011 was presented by Deputy Planning Director Stratis Perros.

Upon verification of proper notification and posting by the City Clerk, Mayor Robinson opened the Public Hearing at 7:03 p.m.

MOTION– It was moved by Mayor Robinson, seconded by Councilmember Cook to adopt Resolution No. 6728 to approve the project. All were in favor and the motion carried.

RESOLUTION NO. 6728

A RESOLUTION APPROVING CONDITIONS, COVENANTS, AND RESTRICTIONS FOR A TWO-UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION LOCATED AT 145 S. OJAI STREET, APN 101-0-215-135.

Mayor Robinson closed the Public Hearing at 7:10 p.m.

ORDER OF BUSINESS

- A. Purchase of a Mobile Command Post–

Chief of Police Stephen MacKinnon's report dated April 13, 2011.

MOTION– It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to authorize the City Manager or his designee to enter into a contract with Universal Specialty Vehicles of Perris, CA for the purchase of a Mobile Emergency Operations Center (EOC)/Command Post, accept a payment of \$250,000 to the General Fund to cover the cost of this purchase and related expenses. Under roll call vote all were in favor and the motion carried.

B. Franchise Agreement with Crown Disposal Co., Inc.–

City Manager Jaime M. Fontes' report dated April 13, 2011.

PUBLIC COMMENT

Lynn Harrison, representing E. J. Harrison Industries provided Council with information regarding greenhouse gas emissions from transportation dated March 15, 2011 and a report from CalRecycle's website. Also, he requested that Harrison be allowed to finish Consolidated Disposal's contract with the city.

RECESS TO A BREAK

Mayor Robinson recessed the City Council to a break at 8:30 p.m.

RECONVENE TO REGULAR SESSION

Mayor Robinson reconvened the City Council at 9:21 p.m.

Upon further discussion the following motion was made.

MOTION– It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to adopt Urgency Ordinance No. 1234 awarding a franchise for residential and commercial solid waste services to Crown Disposal Co., Inc., introduce and waive first reading of Ordinance No. 1235 awarding a franchise for residential and commercial solid waste services to Crown Disposal Co., Inc., approve the transition plan with Crown Disposal Co., Inc., adopt Resolution No. 6733 declaring equipment surplus and authorizing the City Manager to sell or otherwise dispose of such equipment, adopt Resolution No. 6734 to eliminate the solid waste division from the Public Works Department effective June 1, 2011 and authorize the Mayor and City Manager to execute all applicable documents.

Under roll call vote Vice Mayor Gonzales, Councilmember Cook and Mayor Robinson were in favor. Councilmember Fernandez was opposed.

Because Urgency Ord. 1234 requires a 4/5s vote it failed and was moved to the Regular City Council Meeting of Monday, May 2, 2011.

ORDINANCE 1235

AN ORDINANCE GRANTING A NON-EXCLUSIVE SOLID WASTE FRANCHISE TO CROWN DISPOSAL SERVICES, INC, PURSUANT TO SANTA PAULA MUNICIPAL CODE § 50.101(C).

RESOLUTION 6733

A RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SUCH PROPERTY BY SALE, DONATION, OR OTHER MEANS.

RESOLUTION 6734

A RESOLUTION ADOPTING AN ADMINISTRATIVE CODE TO ESTABLISH CITY OFFICES AND DEPARTMENTS; IDENTIFY DEPARTMENT DIRECTORS; AND IMPLEMENT DEPARTMENT RESPONSIBILITIES.

C. Appointment of Member to Economic Development Advisory Commission–

City Manager Jaime M. Fontes' report dated April 12, 2011.

MOTION– It was moved by Councilmember Fernandez, seconded by Councilmember Cook to move the appointment of a member to the EDAC to the Regular City Council Meeting of Monday, May 2, 2011. All were in favor and the motion carried.

D. Appointment of Member to the Mobilehome Rent Review Commission–

City Manager Jaime M. Fontes' report dated April 12, 2011.

MOTION– It was moved by Councilmember Fernandez, seconded by Councilmember Cook to appoint Tim Hicks to the Mobilehome Rent Review Commission to fill a 2-year expired term. All were in favor and the motion carried.

E. Designation of Voting Delegate for the 2010 SCAG Regional Conference and General Assembly–

City Manager Jaime Fontes' report dated April 13, 2011.

MOTION– It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to designate Mayor Fred Robinson as a voting delegate for the 2011 Southern California Association of Governments (SCAG) General Assembly. All were in favor and the motion carried.

COMMUNICATIONS

City Manager Fontes announced that a Special Meeting will be set for Thursday, April 28, 2011 to present a budget update, with discussion on goal setting and a reserve spending policy.

Vice Mayor Gonzales requested police presence at an Isbell School function.

REQUEST FOR FUTURE AGENDA ITEMS

None

ADJOURNMENT

Mayor Robinson adjourned the City Council Meeting at 9:44 p.m.

ATTEST:

Judy Rice
City Clerk