

**CALL TO ORDER**

Mayor Robinson called the meeting to order at 5:55 *p.m.*

**ROLL CALL**

Councilmember James A. Tovias, Ralph J. Fernandez, Richard C. Cook, 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 and City Clerk Judy Rice.

**PUBLIC COMMENT**

Eileen McCarthy, staff attorney for California Rural Legal Assistance indicated she was available for any questions.

**CLOSED SESSION**

- A. Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation - Government Code § 54956.9 (one case): California Rural Legal Assistance letter dated January 18, 2011.
- B. Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation - Government Code § 54956.9 (one case): Unspecified.

Mayor Robinson moved the City Council to a Closed Session at 6:05 *p.m.* The City Council came into Open Session at 6:30 *p.m.* No reportable action taken. Mayor Robinson recessed the City Council at 6:30 *p.m.*

**CALL TO ORDER**

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

**ROLL CALL**

Councilmembers Richard C. Cook, James A. Tovias and Ralph J. Fernandez, Vice Mayor Robert S. Gonzales 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.

**CLOSED SESSION REPORT**

None

**PUBLIC COMMENT**

Karen Heath-Karayan, 3710 Ojai Rd. spoke of the current sewer rates and the future increases and asked that the rates be reviewed again suggesting that fees be looked at on a case by case basis.

Larry Sagley, 585 Ridgecrest Dr., thanked the Council for solving of City's financial crisis in a professional manner, bringing in the waste water treatment plant under cost and commented that the bike-walking trail will benefit the citizens of Santa Paula.

Bernardo Perez, 702 County Square Dr., project panager for CEDC stated that CEDC is committed to the proposition that the projects support the community in which it is built and said that CEDC is still seeking applicants for Paseo De Santa Barbara. He also, stated that he is actively working with Santa Paula Housing Authority Director Ramsey Jay to acquire qualified applicants.

Gary Nasalroad, 756 Montclair Dr., representing Carla Edwards, founder and CEO of the Citrus Classic Balloon Festival thanked the Council, City of Santa Paula, Chief Stephen MacKinnon and the volunteers and participants for making the Festival a success and commented about the lower then expected attendance being a result of the Oxnard Salsa Festival being held the same weekend.

Melinda Bratcher, 15622 W. Telegraph Rd., stated that she was being overcharged by Crown Disposal for a dumpster and asked Council to address the issue to bring charges in line with the previous hauler.

Robert Karayan, 737 Encino Pl., expressed concern over the current method for charging sewer and water fees and suggested Council consider using a three month average of winter usage to determine fees.

**CITY COUNCIL, STAFF COMMUNICATIONS**

A. Update of Branch Line Bike Trail Project –

Interim Public Works Director Brian Yanez presented a landscaping plan that for the bike trail and gave an update on the safety measures being adopted.

B. Update of Solid Waste Services from Crown Disposal –

Interim Public Works Director Brian Yanez reviewed the previous billing questions and steps Crown is taking to rectify any confusion regarding bi-monthly billing.

Councilmember Fernandez reported on the success of the 4H and FFA groups in showing their animals at the Ventura County Fair.

Councilmember Tovas reported on his attendance at the League of California meeting in Solvang stating that the League is looking at supporting a move toward a part-time legislature for California.

Mayor Robinson spoke of the various events he has attended this past summer and of the recent passing of several community members.

**APPROVAL OF FINAL AGENDA**

Mayor Robinson requested Item 12D be heard before the Public Hearings.

**MOTION:** It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovas to approve the agenda as amended. All were in favor and the motion carried.

**CONSENT CALENDAR**

Councilmember Fernandez requested Item 10M be pulled for discussion and Councilmember Cook requested to Item 10K 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. Planning Commission Action Report– Pursuant to Resolution No. 6456, receive and file the Planning Director's report regarding Planning Commission actions taken on June 28, 2011. Alternatively, in accordance

Regular City Council City Council/Redevelopment Agency Meeting  
Monday August 15, 2011  
Administrative Conference Room/Council Chambers

with SPMC § 16.206.060, the City Council may place an item on a future agenda to consider issuing an order of review regarding an action.

- D. Minutes– Adopt the Minutes from the Regular City Council Meeting of June 20, 2011. Deputy City Clerk Peggy Higgins’ report dated July 26, 2011.
- E. Warrants and Certificates– Review, approve, and file the attached warrants and certifications. Interim Finance Director Sandra K. Easley report dated August 15, 2011.

VOIDED CHECKS 6/16/11  
INVOICES 6/14/11 – 6/16/11  
WIRE TRANSFERS 6/15/11  
SUBTOTAL \$ 895,481.94

INVOICES 6/21/11 -6/23/11 -6/24/11  
WIRE TRANSFERS 6/22/11 – 6/24/11  
SUBTOTAL \$ 651,474.89

VOIDED CHECKS 6/30/11  
INVOICES 6/29/11 – 6/30/11  
WIRE TRANSFERS 6/29/11 - 6/30/11  
SUBTOTAL \$ 2,904,132.67

INVOICES 7/7/11  
WIRE TRANSFERS 7/6/11 – 7/7/11  
SUBTOTAL \$ 1,007,143.83

VOIDED CHECKS 7/12/11  
INVOICES 7/12/11 – 7/14/11  
WIRE TRANSFERS 7/13/11 - 7/14/11  
SUB-TOTAL \$ 3,344,829.23

VOIDED CHECKS 7/22/11  
INVOICES 7/21/11 – 7/22/11  
WIRE TRANSFERS 7/20/11  
SUB-TOTAL \$ 123,134.94

VOIDED CHECKS 7/28/11  
INVOICES 7/28/11  
SUBTOTAL \$ 215,501.33

**GRAND TOTAL \$ 9,141,698.83**

- F. Second Reading and Adoption of Ordinance No. 1238- It is recommended that the City Council: 1) waive the second reading and adopt Ordinance no. 1238; and 2) take such additional, related, action

- that may be desirable. **ORDINANCE NO. 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. Deputy City Clerk Peggy Higgins' report dated July 26, 2011.
- G. Request to Approve Repayment of Preservation Program Grant for Property Located at 225 Moultrie Place – It is recommended that the Board of Directors: 1) receive the report; 2) approve a \$4,000 repayment amount; and 3) authorize the City Manager to execute a repayment agreement in a form approved by the City Attorney. Assistant to the City Manager Elisabeth V. Amador's report dated August 2, 2011.
- H. Annual Report on Supplemental Law Enforcement Services Fund Citizens Option for Public Safety Grant – It is recommended that the City Council: 1) receive this report and file the attached annual activity report for the Supplemental Law Enforcement Services Fund (SLESF), also known as the Citizens Option for Public Safety (COPS) Grant, for the fiscal year ending June 30, 2011. Interim Finance Director Sandra K. Easley's report dated August 4, 2011.
- I. Investment Reports for the Quarters Ending March 31 and June 30, 2011 – It is recommended that the City Council receive and file the Investment Reports for quarter endings March 31, 2011 thru June 30, 2011. Interim Finance Director Sandra K. Easley's report dated August 4, 2011.
- L. Grand Jury Response – Santa Paula Police Firing Range– It is recommended that the City Council: 1) receive and file this report; 2) approve the response letter to the Grand Jury; and 3) take such additional, related, action that may be desirable. Chief of Police Stephen Mackinnon's report dated August 2, 2011.
- N. Arterial Paving Project 08/09; Final Accounting and Notice of Completion– It is recommended that the City Council: 1) adopt the final project accounting and accept the Notice of Completion for the Arterial Paving Project 08/09; and 2) take such additional, related action that may be desirable. Interim Public Works Director Brian Yanez' report dated August 2, 2011.
- O. Santa Paula Branch Line Project Change Orders Nos. 1-9 and Change Order No. 11– It is recommended that City Council: 1) receive and file Change Orders Nos. 1-9 in the amount of \$188,958 with Granite Construction Company; 2) authorize City Manager to execute Change

Order No. 11 for an amount not to exceed \$60,000 with Granite Construction Company, and (3) take such additional, related action that may be desirable. Interim Public works Director Brian Yanez' report dated July 28, 2011.

- P. Approval of a Three-Year On-Call Services Agreement with Sespe Consulting, Inc. – It is recommended that the City Council: 1) authorize the City Manager to execute the attached Three-Year On-Call Services Agreement for environmental engineering consulting with Sespe Consulting, Inc., in a form approved by the City Attorney; and 2) take such additional, related action that may be desirable. Interim Public works Director Brian Yanez' report dated August 2, 2011.
- Q. Approval of a Three-Year On-Call Services Agreement with Sierra Traffic Service, Inc.– It is recommended that the City Council: 1) authorize the City Manager to execute the attached Three-Year On-Call Services Agreement for traffic services with Sierra Traffic Service, Inc., 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' report dated August 3, 2011.
- R. Approval of Traffic Safety Committee Recommendations Resolution No. 6756– It is recommended that the City Council: 1) adopt Resolution No. 6756 approving the recommendations of the Traffic Safety Committee as amended and 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6756** – A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS, DATED DECEMBER 14, 2010 AND JUNE 13, 2011. Interim Public Works Director Brian Yanez' report dated July 26, 2011.
- S. Amend Contract with C.A. Rasmussen, Inc. for Arterial Paving Project Phase II Peck Road – It is recommended that the City Council: 1) authorize the City Manager to execute an amendment in a form approved by the City Attorney with C.A. Rasmussen for the Arterial Paving Project Phase II Peck Road; and 2) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez's report dated August 10, 2011

**SEPARATE ACTION ITEMS (CONSENT CALENDAR)**

- K. Research into a Council Policy on Uniform Changes –

Chief of Police Stephen MacKinnon's report dated August 1, 2011.

**MOTION:** It was moved by Councilmember Tovias, seconded Councilmember Cook to receive and file this report. All were in favor and the motion carried.

M. Award of Contract for 4.0 MG Tank and Pipeline Project to Pacific Hydrotech Corporation–

Interim Public Works Director Brian J. Yanez' report dated August 4, 2011.

**MOTION:** It was moved by Councilmember Fernandez, seconded by Vice Mayor Gonzales to allocate \$7,262,000 from the FY 11/12 approval capital project budget and bond proceeds for 4.0 Prestressed Buried Tank & Pipeline Project from Account No. 620.5.9210.660, authorize the City Manager to execute a contract with Pacific Hydrotech Corporation for \$6,639,377.00 in a form approved by the City Attorney and approve contract change orders as needed for additional work up to the budgeted amount. All were in favor and the motion carried.

#### **RECESS TO BREAK**

Mayor Robinson recessed City Council to a break at 7:50 p.m.

#### **RECONVENE TO REGULAR SESSION**

Mayor Robinson reconvened City Council at 8:01 p.m.

#### **ORDER OF BUSINESS**

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

City Manager Jaime Fontes' report dated August 4, 2011.

#### **PUBLIC COMMENT**

Larry Sagely, 585 Ridgecrest Dr., spoke in support of requesting proposals to ensure that the City is paying appropriate costs for legal services.

**MOTION:** It was moved by Vice Mayor Gonzales, seconded by Councilmember Fernandez to issue a Request for Proposal and Qualifications report. Under roll call vote Councilmember Tovias, Fernandez and Vice Mayor Gonzales were in favor. Councilmember Cook and Mayor Robinson were opposed. The motion carried.

#### **PUBLIC HEARINGS**

A. Amendments to Master Schedule of Fees for Municipal Services

Mayor Robinson opened the public hearing at 8:31 p.m.

Interim Finance Director Sandra K. Easley's report dated August 4, 2011.

**MOTION:** It was moved by Councilmember Cook, seconded by Councilmember Tovas to receive this report, approve Resolution No. 6757, adopting a new master schedule of fees and charges for municipal services. Under roll call vote Councilmembers Cook and Tovas, Vice Mayor Gonzales and Mayor Robinson were in favor. Councilmember Fernandez was opposed. The motion carried.

No public testimony was given. Mayor Robinson closed the public hearing at 9:06 p.m.

**RESOLUTION NO. 6757**

A RESOLUTION ADOPTING NEW FEE SCHEDULES FOR CITY DEPARTMENTS TO RECOVER COSTS INCURRED FROM PROVIDING VARIOUS PUBLIC SERVICES.

B. Citizens Option for Public Safety (COPS) Program

Mayor Robinson opened the public hearing at 9:08 p.m.

Chief of Police Stephen MacKinnon's report dated August 1, 2011.

**MOTION:** It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to approve the allocation of the FY 2010/2011 COPS funds in the amount of \$100,000.00 and all interest earnings towards the continued operation of the Las Piedras Community Policing Building, continued maintenance of the Firearms Training Program, for part-time Records Unit and Evidence Management personnel, and for upgrades/renovations to the police facility. All were in favor and the motion carried.

No public testimony was given. Mayor Robinson closed the public hearing at 9:10 p.m.

C. Review of Project No. 2010-ZC-01: A Request for a Zone Change from Highway Commercial (C-H) Zoning District to General Commercial (C-G) Zoning District for a 4.93 Acre Parcel Developed with an Existing Commercial Shopping Center

Mayor Robinson opened the public hearing at 9:11 a.m.

Planning Director Janna Minsk's and Deputy Planning Director Stratis Perros' report dated August 3, 2011.

**PUBLIC COMMENT**

Ilan Bender, 410 S. Beckwith Rd., property owner, spoke of the difficulty in acquiring tenants with the current zoning and asked the Council to consider approving the zone change as resented by staff.

**MOTION:** It was moved by Vice Mayor Gonzales, seconded by Councilmember Tovias to open the public hearing and take evidence, consider the evidence received during the public hearing and introduce and waive first reading of Ordinance No. 1239 for a Zone Change to Commercial General. All were in favor and the motion carried.

Mayor Robinson closed the public hearing at 9:16 p.m.

**ORDINANCE NO. 1239**

AN ORDINANCE APPROVING A ZONE CHANGE FOR  
APPROXIMATELY 4.93 ACRES LOCATED AT 957 FAULKNER  
ROAD (APN 098-0-020-375)

D. Review of Project No. 2011-CI-02: A request by Crown Disposal to Continue Solid Waste Disposal Operations at the City Owned Palm Avenue Municipal Yard

Mayor Robinson opened the public hearing at 9:17 p.m.

Planning Director Janna Minsk's and Deputy Planning Director Stratis Perros's report dated August 4, 2011.

**MOTION:** It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to open the public hearing and take evidence, consider the evidence received during the public hearing and adopt Resolution No. 6758 to approve the project.

Mayor Robinson closed the public hearing at 9:22 p.m.

**RESOLUTION NO. 6758**

A RESOLUTION APPROVING SOLID WASTE DISPOSAL  
OPERATIONS AT 600 S. PALM AVENUE, APN 104-0-195-015, -  
025, -035, -045; 107-0-140-485; 104-0-065-205, 0215, -235, -245.

**ORDER OF BUSINESS**

A. Request of City Affordable Housing Trust Funds for the Ventura County  
Housing Trust-

Assistant to the City Manager Elisabeth V. Amador's report dated August 2,  
2011.

**MOTION:** It was moved by Councilmember Fernandez, seconded by Vice  
Mayor Gonzales to receive the report, approve a \$50,000 City grant to Ventura  
County Housing Trust Fund and authorize the City Manager to execute the  
necessary grant documents in a form approved by the City Attorney. Under roll  
call vote all were in favor and the motion carried.

B. Request for Affordable Housing Trust Funds for the Orchards at Santa  
Paula-220 W . Main Street-

Assistant to the City Manager Elisabeth V. Amador's report dated August 1,  
2011.

**MOTION:** It was moved by Councilmember Cook, seconded by Councilmember  
Fernandez to receive the report, approve a \$458,000 City grant to Santa Paula  
Housing Authority and authorize the City Manager to execute those documents  
in a form approved by the City Attorney to execute the grant. All were in favor  
and the motion carried.

C. Designation of Voting Delegate for 2011 League of California Cities  
Annual Conference-

Deputy City Clerk Peggy Higgins' report dated August 8, 2011.

**MOTION:** It was moved by Vice Mayor Gonzales, seconded by Councilmember  
Tovias to designate Mayor Robinson as voting delegate and Councilmember  
Cook as alternate delegate for the 2011 League of California Cities Annual  
Conference. All were in favor and the motion carried.

**COMMUNICATIONS**

City Manager Fontes stated that staff would be returning to Council with future agenda items regarding sewer fees and a policy on implementing changes to and any City emblems, insignias and uniforms. He also stated that staff will be preparing the request for proposal and qualifications for the City's legal services.

Vice Mayor Gonzales wished his mother a happy birthday.

Mayor Robinson reminded everyone about the Ventura College open house on Faulkner Rd. and the upcoming Chamber Mixer at Vista Cove.

**ADJOURNMENT**

Mayor Robinson adjourned the Council at *10:02 p.m.*

ATTEST:

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Judy Rice  
City Clerk