

CALL TO ORDER

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

ROLL CALL

Councilmember Richard C. Cook, Councilmember James A. Tovias and Mayor Fred W. Robinson were present. City Manager Jaime M. Fontes, City Attorney Karl H. Berger and City Clerk Judy Rice were also present. Councilmember Ralph J. Fernandez was absent. Vice Mayor Gonzales arrived at 6:15 p.m.

PUBLIC COMMENT

None

CLOSED SESSION

- A. **Scheduled Public Employee Performance Evaluation**– *Government Code § 54957*. Title: City Manager.
- B. **Conference with Legal Counsel, Initiation of Litigation**– *Government Code §54956.9 (b)*. Number of Potential Cases: United Water Conservation Water Rates.

Mayor Robinson moved the City Council to a closed session at 6:03 p.m., and recessed the City Council at 6:25 p.m. No reportable action.

CALL TO ORDER

Mayor Robinson called the meeting to order at 6:30 p.m. Councilmember Cook led the flag salute.

ROLL CALL

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

CLOSED SESSION REPORT

The City Attorney announced that the City Council undertook no reportable action.

PRESENTATION

Ginger Gherardi, Chris Garman, Ventura County Fair Board and Alexis, Jr., Fair Board Member presented the winning fair poster to Council and gave an update of the events of the 2011 Ventura County Fair.

- A. **Presentation Regarding the Asian Citrus Pysllid Threat to the Citrus Industry** – President of the Farm Bureau of Ventura County Leslie Leavens-Crowe gave an update of the progress of the eradication and containment of the Asian Citrus Pysllid in the County.

PUBLIC COMMENT

Debbie Johnson – representing the Downtown Merchants Association reminded Council of the upcoming Hot Summer Jazz on July 9 in downtown Santa Paula.

Roger Brooks, 1100 Ojai Rd., made comments regarding the 5% salary cut the employees were forced to take and how it is perceived if the Council and the City Manager do not follow suit.

CITY COUNCIL, STAFF COMMUNICATIONS

- A. **Update of Branch Line Bike Trail Project-** Interim Public Works Director Brian Yanez gave an update on the progress of the Branch Line Bike Trail and answered questions from Council regarding layout of trail and future landscaping issues.

Interim Public Works Director Brian Yanez introduced Consultant Jim Kuykendall of Stantec who gave an update on the status of the \$75,000 Recycle Planning Grant from the State Water Resources Control Board, stating that compliance has been met and the money will now be available to the City.

APPROVAL OF FINAL AGENDA

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

CONSENT CALENDAR

City Manager Fontes requested that Item 10S to be pulled for discussion.
Vice Mayor Gonzales also requested that Item 10S be pulled as well as Items 10H and 10J.
Mayor Robinson requested that Items 10N, 10O, 10P and 10T be pulled for discussion.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovas 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 the Minutes from the Regular City Council Meeting of June 6, 2011. Deputy City Clerk Peggy Higgins’ report dated June 9, 2011.
- D. **Warrants and Certificates**– Review, approve, and file the attached warrants and certifications. Interim Finance Director Sandra K. Easley report dated June 13, 2011.

VOIDED CHECKS	5/30/11	
INVOICES	6/01/11 -6/02/11	
WIRE TRANSFERS	6/01/11 -6/02/11	
SUBTOTAL		\$ 433,331.10
INVOICES	6/09/11	
SUBTOTAL		\$ 136,291.52
GRAND TOTAL		<u>\$ 569,622.62</u>

- E. **Second Reading and Adoption of Ordinances 1236 and Ordinance No. 1237**– It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1236 and Ordinance No. 1237; and 2) take such additional, related, action that may be desirable. **ORDINANCE 1236**– AN ORDINANCE AMENDING SECTIONS 36.15 TO36.18 OF, AND ADDING A NEW SECTION 36.19 TO, THE SANTA PAULA

MUNICIPAL CODE FOR THE PURPOSE OF REVISING PROCEDURES FOR RECURRING INCREASES TO FEES AND CHARGES USED TO RECOVER COSTS FOR MUNICIPAL SERVICES. **ORDINANCE 1237-** AN ORDINANCE AMENDING CHAPTER 160 OF THE SANTA PAULA MUNICIPAL CODE FOR THE PURPOSE OF REVISING PROCEDURES FOR RECURRING INCREASES TO THE DEVELOPMENT IMPACT FEES IMPOSED ON APPLICANTS SEEKING TO CONSTRUCT DEVELOPMENT PROJECTS. City Manager Jaime M. Fontes' report dated June 13, 2011.

- F. **Approval of Information Technology Upgrades and Proposal with PC Mall Gov**—It is recommended that the City Council 1) receive the report; 2) award a contract to PC Mall Gov for information technology upgrade project in accordance with Santa Paula Municipal Code §41.11; 3) authorize the City Manager to execute an agreement in an amount not to exceed \$96,424.52 in a form approved by the City Attorney; 4) authorize the City Manager to implement the second phase of the upgrade project; and 5) take such additional, related, action that may be desirable. Assistant to the City Manager Elisabeth V. Amador's report dated June 14, 2011.
- G. **Amendment to Administrative Code for City Departments-** It is recommended that the City Council 1) receive this report; 2) adopt Resolution No. 6753 amending the Santa Paula Administrative Code; and 3) take such additional, related, action that may be desirable. **RESOLUTION NO 6753-** A RESOLUTION ADOPTING AN ADMINISTRATIVE CODE TO ESTABLISH CITY OFFICES AND DEPARTMENTS; IDENTIFY DEPARTMENT DIRECTORS; AND IMPLEMENT DEPARTMENT RESPONSIBILITIES. City Manager Jaime M. Fontes and Assistant to the City Manager Elisabeth V. Amador's report dated June 14, 2011.
- I. **Approval of the Administrative Fund Balance Policy for Governmental Funds, Classifying Various Components of fund Balance as Defined in Governmental Accounting Standards Board (GASB) Statement No. 54**— It is recommended that the City Council: 1) adopt the draft resolution to approve the Fund Balance Policy as required; and 2) take such additional, related, actions that may be desirable. Interim Finance Director Sandra K. Easley's report dated June 2, 2011.

- K. **Amendment to FY2010-11 Operating Budget** – It is recommended that the City Council: 1) receive this report; 2) adopt Resolution No. 6746, amending the FY 2010-11 operating budget; and 3) take such additional, related, action that may be desirable. **RESOLUTION NO. 6746-** A RESOLUTION AMENDING THE 2010-2011 FINAL OPERATING BUDGET FOR THE CITY OF SANTA PAULA. Interim Finance Director Sandra K. Easley's report dated June 14, 2011.
- L. **Review of Reserve Officers Receiving Pay for Special Events-** It is recommended that the City Council: 1) receive and file this Staff Report; and 2) take such additional, related, action that may be desirable. Chief of Police Stephen MacKinnon's report dated June 15, 2011.
- M. **Memorandum of Understanding between Limoneira, Piru/Fillmore Basins Groundwater Management Planning Council, City of Santa Paula and United Water Conservation District regarding groundwater from Fillmore Basin for East Area 1 Development Project**– It is recommended that the City Council: 1) authorize the Mayor to execute the memorandum of Understanding in a form substantially similar to the draft attached to this report and approved as to form by the City Attorney; and 2) take such additional, related, action that may be desirable. Planning Director Janna Minsk's report dated June 9, 2011.
- Q. **Adoption of Resolution No. 6747 Authorization to Execute Master State Agreement for State Funded Transit Projects**– it is recommended that the City Council: 1) adopt Resolution No. 6747 authorizing the City manager to execute the State Master Agreement for State Funded Transit project in a form approved by the City Attorney; and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6747-** A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE MASTER AGREEMENTS AND SUPPLEMENTAL AGREEMENTS FOR TRANSPORTATION PROJECTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION. Interim Public Works Director Brian J. Yanez's report dated June 14, 2011.
- R. **Annual Cooperative Agreement for VISTA Bus Service 2011/2012**– It is recommended that the City Council: 1) authorize the City Manager to execute the 2011/2012 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 in a form approved by the City Attorney; and 2) take such additional, related, action that may be desirable. Interim Public Works Director Brian J. Yanez's report dated June 14, 2011.

- U. **Creative Construction**– It is recommended that City Council (1) adopt Resolution No. 6754 authorizing the City Manager to execute an amendment in a form approved by the City Attorney to an existing contract with Creative Construction to extend the term; and (2) take such additional, related action that may be desirable. **RESOLUTION NO. 6754-** A RESOLUTION APPROVING SIDEWALK CONSTRUCTION AND REPAIR AT VARIOUS LOCATIONS WITHIN THE CITY PURSUANT TO GOVERNMENT CODE § 830.6 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO A CONTRACT WITH CREATIVE CONSTRUCTION WITHOUT THE NEED FOR COMPETITIVE BIDDING AS OTHERWISE REQUIRED BY THE SANTA PAULA MUNICIPAL CODE. Interim Public Works Director Brian J. Yanez's report dated June 13, 2011.

SEPARATE ACTION ITEMS (CONSENT CALENDAR)

- H. **Investment Reports for the Quarters Ending March 31-December 31, 2010**–

City Treasurer Sandra K. Easley's report dated June 14, 2011.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovas to receive and file the Investment Reports for the quarters ending March 31, 2010 thru December 31, 2010. All were in favor and the motion carried.

- J. **Amendments to Ordinance No. 1186, Eliminating Solid Waste Fees and Charges**–

Interim Finance Director Sandra K. Easley's report dated June 14, 2011.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to receive this report, introduce and waive first reading of Ordinance No. 1238, amending Ordinance No. 1186, to eliminate solid waste fees and charges. All were in favor and the motion carried.

ORDINANCE 1238

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
AMENDING ORDINANCE NO. 1186 TO ELIMINATE FEES AND CHARGES
FOR SOLID WASTE SERVICE

N. **Approval of Professional Services Agreement with Hawks and Associates to Complete Hydrology Analysis for the East Area 1 Supplemental EIR and East Area 2 Annexation–**

Planning Director Janna Minsk's report dated June 13, 2011.

MOTION - It was moved by Mayor Robinson, seconded by Vice Mayor Gonzales to authorize the City Manager to execute a standard professional services agreement with Hawks and Associates for \$28,700 in a form approved by the City Attorney. All were in favor and the motion carried.

O. **Approval of Professional Services Contract with RBF Consulting for Peer Review of Environmental Work for East Area 1 and East Area 2–**

Planning Director, Janna Minsk's report dated June 14, 2011.

MOTION - It was moved by Mayor Robinson, seconded by Vice Mayor Gonzales to authorize the City Manager to execute a standard professional services agreement with RBF Consulting for \$20,400 in a form approved by the City Attorney. All were in favor and the motion carried.

P. **Approval of Contract with Rincon Consultants, Inc. for Environmental Work for Bender Calpipe Project (Project No. 11-GPA-01)–**

Planning Director Janna Minsk and Deputy Planning Director Stratis Perros' report dated June 13, 2011.

MOTION - It was moved by Mayor Robinson, seconded by Councilmember Tovias to authorize the City Manager to execute a standard professional services agreement with Rincon Consultants Inc. in a form approved by the City Attorney. All were in favor and the motion carried.

S. **Award of Contract, Arterial Paving Project Phase II Peck Road to
Lowest Bidder**–

Interim Public Works Director Brian J. Yanez's report dated June 14, 2011.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to allocate funds from the FY 2010/11 approved capital project budget for Arterial Paving Project Phase II (Peck Rd) and authorize the City Manager to execute a contract with C. A. Rasmussen as the lowest responsive bidder in a form approved by the City Attorney. All were in favor and the motion carried.

T. **Acquisition Agreement for Gooding Property for the Purpose of the
4.0 MG Tank Project** –

Interim Public Works Director Brian J. Yanez's report dated June 14, 2011.

MOTION - It was moved by Mayor Robinson, seconded by Vice Mayor Gonzales to authorize the City Manager to execute an agreement for acquisition of real property in a form approved by the City Attorney for the purchase of real property in the amount of \$390,000 for the purpose of constructing the 4.0 MG Tank Project. All were in favor and the motion carried.

PUBLIC HEARING

A. **Update of Animal Control Fees**

Upon verification of posting Mayor Robinson opened the Public Hearing at 7:40 p.m.

Chief of Police Stephen MacKinnon's report dated June 14, 2011.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovas to adopt Resolution No. 6755 establishing the identified fees. Upon roll call vote all were in favor and the motion carried.

Mayor Robinson closed the Public Hearing was at 7:48 p.m.

RESOLUTION NO. 6755

A RESOLUTION AMENDING THE CITY'S ANIMAL CONTROL FEE SCHEDULE.

B. **Approval of the Urban Water Management plan 2010–**

Upon verification of posting Mayor Robinson opened the Public Hearing at 7:51 p.m.

Interim Public Works Director Brian Yanez's report dated June 14, 2011.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovas to adopt Resolution No. 6748 approving the Urban Water Management Plan 2010 Update. Under roll call vote all were in favor and the motion carried.

Mayor Robinson closed the Public Hearing at 7:56 p.m.

RESOLUTION NO. 6748

A RESOLUTION ADOPTING THE URBAN WATER MANAGEMENT PLAN FOR 2010.

ORDER OF BUSINESS

A. **Procedural Requirements for Annual City Budget–**

City Manager Jaime M. Fontes' report dated June 15, 2011.

MOTION - It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to receive this report and adopt Resolution No. 6752 establishing procedural requirements for preparing the annual City budget. Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6752

A RESOLUTION ESTABLISHING PROCEDURAL REQUIREMENTS FOR PREPARATION OF THE ANNUAL CITY BUDGET.

B. **Adoption of Fiscal Year 2011-12 Proposed Budget–**

City Manager/Executive Director Jaime Fontes' report dated June 14, 2011. Consultant Tom Gardner gave a presentation on the 2011-12 proposed budget. Assistant to the City Manager Elisabeth Amador presented the 2011-12 proposed Redevelopment Agency budget. Interim Public Works Director Brian Yanez presented an overview of the approved Capitol Improvement Projects and where the funds are coming from.

MOTION - It was moved by Councilmember Tovias, seconded by Vice Mayor Gonzales to adopt Resolution No. 6751 and RDA Resolution No. 2011-03(R) which approve the proposed City and RDA FY 2011-12 Annual Operating and Capital Improvement Budgets. Under roll call vote all were in favor and the motion carried.

RESOLUTION NO. 6751

A RESOLUTION ADOPTING THE 2011-2012 FINAL OPERATING BUDGET FOR THE CITY OF SANTA PAULA AND ADOPTING THE 2011-2012 CAPITAL IMPROVEMENT BUDGET.

RDA RESOLUTION NO. 2011-03(R)

A RESOLUTION ADOPTING THE 2011-2012 OPERATING BUDGET FOR THE SANTA PAULA REDEVELOPMENT AGENCY.

C. **Reconsideration of the Ad Hoc Change Order Subcommittee**

Oral report, City Manager Jaime Fontes.

MOTION - It was moved by Councilmember Cook to eliminate the Ad Hoc Subcommittee. The motion died for lack of a second.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovias to reconvene the Adhoc Change Order Subcommittee. Under roll call vote Vice Mayor Gonzales was in favor. Councilmembers Cook and Tovias and Mayor Robinson were opposed. The motion failed.

D. **Costs for Legal Services Provided by the City Attorney**

City Manager Jaime M. Fontes' report dated June 14, 2011.

MOTION - It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovias to receive and file the report and process a request for proposal for legal services to other legal firms to include Jenkins & Hogin, LLP. Under roll call vote Councilmember Tovias and Vice Mayor Gonzales were in favor, Councilmember Cook and Mayor Robinson were opposed. As there was a tied vote the item will be continued to the Regular City Council meeting of August 15, 2011.

COMMUNICATIONS

City Manager Fontes stated that he was working with Dr. Gardner on a 5-year strategic plan and will report back to Council as soon as possible, that he will provide Council with an update on United Waters 46% increase in their water rates and that he will bring a policy back for Council's approval of how future agenda items are handled by staff.

Mayor Robinson stated that the Hospice fund raiser was a success with Chief MacKinnon and himself as celebrity dealers for the evening.

Mayor Robinson verified with the City Manager that there will be flags going up on in honor of the 4th of July and that the Rotary sponsored fireworks show was still on track.

REQUEST FOR FUTURE AGENDA ITEMS

MOTION - It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to have staff report back on the current administrative policy governing changes to Police and Fire Department patches and uniforms. Councilmember Cook, Vice Mayor Gonzales and Mayor Robinson were in favor and Councilmember Tovas opposed. The motion carried.

MOTION – It was moved by Mayor Robinson, seconded by Vice Mayor Gonzales to have Fire Chief Araiza report on the current policies of enforcement, staffing, procedures and fees for the Inspection Services Department. All were in favor and the motion carried.

ADJOURNMENT

Mayor Robinson adjourned the meeting at 9:38 *p.m.*

ATTEST:

Judy Rice
City Clerk