

# City of Santa Paula

*City Council*

## *Amended Agenda*

MAYOR JOHN PROCTER  
VICE MAYOR MARTIN F. HERNANDEZ  
COUNCILMEMBER JAMES A. TOVIAS  
COUNCILMEMBER JENNY CROSSWHITE  
COUNCILMEMBER GINGER GHERARDI



REGULAR MEETING OF THE  
SANTA PAULA CITY COUNCIL

MONDAY, SEPTEMBER 21, 2015

6:00 P.M. – CLOSED SESSION

6:30 P.M.– REGULAR MATTERS

SANTA PAULA CITY HALL  
970 VENTURA STREET  
SANTA PAULA, CA 93060

JUDY RICE, CITY CLERK  
JAIME M. FONTES, CITY MANAGER  
JOHN C. COTTI, CITY ATTORNEY

Spare Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the Office of the City Clerk and are available for public inspection. If you have any questions regarding any agenda item, contact the City Clerk at (805) 933-4208.



## CITY COUNCIL MEETING

You are invited to attend all City Council, commission, and board meetings. Agendas are posted in the front of City Hall in advance of the scheduled meetings. Information for commission and board meetings may be obtained by contacting the City Clerk's Office. The Santa Paula City Council's regular meetings start at 6:30 p.m. the first and third Monday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula.

### BRINGING ITEMS BEFORE THE CITY COUNCIL

If you wish to speak at a City Council meeting, please fill out a yellow **Public Comment Form** noting your name and address and submit the form to the City Clerk. Include the Agenda item number, when appropriate.

1. **Items Not on the Agenda:** If you wish to discuss an item which is not scheduled on the Agenda, you may address the City Council during *Public Comment*. Please realize that due to the limitations placed on the City Council by provisions of the *California Government Code*, the City Council ordinarily cannot take action on any item that is not on the agenda. Because of these restrictions, expect that matters that you identify during public comment will be referred to staff or considered on a future agenda.
2. **Agenda Items:** Items being considered by the City Council may appear on the Consent Calendar, as an Order of Business, or as a Public Hearing. Public comments on each type of item are handled differently, as explained below:
  - a. For items appearing on the Consent Calendar, please submit a Public Comment Form before the Council takes action on the Consent Calendar. Items that receive a Public Comment Form may be pulled from the Consent Calendar by the Mayor and discussed separately by the City Council.
  - b. For items appearing as an Order of Business, the Mayor will announce the Agenda item and request the staff report, the staff member responsible will give a brief summary of the report; the City Council will have an opportunity to ask questions of staff; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); and the City Council will discuss the item and then take appropriate action.
  - c. For items on which a Public Hearing is scheduled, the Mayor will open the public hearing and receive the staff report; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); the City Council will discuss the item; and the Mayor will close the public hearing after City Council action.

Your Participation in this meeting is in the public domain; meetings are cablecast; minutes of this meeting will reflect your participation in this meeting and are posted on the city's website.

**PLEASE NOTE:** *Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the City Council at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.*

In compliance with the **Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk at (805) 933-4208. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II). Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office.

SANTA PAULA CITY COUNCIL AGENDA  
CITY HALL ADMINISTRATION CONFERENCE ROOM  
SEPTEMBER 21, 2015  
MONDAY - 6:00 P.M.

1. **CALL TO ORDER**
  
2. **ROLL CALL**
  
3. **PUBLIC COMMENT**
  
4. **CLOSED SESSION-** *The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code §§ 54950, et seq.) for the following purposes:*
  - A. **Conference with Legal Counsel – Existing Litigation --**  
Pursuant to Government Code § 54956.9(d)(1), the City Council will confer with legal counsel pertaining to existing litigation in the matter of *Vasquez (Estate of Edgar Garcia) v. City of Santa Paula, et al.*, United States District Court Case No. CV 13-07726 CBM (AJWx).
  
5. **CONTINUE MEETING TO 6:30 P.M. IN COUNCIL CHAMBERS**

SANTA PAULA CITY COUNCIL AGENDA  
REGULAR MEETING – SEPTEMBER 21, 2015  
MONDAY – 6:30 P.M. - COUNCIL CHAMBERS

1. **CALL TO ORDER**
2. **INVOCATION**
3. **FLAG SALUTE**
4. **ROLL CALL**
5. **CLOSED SESSION REPORT**
6. **PRESENTATIONS**
  - A. **Project HOPE (A Committee Working on Homeless Issues in Santa Paula) Presentation given by Al Guilin and Audrey Vincent**
7. **PUBLIC COMMENT**



**REMINDER:** in order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

At this time, members of the public may comment on any item not appearing on the agenda that is within the subject-matter jurisdiction of the City Council. A Public Comment Form must be submitted to the City Clerk prior to the beginning of the Public Comment period in order to be recognized to speak. Individuals submitting Public Comment Forms after the beginning of the Public Comment period will not be allowed to speak at this time, but may be recognized to speak by the Mayor at the conclusion of the meeting. Individual Councilmembers may briefly respond to Public Comments or ask questions for clarification. The City Council may direct staff to report to the City Council on the item at a later meeting. For items appearing on the Agenda, the public will be invited to

make comments at the time the item comes up for City Council consideration. If a member of the public wishes to address a Consent Calendar item, please submit a Public Comment Form for that item. It may then be discussed separately by the Council, and the public will be invited to make comments at that time. At all times, please use the microphone and write your name and address on the Public Comment Form provided.

8. **CITY COUNCIL, STAFF COMMUNICATIONS**

Items of interest that are not on the agenda, such as conference or meeting reports, may be discussed under this item. No action other than “receive or refer to staff” may be taken.

- A. City Manager, Staff, Employees
- B. City Attorney
- C. City Council

9. **APPROVAL OF FINAL AGENDA**

10. **CONSENT CALENDAR**

Background information has been provided to the City Council on all matters listed under the Consent Calendar and these items are considered to be routine by the City Council and are normally approved by one motion. If discussion is requested by a Councilmember on any item, or a member of the public wishes to comment on an item, that item may be removed from the Consent Calendar for separate action.

**SUGGESTED MOTION:** *Motion/Second to adopt the Consent Calendar as presented.*

- A. **Waiver of Reading of Ordinances and Resolutions** – Waive reading of Ordinances and Resolutions appearing on the Agenda.
- B. **Minutes**– It is recommended that the City Council adopt the minutes from the Regular City Council Meeting of June 1, 2015. Deputy City Clerks Lucy Blanco’s report dated September 15, 2015.
- C. **Warrants and Certificates**– Review, approve, and file the attached warrants and certifications. Finance Director Sandra K. Easley’s reports dated June 1, 2015.

Voided Checks	7/23/15 – 8/6/15
Invoices	8/6/15 – 8/31/15
Wire Transfers	8/5/15 – 8/28/15

**Subtotal** **\$1,353,250.00**

Payroll	Pay date	8/12/15	\$145.00
		8/14/15	\$268,594.54
		8/28/15	\$266,197.60

**Subtotal** **\$534,937.23**

**Grand Total** **\$1,888,187.23**

- D. **Authorize the Filing of a Notice of Completion for the Steckel Water Conditioning Facility Filter Media Replacement Project** – It is recommended that the City Council: (1) accept the work performed by ERS Industrial Services, Inc.; (2) authorize City staff to file the Notice of Completion with the County Recorder; (3) authorize City staff to proceed with the closeout of this project; and (4) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez and Capital Projects Engineer John L. Ilasin’s report dated September 10, 2015.
- E. **Approval of Professional Services Agreements with RJR Engineering Group for the Foothill/Hardison/Cameron Storm Drain Project** – It is recommended that the City Council: (1) authorize the City Manager to execute a professional services agreement to RJR Engineering Group for design services for the Foothill/Hardison/Cameron Storm Drain Project in the amount of \$72,750.00 in a form approved by the City Attorney; (2) request additional funds to be transferred to cover the design services in the amount of \$45,000 from the Sewer Collection Facilities Fund Account 227.5.9298.660; and (3) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez’ report dated September 10, 2015.
- F. **Authorization to Submit Amended Grant Application for the Housing Related Parks Program Grant** – It is recommended that the City Council: (1) adopt Resolution No. 6951 authorizing the City to submit an amended grant application to the Housing Related Parks Program; and ( 2) take such additional, related action that may be desirable. **RESOLUTION NO. 6951** - A RESOLUTION OF THE CITY OF SANTA PAULA AUTHORIZING APPLICATION FOR HOUSING RELATED PARKS GRANT. Assistant to the City Manager Elisabeth Paniagua’s report dated September 15, 2015.
- G. **2015-CUP-01, Enforcement Agreement for Caffe Verona 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 and wine for on-site consumption at the property located at 650 W. Harvard Blvd.; and (2) take such additional, related action that may be desirable.

Deputy Planning Director Stratis Perros' report dated September 9, 2015.

- H. **Amendment to the 2010 Santa Paula Utility Authority Lease** – It is recommended that the City Council: (1) adopt the amendments to the 2010 Santa Paula Utility Authority lease; and (2) take such additional, related action that may be desirable. Finance Director Sandra K. Easley's report dated August 31, 2015.
- I. **Consent to the Assignment and Assumption of the Amended and Restated Development Agreement to Limoneira Lewis Community Builders, LLC** – It is recommended that the City Council: (1) consent to the assignment of the First Amended and Restated Development Agreement from Limoneira Company to Limoneira Lewis Community Builders, LLC; (2) authorize the Vice-Mayor to acknowledge consent through the execution of the Assignment and Assumption Agreement; and (3) take such additional, related action that may be desirable. Planning Director Janna Minsk and City Attorney John C. Cotti's report dated September 15, 2015.

11. **PUBLIC HEARING**

A. **East Area 1 Specific Plan Text Amendment-Ordinance No. 1256 to Amend Setback and Drought Tolerant Landscaping Requirements for Residential Development, Project No. 06-CDP-02** -

- Verification of posting by City Clerk
- Declaration of conflicts (if any)
- Declaration of ex parte contacts (if any)
- Open public hearing
- Staff presentation
- Public testimony
- Discussion and action
- Close public hearing

**Suggested Action:** It is recommended that the City Council: (1) open the public hearing; (2) receive testimonial and documentary evidence; (3) after considering the evidence, introduce and waive first reading of Ordinance No. 1256; and (4) take such additional, related action that may be desirable. Planning Director Janna Minsk's report dated September 10, 2015.

12. **ORDER OF BUSINESS**

A. **Approval of Body Worn Camera Program**– It is recommended that the City Council: (1) review and approve the Police Department’s policy on the use of body cameras and the retention of recordings; and (2) take such additional, related action that may be desirable Chief of Police Steve McLean’s report dated September 15, 2015.

B. **Approval for the Purchase of Three Police Vehicles**– It is recommended that the City Council: (1) pursuant to Santa Paula Municipal Code 41.13, authorize the City Manager or designee to utilize the cooperative bidding procedure used by the County of Ventura for contracting with Folsom Chevrolet, Folsom CA; (2) authorize the City Manager to execute an agreement in a form approved by the City Attorney with Folsom Chevrolet for the purchase of three Chevrolet Tahoe vehicles; and (3) take such additional, related action that may be desirable. Chief of Police Steve McLean’s report dated September 14, 2015.

13. **REQUEST FOR FUTURE AGENDA ITEMS**

Any Councilmember may propose items for placement on a future agenda. These items are not for debate under the provisions of the Brown Act. The City Manager has discretion as to when the item will come back on the Agenda, unless the City Council identifies a specific meeting for the item’s return.

14. **ADJOURNMENT**

State of California )-  
County of Ventura )- ss  
City of Santa Paula )-

I declare under penalty of perjury that I posted this City Council Agenda on the bulletin board near the front door of City Hall, 970 Ventura Street, Santa Paula, California.

On \_\_\_\_\_ at \_\_\_\_\_ Signed: \_\_\_\_\_  
Lucy Blanco, Deputy City Clerk