

CALL TO ORDER

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

ROLL CALL

Councilmember Richard C. Cook, Councilmember James A. Tovias, Councilmember 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 were also present.

PUBLIC COMMENT

None

CLOSED SESSION

- A. **Scheduled Public Employee Performance Evaluation**–
Government Code § 54957. Title: City Manager.
- B. **Conference with Legal Counsel, Existing Litigation** – Government Code § 54956.9 (a). *Bedolla v. City of Santa Paula VCSC Case No. 56-2010-00381448-CU-WT-VTA*

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 6:45 p.m. Pastor Ron Dybvig gave the invocation and Councilmember Cook led the flag salute.

ROLL CALL

Councilmember Richard C. Cook, Councilmember James A. Tovias, Councilmember 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

There was no reportable action. City Attorney Berger announced that the Council will return to Closed Session at the end of the Regular Session to continue discussion on Item 4A.

PRESENTATION

- A. **2011 Great California Shakeout** – Fire Chief Rick Araiza introduced Captain Steve Lazenby who gave a presentation and Power Point slide presentation regarding the Shakeout that will be held on Oct. 20 at 10:20 a.m. Fire Chief Rick Araiza expressed the City's commitment to participate in the 2011 Great California Shakeout.
- B. **Recognition of Ten Year Anniversary of 9/11** – Fire Chief Rick Araiza and Fire Fighter Andy Van Schiver gave an update of the various recognition ceremonies to be held on the ten year anniversary of 9/11.

PUBLIC COMMENT

Tim Fry, Crown Disposal gave an update on the transition of solid waste services. The time frame for the changeover of carts for residential accounts is moved out but new price structure is in place which will result in savings to most customers. The first community drop off event will be held at Harding Park on Saturday, Sept. 10, 2011. Customer questions regarding rates are being timely addressed in an individual basis and given the best value available. August 1, 2011 the first commercial food waste service began resulting in 120 tons that was being sent to the landfill now is being composted at a site in Lamont. The free compost will be made available to the community.

Debbie Johnson announced the Moonlight at the Ranch V, with Honorary Chair Frankie Avalon and a 50s rock and roll theme September 17, 2011. It is a fundraiser that supports the Police and Fire Foundation that in turn supports the Police and Fire Department with equipment purchases such as Jaws of Life and breathing apparatus equipment. The cost is \$60 per ticket and includes music and food tastings.

Rodney Cobos, 644 Ridgecrest Dr. proposed project a labor agreement to have in place before awarding a contract to guarantee local labor employment.

CITY COUNCIL, STAFF COMMUNICATIONS

None

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 Items C, D, F and H be pulled for discussion.

MOTION: It was moved by Councilmember Cook, 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.
- E. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of August 15, 2011. Deputy City Clerk Peggy Higgins' report dated August 19, 2011.
- G. **Second Reading and Adoption of Ordinance No. 1239**- It is recommended that the City Council: 1) waive the second reading and adopt Ordinance No. 1239; and 2) take such additional, related, action that may be desirable. **ORDINANCE NO. 1239** - AN ORDINANCE APPROVING A ZONE CHANGE FOR APPROXIMATELY 4.93 ACRES LOCATED AT 957 FAULKNER ROAD (APN 098-0-020-375). Deputy City Clerk Peggy Higgins' report dated August 22, 2011.
- I. **Response to Ventura County Grand Jury Report-Santa Paula City Council**– It is recommended that the City Council: 1) receive this report and approve the attached response letter to the Ventura County Grand Jury Report-Santa Paula City Council; and 2) take such additional, related, action that may be desirable. City Manager Jaime Fontes' report dated August 31, 2011.

- J. **Authorization for Write-Off of Uncollectible Items**– It is recommended that that the City Council authorizes staff to write-off: 1) the un-collectible utility billing accounts per the attached Exhibit A and the Returned Checks per the attached Exhibit B; and 2) take such additional, related, action that may be desirable. Interim Finance Director Sandra K. Easley's report dated August 25, 2011.
- K. **Transfer of Unclaimed Monies Back to Fund Balance**– It is recommended that the City Council: 1) adopt Resolution No. 6759 escheating monies to the City's General Fund, pursuant to Government Code §50053; and 2) take such additional, related, action that may be desirable. Interim Finance Director Sandra K. Easley's report dated August 24, 2011.
- L. **Report on Code Enforcement**– It is recommended that the City Council: 1) receive and file this report; and 2) take any additional, related, action that may be desirable. Fire Chief Rick Araiza's report dated August 29, 2011

SEPARATE ACTION ITEMS (CONSENT CALENDAR)

- C. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director's report regarding Planning Commission actions taken on August 23, 2011. Alternatively, in accordance 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.

Vice Mayor Gonzales requested that the Planning Commission Action Report include property addresses for each item. City Manager Fontes stated that addresses could be included in the Planning Commission Action Report in the future.

MOTION: It was moved by Vice Mayor Gonzales, seconded by Councilmember Cook to receive and file the Planning Director's report regarding Planning Commission actions taken on August 23, 2011. All were in favor and the motion carried.

- D. **Minutes**– Adopt the Minutes from the Special City Council Meeting of August 15, 2011. Deputy City Clerk Peggy Higgins' report dated August 19, 2011.

Vice Mayor Gonzales abstained from voting on this item as he was absent for this meeting.

MOTION: It was moved by Councilmember Cook, seconded by Councilmember Tovias to adopt the Minutes from the Special City Council Meeting of August 15, 2011. All were in favor and the motion carried.

F. **Minutes**– Adopt the Minutes from the Special City Council Meeting of August 25, 2011. Deputy City Clerk Peggy Higgins' report dated August 26, 2011.

Vice Mayor Gonzales abstained from voting on this item as he was absent for this meeting.

MOTION: It was moved by Councilmember Cook, seconded by Councilmember Tovias to adopt the Minutes from the Special City Council Meeting of August 25, 2011. All were in favor and the motion carried.

H. **Escalante v. City of Santa Paula VCSC Case No. 56-2009-00360349-CU-EI-VTA**– It is recommended that the City Council receive and file this report. City Attorney Karl H. Berger's report dated August 29, 2011.

It was moved by Councilmember Cook, seconded by Vice Mayor Gonzales to receive and file this report with the correction for the record that the vote in Closed Session was 4-1 in favor of the settlement with Vice Mayor Gonzales opposed. All were in favor and the motion carried.

ORDER OF BUSINESS

A. **Redevelopment Legislation (ABX1 26 and ABX1 27) Considerations**–

City Manager Jaime M. Fontes' report date August 30, 2011.

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

RECESS TO BREAK

Mayor Robinson recessed the Council to a break at 8:10 p.m.

RECONVENE TO REGULAR SESSION

Mayor Robinson reconvened the Council at 8:20 p.m.

B. Highway 150/10th Street Improvement Grant

Assistant to the City Manager Elisabeth V. Amador's report dated August 25, 2011

MOTION: It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to receive the report, adopt Resolution No. 6760, authorizing the City Manager to enter into a cooperative agreement to receive and appropriate funds from the California Department of Transportation for the Highway 150/ 10th Street Improvement project. All were in favor and the motion carried.

C. Appointment of Member to the Planning Commission

City Manager Jaime M. Fontes' report dated August 22, 2011.

MOTION: It was moved by Councilmember Fernandez, seconded by Councilmember Cook to appoint John D. Wisda to the Planning Commission for a four-year term to expire 2015. All were in favor and the motion carried.

D. Appointment of Members to the Recreation Commission

City Manager Jaime M. Fontes' report dated August 22, 2011.

MOTION: It was moved by Councilmember Cook, seconded by Councilmember Fernandez to appoint Karen L. Berry and Timothy J. Hicks to the Recreation Commission, each for a three-year term to expire in 2013. All were in favor and the motion carried.

E. Appointment of Member to the Santa Paula Housing Authority Commission

City Manager Jaime M. Fontes' report dated August 22, 2011.

MOTION: It was moved by Councilmember Cook, seconded by Councilmember Tovas to appoint Lourdes Juarez to the Santa Paula Housing Authority to fill a two-year term to expire 2013. All were in favor and the motion carried.

COMMUNICATIONS

Mayor Robinson and Vice Mayor Gonzales will be out of town during the regularly scheduled City Council meeting of Monday, September 19, 2011.

MOTION: It was moved by Mayor Robinson, seconded by Councilmember Tovas to cancel the Regular City Council meeting of September 19, 2011 and reschedule it to Tuesday, September 20, 2011. All were in favor and the motion carried.

Councilmember Cook stated that he will not be at Regular City Council meeting of Monday, October 3, 2011.

REQUEST FOR FUTURE AGENDA ITEMS

Councilmember Cook requested that City Attorney Berger provide any reports regarding project labor agreements that had come before Council in the past.

MOTION: It was moved by Councilmember Fernandez, seconded by Vice Mayor Gonzales to have staff bring back for discuss Ventura County's proposal to close the aviary at Steckel Park. All were in favor and the motion carried.

ADJOURNMENT

Mayor Robinson adjourned the Council at 8:45 p.m.

CLOSED SESSION

Mayor Robinson returned the Council to Closed Session at 8:46 p.m. for the purpose of discussing Item 4A. Mayor Robinson adjourned the Closed Session at 9:38 p.m. No reportable action.

ATTEST:

Judy Rice
City Clerk