

# City of Santa Paula

*City Council*

## **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, NOVEMBER 16, 2015

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  
REGULAR MEETING – NOVEMBER 16, 2015  
MONDAY – 6:30 P.M. - COUNCIL CHAMBERS

1. **CALL TO ORDER**
2. **INVOCATION**
3. **FLAG SALUTE**
4. **ROLL CALL**
5. **PRESENTATIONS**
  - A. **Presentation by Lynn Jacobs Regarding Untapped Grant Funding Opportunities.**
  - B. **Presentation by Sue Hughes, Executive Officer of Government Affairs on Energy.**
  - C. **City Services Presentation by Larry Kosmont.**
6. **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.

7. **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

8. **APPROVAL OF FINAL AGENDA**

9. **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. **Adoption of Minutes** – It is recommended that the City Council adopt the minutes from the Regular City Council Meeting of June 15, 2015 and the Special City Council Meeting of June 22, 2015. Deputy City Clerk Lucy Blanco’s report dated November 9, 2015 2015.
- C. **Approval of Employment Benefits for the Unrepresented Employees: Executive Management and Adoption of Resolution No. 6941** – It is recommended that the City Council: (1) adopt Resolution No. 6941, approving the terms and conditions for Executive Management for the 2015 contract year; and (2) take such additional, related, action that may be desirable.

**RESOLUTION NO. 6941** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTION EMPLOYMENT BENEFITS FOR UNREPRESENTED EMPLOYEES: EXECUTIVE MANAGEMENT. Human Resources Manager Lorena Alvarez' report dated November 9, 2015.

- D. **Award Harvard Boulevard Sewer Trunk Replacement Project to Toro Enterprises, Inc** – It is recommended that the City Council: (1) authorize the City Manager to execute a Public Works Contract with Toro Enterprises, Inc. for \$639,664 in a form approved by the City Attorney; (2) authorize the City Manager to execute a Professional Service Agreement to Stantec for construction management consulting services in the amount of \$127,223 in a form approved by the City Attorney; (3) allocate an additional \$766,887 from Sewer fund balance (Wastewater bond proceeds); and (4) take such additional, related action that may be desirable. Interim Public Works Director Brian J. Yanez and Capital Projects Engineer John L. Iasin's report dated November 9, 2015.

10. **PUBLIC HEARING**

- A. **Review of Project No. 2005-CDP-04: 1) A request for: General Plan Amendment to the General Plan Map Land Use Plan for three parcels from existing Adams Canyon Expansion Area to proposed Adams Canyon Specific Plan; 2) Rezoning/Zone Change for three parcels from existing County Agricultural Exclusive (AE) to proposed Specific Plan One (SP-1); 3) Specific Plan; 4) Development Agreement; 5) Tentative Map 5475; 6) Growth Management Allocations; 7) Annexation and 8) Certification of a Final Environmental Impact Report in order to allow a 79-lot single family hillside residential subdivision on property located northwest of Foothill and Peck Roads -**

- 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 and take evidence; (2) consider the evidence received during the public hearing; (3) adopt Resolution No. 6957 to certify the Final Environmental Impact Report; (4) adopt Resolution No. 6958 to approve the General Plan Amendment; (5) introduce and

waive first reading of Ordinance No. 1258 to approve the Development Agreement; (6) introduce and waive first reading of Ordinance No. 1259 to approve the Rezoning/Zone Change and Specific Plan; (7) adopt Resolution No. 6959 to approve Tentative Map 5475 and Growth Management Allocations; and (8) adopt Resolution No. 6960 to approve the Annexation; and (9) take such additional, related action as may be appropriate. **RESOLUTION NO. 6957** – A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR TENTATIVE MAP 5475 AND APPROVING MITIGATION AND MONITORING REPORTING PROGRAM FOR THE DEVELOPMENT OF 79 SINGLE FAMILY RESIDENTIAL HOMES ON 32.5 ACRES LOCATED AT FOOTHILL AND PECK ROADS PROJECT NO. 2005-CDP-04. **RESOLUTION NO. 6958** – A RESOLUTION APPROVING A GENERAL PLAN AMENDMENT FOR TENTATIVE MAP 5475 LOCATED AT FOOTHILL AND PECK ROADS PROJECT NO. 2005-CDP-04. **ORDINANCE NO. 1258** – AN ORDINANCE ADOPTING A DEVELOPMENT AGREEMENT FOR TENTATIVE MAP 5475 PURSUANT TO GOVERNMENT CODE §§ 65864, ET SEQ. **ORDINANCE NO. 1259** – AN ORDINANCE PREZONING PORTIONS OF THE ADAMS CANYON EXPANSION AREA AS TENTATIVE MAP 5475 PROJECT AND ADOPTS FOOTHILL/PECK (TENTATIVE MAP 5475) SPECIFIC PLAN (SP-1). **RESOLUTION NO. 6959** – A RESOLUTION APPROVING TENTATIVE MAP 5475 AND GROWTH MANAGEMENT ALLOCATIONS FOR PROPERTY LOCATED AT FOOTHILL AND PECK ROADS PROJECT NO. 2005-CDP-04. **RESOLUTION NO. 6960** – A RESOLUTION APPROVING ANNEXATION AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO FILE AN APPLICATION INITIATING REORGANIZATION (ANNEXATION) PROCEEDINGS FOR REAL PROPERTY LOCATED WITHIN ADAMS CANYON EXPANSION AREA PROJECT NO. 2005-CDP-04. Planning Director Janna Minsk and Deputy Planning Director Stratis Perros' report dated November 10, 2015.

11. **ORDER OF BUSINESS**

- A. **Approval of Below Market Rental Lease Rates and Agreements with the Boys and Girls Club, Chamber of Commerce and the Santa Paula Arts Society** – It is recommended that the City Council: (1) adopt Resolutions No. 6961, 6954 and 6955 approving below market rental lease rates applicable to non-profit tenants, the Santa Paula Arts Society, Santa Paula Chamber of Commerce and the Santa Clara Valley Boys and Girls Club pursuant to the Below Market Rental Policy; (2) direct staff to execute the negotiated lease agreements with the non-profit organizations; and (3) take such additional, related action as may be desirable. **RESOLUTION**

**NO. 6961** – A RESOLUTION OF THE CITY OF SANTA PAULA APPROVING THE BELOW MARKET RENTAL RATE FOR USE OF A CITY-OWNED BUILDING LOCATED AT 200 N. 10<sup>th</sup> STREET BY THE SANTA PAULA ART SOCIETY. **RESOLUTION NO. 6954** – A RESOLUTION OF THE CITY OF SANTA PAULA APPROVING THE BELOW MARKET RENTAL RATE LEASE FOR USE OF A CITY-OWNED BUILDING LOCATED AT 200 NORTH 10<sup>th</sup> STREET BY THE SANTA PAULA CHAMBER OF COMMERCE. **RESOLUTION NO. 6955** – A RESOLUTION OF THE CITY OF SANTA PAULA APPROVING THE BELOW MARKET RENTAL RATE LEASE FOR USE OF A CITY-OWNED BUILDING AT 1400 E. HARVARD BOULEVARD BY THE BOYS AND GIRLS CLUB OF SANTA CLARA VALLEY. Assistant to the City Manager Elisabeth V. Paniagua's report dated November 9, 2015.

- B. **Consideration and Possible Action to Formally Adopt a City Council Code of Conduct** – It is recommended that the City Council: (1) receive and file the attached report; and (2) review the draft Code of Conduct and direct staff as appropriate. City Attorney John C. Cotti's report dated November 9, 2015.
- C. **Consideration of an Ordinance Requiring the Mandatory Spaying, Neutering and Microchipping of Dogs and Cats** – It is recommended that the City Council: (1) introduce on first reading an Ordinance No. 1260 amending Chapter 91 of the Santa Paula Municipal Code relating to the mandatory spaying or neutering and microchipping of dogs and cats; and (2) take such additional, related action as may be desired. **ORDINANCE NO. 1260** – AN ORDINANCE AN ORDINANCE OF THE CITY OF SANTA PAULA AMENDING CHAPTER 91 OF THE SANTA PAULA MUNICIPAL CODE RELATING TO THE MANDATORY SPAYING OR NEUTERING AND MICROCHIPPING OF DOGS AND CATS. City Attorney John C. Cotti's report dated November 9, 2015.
- D. **Discussion and Possible Action to Adopt a Water Leak Policy and Guidelines** – It is recommended that City Council: (1) authorize City Staff to implement the proposed Water Leak Guidelines and Policies and all its provisions; and (2) take such additional, related action that may be desirable.. Interim Public Works Director Brian J. Yanez' report dated November 4, 2015.
- E. **Fiscal Year 2015-2016 First Quarter Report** – It is recommended that the City Council: (1) review and file the following quarterly budget report, (2) direct the City Manager to continue monitoring the FY 2015-2016 budget, and (3) take such additional, related action that may be desirable. Finance Director Sandra K. Easley's report dated November 10, 2015.

- F. **Discussion and Possible Action to Issue an RFP for Accounting System Software** - It is recommended that the City Council: (1) review the Request for Proposals for an Accounting System upgrade; and (2) take such additional, related action that may be desirable. Finance Director Sandra K. Easley, and Chief Building Inspector Michael Leach's, report dated November 2, 2015.

12. **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.

13. **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