

### **CALL TO ORDER**

Mayor Fernandez called the meeting to order at 6:38 p.m., Deacon Al Guilin led the invocation and Mayor Fernandez led the flag salute.

### **ROLL CALL**

Councilmember Martin F. Hernandez, Councilmember James A. Tovias, Vice Mayor Richard C. Cook and Mayor Ralph J. Fernandez responded to roll call. City Manager Jaime M. Fontes, City Attorney John C. Cotti, City Clerk Judy Rice and Deputy City Clerk Lucy Blanco were also present. Councilmember Robert S. Gonzales arrived at 6:41 p.m.

### **PRESENTATIONS**

A. Proclamation for Mental Illness Awareness Week October 6 – 12, 2013.

Councilmember Hernandez presented Shirley Brandon with a proclamation in support of Mental Illness Awareness Week.

B. Proclamation for Fire Prevention Week October 6 -12, 2013.

Vice Mayor Cook presented Fire Chief Araiza with a Proclamation in observance of Fire Prevention Week. Fire Chief Araiza mention that the Fire Department is wearing pink tee shirts in observance of Breast Cancer Awareness month October 2013.

C. New Santa Paula presented by John Chamberlain.

John Chamberlain presented a video of beautiful Santa Paula, places to eat, and things to do and see. The video can be viewed on the City's website.

### **PUBLIC COMMENT**

Ron Merson, 116 Via Solana, spoke on behalf of the Optimist Club's upcoming activities. The Halloween parade will be October 26, 2013, the Christmas parade poster contest November 16, 2013 from 10:00 am to 2:00 pm at the Blanchard Library, and the 64<sup>th</sup> Annual Christmas parade on November 30, 2013. He asked for support from the community with donations to help fund these events.

Alfonso Gamino, School District, briefly spoke regarding the unification of the school district and their mission to providing the children with all they need to perform at a high level. He thanked Council and City Staff for their assistance and making him feel welcome.

City Attorney Cotti stated that the Council did convene to a closed session on sept. 26 regarding initiation of potential litigation against the county of ventura for their decision in issuing a permit adjustment for the expansion of the Todd Road Jail. Council by the vote of 3 to 1 with one recusal authorized the City to file an administrative appeal for the permit adjustment decision. The hearing is scheduled for October 24, 2013 before the County Planning Commission.

### **COMMUNICATIONS**

City Attorney Cotti stated that the Council did convene to a closed session on sept. 26 regarding initiation of potential litigation against the County of Ventura for their decision in issuing a permit adjustment for the expansion of the Todd Road Jail. Council by the vote of 3 to 1 with one recusal voted to authorize the City to file an administrative appeal for the permit adjustment decision. The hearing is scheduled for October 24, 2013 before the County Planning Commission.

A. City Manager Fontes update on United Water.

City Manager Fontes gave a brief update on the litigation between Ventura and United Water over domestic rates and the Prop 218 action. He informed the Council that he will keep them uprisd as more information comes up.

### **APPROVAL OF FINAL AGENDA**

It was moved by Councilmember Gonzales, seconded by Councilmember Tovas to approve final agenda as presented. All were in favor under roll call vote and the motion carried.

### **CONSENT CALENDAR**

Councilmember Gonzales pulled Items 9E & 9F and Councilmember Hernandez pulled Item 9H. It was moved by Councilmember Tovas, seconded by

Councilmember Gonzales to approve the Consent Calendar as amended. All were in favor under roll call vote, 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. Warrants and Certifications - Review, approve, and file the attached warrants and certifications. Finance Director Sandra K. Easley's reports dated September 26, 2013.

Invoices	08/16/13	
Wire Transfers	08/12/13 – 08/14/13	
Subtotal		\$30,442.29

Voided Checks	08/19/13 – 08/21/13	
Invoices	08/19/13 – 08/22/13	
Wire Transfers	08/21/13 – 08/22/13	
Subtotal		\$350,459.23

Invoices	08/28/13 – 08/30/13	
Wire Transfers	08/26/13 – 08/29/13	
Subtotal		\$724,427.80

Voided Checks	09/05/13	
Invoices	09/04/13 – 09/05/13	
Wire Transfers	09/03/13 – 09/04/13	
Subtotal		\$446,402.55

Invoices	09/13/13	
Wire Transfers	09/11/13	
Subtotal		\$25,393.98

Voided Checks	09/19/13	
Invoices	09/19/13	
Wire Transfers	09/18/13 – 09/19/13	

Subtotal

\$338,688.05

**GRAND TOTAL**

**\$1,915,813.90**

- D. Memorandum of Understanding with the Ventura County Professional Firefighter's Association (VCPFA) – It is recommended that the City Council: (1) adopt Resolution No. 6854 approving the Memorandum of Understanding (MOU) for the 2013 contract year between the City of Santa Paula and the Ventura County Firefighter's Association; and (2) take such additional, related action that may be desirable. **RESOLUTION NO. 6854** – A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR THE CONTRACT YEAR 2013 BETWEEN THE CITY OF SANTA PAULA AND THE VENTURA COUNTY PROFESSIONAL FIREFIGHTER ASSOCIATION (VCPFA). Human Resources Manager Lorena Alvarez' report dated September 30, 2013.
- G. Road and Street Repair Standards - It is recommended that the City Council: (1) receive and file the Road and Repair Standards document for the City of Santa Paula's Public Works Department; and (2) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez' report dated October 1, 2013.

**CONSENT CALENDAR (SEPARATE ACTION ITEMS)**

- E. Award of Contract for the Police Department Front Counter Improvement Project to Dillon & Co. – It is recommended that the City Council: (1) allocate \$31,869.20 from the Law Enforcement Facility Developer Impact Fee funds for construction of the Front Counter Improvement Project; (2) authorize the City Manager to execute a contract with Dillon & Co. LLC for \$28,972.00 in a form approved by the City Attorney and approve contract change orders as needed for additional work up to the budgeted amount; and (3) take such additional, related action that may be desirable. Brian J. Yanez' report dated September 25, 2013.

It was moved by Councilmember Gonzales, seconded by Councilmember Hernandez to allocate \$31,869.20 from the Law Enforcement Facility Developer Impact Fee funds for construction of the Front Counter Improvement Project, authorize the City Manager to execute a contract with Dillons & Co. LLC for \$28, 972 in a from approved by the City Attorney and request that staff return to Council prior to

approving any change orders submitted by the contractor. All were in favor and the motion carried.

- F. Approval of Traffic Safety Committee Recommendations Resolution No. 6853  
–Interim Public Works Director Brian J. Yanez’ report dated October 1, 2013.

It was moved by Councilmember Gonzales, seconded by Councilmember Tovias to adopt Resolution No. 6853 approving the recommendation of the Traffic Safety Committee. All were in favor under roll call vote and the motion carried.

### **RESOLUTION NO. 6830**

#### A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS.

- H. Award of Sewer Pipeline Rehabilitation Design Project to RJR Engineering Group – It is recommended that the City Council: (1) allocate \$39,688.00 from Account No. 610.5.9215.290 for the design consulting work; (2) authorize the City Manager to enter into a professional services agreement with RJR Engineering Group for \$36,688.00 in a form approved by the City Attorney for the design project; and (3) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez’ report dated October 1, 2013.

It was moved by Councilmember Hernandez, seconded by Councilmember Gonzales to allocate \$39,688.00 from Account No. 610.5.9215.290 for the design consulting work and authorize the City Manager to enter into professional services agreement with RJR Engineering Group for \$36,688.00 in a form approved by the City Attorney for the design of the project and request that staff return to Council prior to approving any change orders submitted by the consultant. All were in favor under roll call vote and the motion carried.

### **ORDER OF BUSINESS**

- A. Appointment of Member to the Planning Commission -

City Manager Jaime M. Fontes report dated October 1, 2013.

Councilmember Gonzales recused himself due to he was not present for the interviews.

Councilmember Tovias recused himself due to he was not present for the interviews.

It was moved by Mayor Fernandez to appoint Marilyn Appleby, no second received. The motion died.

It was moved by Councilmember Hernandez, seconded by Vice Mayor Cook to appoint John Demers as member to the Planning Commission. Under roll call vote, Councilmember Hernandez and Vice Mayor Cook were in favor. Mayor Fernandez was opposed. The motion carried.

B. Discussion Regarding the Performance and Effectiveness of Lighted Crosswalks -

It was moved by Mayor Fernandez, seconded by Councilmember Tovias to receive the oral report. All were in favor under roll call vote and the motion carried.

**PUBLIC COMMENT**

Mike Solomon, 106 N. 8<sup>th</sup> Street, spoke on behalf of United Water Conservation District gave a brief update on the Ventura lawsuit against United Water. He stated that United Water filed an appeal. He explained briefly regarding the 3 to 1 ratio and the rate increase. He asked for the opportunity to return to a future Council meeting to make a formal presentation.

**COMMUNICATIONS**

City Manager Fontes shared with Council that the next meeting will bring forth the final map regarding the Crown transaction and also the NBA water and sewer rate study.

City Attorney John Cotti shared with the Council that the County Planning Commission is scheduled to hear the appeal on the permit adjustment on October 24, 2013.

**FUTURE AGENDA ITEMS**

It was moved by Councilmember Gonzales, seconded by Councilmember Tovias to request that staff bring back a policy regarding project contracts and contingencies. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Gonzales, seconded by Councilmember Tovas to request an item regarding parking enforcement in the downtown area, on city streets and parking lots, including parking restriction policies in the city as a whole. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Gonzales, seconded by Councilmember Tovas to request to receive a report from the City Attorney regarding conflict of interest that affects City Council. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Gonzales, seconded by Councilmember Hernandez to receive a formal presentation from Mike Solomon regarding United Water's position on water issues. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Tovas, 2<sup>nd</sup> by Councilmember Gonzales to request a plan to retain and attract additional officers to Santa Paula.

It was moved by Mayor Fernandez to request an item to discuss the roles and responsibilities of the Planning Commission. All were in favor under roll call vote and the motion carried.

### **ADJOURNMENT**

Mayor Fernandez adjourned the meeting at 8:50 p.m.

ATTEST:

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Judy Rice  
City Clerk