

**CALL TO ORDER**

Mayor Gonzales called the meeting to order at 6:30 p.m. Al Guilin gave the invocation and Councilmember Tovias led the flag salute.

**ROLL CALL**

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

**PRESENTATION**

- A. Update on Fundraising Efforts for Annual Fireworks Show - Ginger Gherardi, Fireworks Committee-

Ginger Gherardi introduced members of the committee; Al Guilin, Michele Johns, Julie Lopez and Tim and Cathy Hicks. She stated that more than half of the funds have been raised for the fireworks show and collection cans will be placed at local business to continue the fundraising efforts to meet the \$15,000 cost for the show.

**PUBLIC COMMENT**

Diane Rowlee, President of Santa Paula Animal Rescue Center gave an update on the progress of finalizing the agreement with City for proving a no-kill animal shelter. She announced that the lease for 705-711 E. 7<sup>th</sup> St. property has been signed and Sunday, February 12<sup>th</sup> will be the first work party to get the facility ready for the animals. SPARC received a large delivery of pet food and will be identifying people in the community that need help in providing for their pets as well as continued work of setting up the spay and neuter clinic. Ms. Rowlee also thanked Main St. Architects for donating their services.

Jerry Marquez, 163 Felkins Rd. representing Xtreme Girls Soccer requested Council to allow the space needed for local girls youth soccer teams to play at Teague Park until the Limoneira soccer fields open.

Daisy Contieras, 1012 Woodland Dr., Xtreme Girls Soccer team manager asked for Council's support with adjusting the fees for lighting the fields to make it more affordable for the parents.

**CITY COUNCIL, STAFF COMMUNICATIONS**

Interim Public Works Director Brian Yanez asked the community to help staff by calling the Pothole Hotline at 933-4212 x4 or logging on [pw@spcity.org](mailto:pw@spcity.org) website to alert staff to the location of potholes in the City.

Mr. Yanez also announced the grand opening ceremony of the Branch Line Bike Trail to be held on Thursday, February 23, 2012 at 5:00 p.m.

Planning Director Janna Minsk announced that the students from Cal-Poly San Luis Obispo would be present on Saturday February 11, 2012 from 10:00 a.m. to noon to present their concepts of the downtown implementation plan and garner community feedback.

Councilmember Fernandez invited interested parties to participate with the Committee to Save the Aviary at Steckel Park by attending the planning meetings on Wednesday's at 7:00 p.m. at the Santa Paula Community Center.

### **APPROVAL OF FINAL AGENDA**

**MOTION:** It was moved by Councilmember Cook, seconded by Councilmember Tovas to approve the final agenda as presented. All were in favor and the motion carried.

### **CONSENT CALENDAR**

Councilmember Cook requested that Item H be pulled for discussion.

**MOTION:** It was moved by Councilmember Robinson, seconded by Councilmember Tovas to approve the consent calendar as amended. Under roll call vote 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 January 24, 2012 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.

- D. Minutes– Approval of Minutes from the Special City Council Meeting of January 11, 2012. Deputy City Clerk Peggy Higgins’ report dated January 25, 2012.
- E. Minutes– Approval of Minutes from the Regular City Council Meeting of January 17, 2012. Deputy City Clerk Peggy Higgins’ report dated January 25, 2012.
- F. Minutes– Approval of Minutes from the Special City Council Meeting of January 31, 2012. Deputy City Clerk Peggy Higgins’ report dated February 1, 2012.
- G. Warrants and Certificates– Review, approve, and file the attached warrants and certifications. Interim Finance Director Sandra K. Easley report dated February 5, 2012

INVOICES	12/6-7-8/2011	
WIRE TRANSFERS	12/7/2011	
SUBTOTAL		\$ 34,347.79
INVOICES	12/15/2011	
WIRETRANSFERS	12/14/2011	
SUBTOTAL		\$358,899.34
INVOICES	12/22-23/2011	
WIRE TRANSFERS	12/21-22/2011	
SUBTOTAL		\$736,427.56
INVOICES	12/28-29/2011	
WIRE TRANSFERS	12/28-29-30/2011	
SUBTOTAL		\$101,372.32
INVOICES	1/5/2012	
WIRE TRANSFERS	1/4-5/2012	
SUBTOTAL		\$ 87,060.77
INVOICES	1/10-11/2012	
WIRE TRANSFERS	1/11-12/2012	
SUBTOTAL		\$3,801,636.77
INVOICES	1/17/2012	
WIRE TRANSFERS	1/19/2012	
SUBTOTAL		\$ 25,596.66
INVOICES	1/25-26/2012	
WIRE TRANSFERS	1/25/2012	
SUBTOTAL		\$ 761,122.90
TOTAL		\$5,906,464.11

- I. 2011-CUP-05, Enforcement Agreement for Rabalais', Inc. (Rabalais' Restaurant) – It is recommended that the City Council: 1) authorize the City Manager to execute an enforcement agreement, in a form approved by the City Attorney, allowing the sale of beer, wine and distilled spirits for on-site consumption at the property located at 861 E. Main Street; and 2) take such additional, related, action that may be desirable. Deputy Planning Director Stratis Perros' and Assistant Planner Anna Arroyo's report dated January 25, 2012.
- J. Award of Contract for Peck Road Water Main Upgrade Project to J & H Engineering General Contractors, Inc. – It is recommended that the City Council: 1) authorize the City Manager to execute a contract with J & H Engineering, General Contractors Inc. for \$139,592.00 in a form approved by the City Attorney; 2) allocate \$153,552 from the FY 11/12 approved capital project budget for the Water Line Replace Project Account No. 620.5.9291.660 to said contractor and 3) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez's report dated January 23, 2012.
- K. Award of Contract for the 6<sup>th</sup>, Bradley, & Olive Streets Paving and Water Improvement Project to Toro Enterprises, Inc.– It is recommended that the City Council 1) authorize the City Manager to execute a contract with Toro Enterprises, Inc. for \$1,145,235 including 10% retention in a form approved by the City Attorney for the 6<sup>th</sup>, Bradley & Olive Streets Paving and Water Improvement Capital Project; 2) allocate \$1,145,235 from the approved FY 2011/2012 Capital Improvement Project Budget Account No's. 100.5.9282.660-\$949,333, 100.5.9283.660-\$146,914, and 620.5.9283.660-\$48,988 to said contractor; and 3) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez's report dated January 24, 2012.
- L. Establish the Southern California Edison Rule 20A Limits from the Centerline of Cameron Street to Steckel Drive to Conform to the Verizon Settlement, Dated 8/16/2010– It is recommended that City Council: 1) adopt Resolution No. 6772 establishing the Southern California Edison Rule 20A limits from the centerline of Cameron Street to Steckel Drive; and 2) take such additional, related action that may be desirable. RESOLUTION NO. 6772 - A RESOLUTION ESTABLISHING RULE 20 A LIMITS FROM CENTERLINE CAMERON TO STECKEL DRIVE PURSUANT TO GOVERNMENT CODE SECTION § 830.6. Interim Public Works Director Brian J. Yanez's report dated January 30, 2012.
- M. Additional Change Orders #20 & #21 for Santa Paula Branch Line Bike Trail– It is recommended that the City Council: 1) approve Change

Orders #20 and #21 to Granite Construction Inc., for the Santa Paula Branch Line Bike Trail; and 2) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez's report dated January 27, 2012.

### **CONSENT CALENDAR – SEPARATE ACTION ITEMS**

#### H. Late Request for Out-of-State Travel–

Chief of Police Stephen MacKinnon's report dated January 23, 2012.

Councilmember Cook requested that Council approval for out-of-state travel be given prior to travel in the future.

**MOTION:** It was moved by Councilmember Cook, seconded by Councilmember Robinson to approve the recently completed out-of-state travel for Sergeant Ryan Smith in attending the F.B.I. National Academy in Quantico, VA that occurred on September 6-December 19, 2011. All were in favor and the motion carried.

### **ORDER OF BUSINESS**

#### A. The Rescheduling of the Regular City Council Meeting from Monday to Tuesday Nights–

City Manager Jaime M. Fontes' report dated January 10, 2012.

### **PUBLIC COMMENT**

John Bravo, 557 Munger Dr., spoke in favor of moving the meeting to a different evening to allow Council more time to review the agenda packets prior to the meeting and suggested either Wednesday or Thursday evenings.

After further discuss Council agreed to keep the Regular City Council meetings on the first and third Mondays of the month.

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

#### B. Changes to Economic Development Advisory Committee–

City Manager Jaime M. Fontes' report dated January 30, 2012.

**MOTION:** It was moved by Councilmember Cook, seconded by Councilmember Robinson to adopt Resolution No. 6775 to increase the membership of the Economic Development Advisory Committee to a total of 12 members. All were in favor and the motion carried.

RESOLUTION NO. 6775

A RESOLUTION OF THE CITY OF SANTA PAULA INCREASING THE MEMBERSHIP OF THE ECONOMIC DEVELOPMENT COMMITTEE.

C. Appointment of Member to Economic Development Advisory Committee–

City Manager Jaime M. Fontes' report dated January 31, 2012.

**MOTION:** It was moved by Councilmember Cook, seconded by Councilmember Tovas to appoint Susan Kulwicz, Maria Sust Bombara and John Freeman to the Economic Development Advisory Committee each for a four-year term. All were in favor and the motion carried.

D. Mayor's Standing Committees and City Council Ad Hoc Committees–

City Manager Jaime M. Fontes' report dated January 4, 2012.

Mayor Gonzales kept the appointments to the Mayor's Standing Committees and the City Council's Ad Hoc Committees as previously assigned.

E. Discussion of Request for Proposal/Request for Qualifications for City Legal Services–

City Manager Jaime M. Fontes report dated February 1, 2012.

After Council discussion the following terms were added to the terms of request for proposal/qualifications:

The term of the contract will be for two years with an automatic yearly renewal for up to three years and include a 30-day cancellation provision.

The solicitation of proposals will be published using various existing resources and the City's and ICMA's websites.

The response time frame for submission of proposals will be 45 days from this date.

The top 5 applicants will be provided for Council's consideration. A second tier of applicants would be created for review by the Council if a successful applicant is not found in the top five applicants.

**COMMUNICATIONS**

None.

**REQUEST FOR FUTURE AGENDA ITEMS**

None.

**ADJOURNMENT**

Mayor Gonzales adjourned the meeting at 7:55 p.m.

ATTEST:

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Judy Rice, City Clerk