

City of Santa Paula

City Council

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



REGULAR MEETING OF THE
SANTA PAULA CITY COUNCIL

March 7, 2016

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



CITY OF SANTA PAULA

CITY COUNCIL

AGENDA • MARCH 7, 2016

I. REGULAR MATTERS - COUNCIL CHAMBERS

1. CALL TO ORDER

2. INVOCATION

3. FLAG SALUTE

4. ROLL CALL

5. PRESENTATIONS

- A. **Presentation by Ruben Zaragoza from Recology Regarding Their Sponsorship of the Easter Egg Hunt/Earth Day Event on Saturday, March 26, 2016 at Glen City School**
- B. **Presentation by Mexican Consul of Oxnard Regarding Services Available for the Community**
- C. **Presentation by Interim Community Services Director Ed Mount in Appreciation of the Fire Association for their Fund Raising Support of the Youth Basketball Program**

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

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.

- A. **Planning Commission Action Report** – **Recommendation:** It is recommended that the City Council receive and file the Planning Director's report regarding Planning Commission actions taken on February 23, 2016.

Report by: Janna Minsk, Planning Director

- B. **Letter of Support for ACR # 142 Peter Aguirre, Jr. Memorial Highway** – **Recommendation:** It is recommended that the City Council: (1) Approve a request from Assemblyman Das Williams for a letter of support for Assembly Concurrent Resolution No. 142 relative to the Ventura County Sheriff Deputy Peter Aguirre, Jr. Memorial Highway; and (2) take such additional, related action that may be desirable.

Report by: Commander Ismael Cordero

- C. **Operations Agreement** – **Recommendation:** It is recommended that the City Council: (1) Approve the Regional Response Operations Agreement; (2) Authorize the Fire Chief to sign the Agreement; and (3) take such additional, related action as may be desirable.

Report by: Richard Araiza

- D. **Authorize the Filing of a Notice of Completion for the Fuchsia Tank Water Main Connection Project** – **Recommendation:** It is recommended that the City Council: (1) Accept the work performed by Toro Enterprises, Inc.; (2) Authorize City staff to file the Notice of Completion with the County Recorder; (3) Allocate \$29,379.94 from the approved FY15/16 Capital Improvement Program budget for Water Main Replacement Program Account 620.5.9108.660 to close the project; and 4) Take such additional action that may be desired.

Report by: Brian J. Yanez, Interim Public Works Director
John L. Ilasin, Capital Projects Engineer

- E. **Request for Approval for Out-Of-State Training – Recommendation:** It is recommended that the City Council: (1) Approve the attendance by Officers Allen Macias and Daniel Gosselin at the 2016 Police K-9 Magazine Conference in Las Vegas, Nevada on March 9 – 10, 2016; and (2); take such additional related action that may be desirable.

Report by: Commander Ismael Cordero

- F. **Request for Approval for Out of State Travel for Training – Recommendation:** It is recommended that the City Council: (1) Approve Assistant Fire Chief Keith Gurrola's out-of-state travel to Clark County, Nevada for educational purposes; and (2) take such additional, related action as may be desirable.

Report by: Fire Chief Richard Araiza

- G. **Approval of a Professional Services Agreement with Leach Mounce Architects for the Corporation Yard Feasibility Study – Recommendation:** It is recommended that the City Council: (1) Authorize the City Manager to execute a Professional Services Agreement with Leach Mounce Architects for a consulting feasibility study services in the amount of \$95,636.00 in a form approved by the City Attorney; (2) Allocate additional funding from General Government Facilities fund balance and water fund balance; and (3) Take such additional, related action that may be desirable.

Report by: Brian J. Yanez, Interim Public Works Director
John L. Ilasin, Capital Projects Engineer

- H. **Approval of Traffic Safety Committee Action Items – Recommendation:** It is recommended that the City Council: (1) Adopt Resolution No. 6967 to implement the Traffic Safety Committee's November 17, 2015 Recommended Actions; and (2) take such additional, related action that may be desirable.

Report by: Brian J. Yanez, Interim Public Works Director

10. ORDER OF BUSINESS

- A. **Adoption of Wastewater Revenue Rebate Policy – Recommendation:** It is recommended that the City Council: (1) Adopt Resolution No. 6968 establishing a Wastewater Revenue Rebate Policy; and (2) take such additional, related action that may be desired.

Report by: Sandra K. Easley, Finance Director

- B. **Fiscal Year 2015-2016 Mid-Year Budget Report – Recommendation:** It is recommended that the City Council: (1) review and file the following mid-year budget report; (2) direct the City Manager to continue monitoring the FY 2015/16 budget, (3) approve the creation of six temporary part-time positions (Public Works Field Technicians) to assist with public education regarding water softening systems; (4) make budget adjustments requested from Storm Drain Facilities and from Sewer Fund Balance for the above positions, and 5) take such additional, related action that may be required.

Report by: Sandra K. Easley, Finance Director

- C. **Discussion and Possible Action to Direct Preparation of a Resolution Calling for an Election on a Proposed Ballot Measure Seeking Voter Approval of a Transactions and Use (Sales) Tax – Recommendation:** It is recommended that the City Council: 1) receive and file the attached report; 2) direct City staff to prepare the necessary resolutions to call for a Ballot Measure to Increase the Transactions and Use Tax as part of the November 8, 2016, consolidated election; and 3) take such additional, related action as may be desired.

Report by: John C. Cotti, City Attorney

11. REQUEST FOR FUTURE AGENDA ITEMS

Any Councilmember may propose items for placement on a future agenda. Members may discuss whether or not the item should be placed on a future agenda and the description of the agenda item. Any direction to the City Manager to place an item on a future Council Agenda, do research, or a staff report must be accompanied with a majority vote of the City Council. 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.

12. 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

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.A

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council
From: Janna Minsk, Planning Director
Subject: Planning Commission Action Report
Date: March 7, 2016

Recommendation: It is recommended that the City Council receive and file the Planning Director's report regarding Planning Commission actions taken on February 23, 2016.

Report by: Janna Minsk, Planning Director

Fiscal Impacts: None

Personnel Impacts: None

General Discussion: None

Alternatives: 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.

Attachments:

02-23 PC ACTIONS final

ACTIONS BY THE SANTA PAULA PLANNING COMMISSION

February 23, 2016

6:30 P.M.

Commissioners Present: Chairman Gail “Ike” Ikerd, Vice Chairman Fred Robinson, Commissioners John Demers, Michael Sommer and Fred Wacker

Commissioners Absent: None

Staff Present: Planning Director Janna Minsk, Assistant City Attorney Gregg Kettles, Capital Projects Engineer John L. Ilasin and Planning Technician Tom Tarantino

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on December 18, 2015

ACTION: It was moved by Commissioner Sommer, seconded by Commissioner Demers to approve the minutes as submitted. Vice Chairman Robinson and Commissioner Wacker abstained, due to their absence at the December 18, 2015 meeting. All others were in favor and the motion carried.

B. Election of Officers: Under Rule 10.1, elections for the ensuing year are normally held at the first regular Planning Commission meeting of December. Because two Planning Commissioners were unable to attend the rescheduled Planning Commission Meeting in December 2015, and due to the cancellation of the January 2016 Planning Commission Meeting, the election of officers will take place during this first regular meeting in 2016.

ACTION: • Chair (2016): Gail “Ike” Ikerd • Vice Chair (2016): Fred Robinson

PUBLIC HEARING:

A. Project No. 2010-CI-03: The Crosstown Water Pipeline Project (Project) involves construction of a new 8,065 linear feet, 20-inch diameter buried water pipeline composed of polyvinyl chloride (PVC) material which would connect the discharge pipeline from the Steckel Water Conditioning Facility at the Steckel Drive/Santa Barbara Street intersection to the Pleasant Street/Tenth Street intersection. The Project would be installed by open trench methods (trenching, pipe bedding, pipe installation, backfill, pavement repair) excluding the Fagan Barranca crossing which would be installed using trenchless methods. In addition, the Project would include three smaller new pipelines:

- A new 2,915 linear feet, 18-inch diameter storm drain. The new storm drain would connect the storm drain system at the Main Reservoir to an existing storm drain at the Mill Street/Railroad Avenue intersection; and
 - A new 600 linear feet, 12-inch diameter PVC water pipeline along Virginia Terrace between Park Street and Mill Street; and
 - A new 1,500 linear feet, 12-inch diameter PVC water pipeline connecting the Main Reservoir to the City's existing water distribution system at the Tenth Street/Virginia Terrace intersection.
- **Location:** The pipeline would start at Steckel Drive, extend east on Santa Barbara Street, across Fagan Barranca, then north on Seventh Street, then east on Pleasant Street, and finally to Tenth Street where it would connect to an existing 14-inch pipeline.
 - **Applicant:** City of Santa Paula
 - **Environmental:** An Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA). On the basis of the Initial Study, City staff concluded that, with the incorporation of mitigation measures, the project will not have a significant effect on the environment; and therefore, prepared and circulated a Draft Mitigated Negative Declaration.
 - **Staff Presentation:** John L. Ilasin, P.E., Capital Projects Engineer

RECOMMENDED ACTION: Staff recommends that the Planning Commission adopt Resolution No. 3742 recommending that the City Council certify the Mitigated Negative Declaration for the proposed Project.

ACTION: Chairman Ikerd moved to adopt Resolution No. 3742 recommending that the City Council certify the Mitigated Negative Declaration for the proposed Project. Commissioner Sommer seconded the motion. All were in favor and the motion carried.

ADJOURNMENT: 6:55 p.m.

NOTICE: Actions by the Planning Commission on the above items cannot be appealed to the City Council after 4:30 p.m. Friday, March 3, 2016. Be advised that if you bring a legal challenge to a Planning Commission decision, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the Planning Commission at or before the meeting.

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.B

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Ismael Cordero, Commander

Subject: Letter of Support for ACR # 142 Peter Aguirre, Jr. Memorial Highway

Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) Approve a request from Assemblyman Das Williams for a letter of support for Assembly Concurrent Resolution No. 142 relative to the Ventura County Sheriff Deputy Peter Aguirre, Jr. Memorial Highway; and (2) take such additional, related action that may be desirable.

Report by: Commander Ismael Cordero

Fiscal Impacts: There are no fiscal impacts associated with this action.

Personnel Impacts: There are no personnel impacts associated with this action.

General Discussion: On February 1, 2016, representatives of Assemblyman Das Williams requested a letter of support for Assembly Concurrent Resolution No. 142 ("ACR No. 142"). ACR No. 142 is an Assembly Resolution that would, if approved, designate a specified portion of State Highway Route 33 in the County of Ventura as the Ventura County Deputy Sheriff Peter Aguirre, Jr. Memorial Highway. The California Peace Officers' Memorial Fund is raising funds to cover the cost of the commemorative highway signs.

Deputy Peter Aguirre Jr., grew up in Santa Paula and was a Deputy for the Ventura County Sheriff's Department. On July 17, 1996, when Deputy Sheriff Peter Aguirre, Jr. was just 26 years old, he responded to a domestic violence call at a home in the Ojai Valley community of Meiners Oaks in Ventura County. As Deputy Aguirre approached the home, he was ambushed and shot. Deputy Aguirre died as a result of the injury. Deputy Aguirre is survived by his wife Dina and daughter Gabriella.

Attached is a draft letter that conveys the City of Santa Paula's support for ACR No. 142.

Alternatives:

For the City Council Regular Meeting of March 7, 2016**Agenda Item # 1.9.B**

1. Approve the request;
2. Deny the request.

Attachments:

ACR Peter Aguirre Jr. Resolution Sample Letter of Support



"Citrus Capital of the World"

City of Santa Paula

970 Ventura Street • Santa Paula, California • Mailing Address: P.O. Box 569 • 93061 • Phone: (805) 525-4478 • Fax: (805) 525-6278

March 7, 2016

The Honorable Das Williams
 Chair, Assembly Natural Resources Committee
 State Capitol, Room 4005
 Sacramento, CA 95814

Re: Assembly Concurrent Resolution No. 142 -- Relative to the Ventura County Deputy Sheriff Peter Aguirre, Jr. Memorial Highway.

Dear Assemblymember Williams:

I am pleased to inform you that the City of Santa Paula strongly supports Assembly Concurrent Resolution No. 142, which as you know designates a portion of State Route 33 in the County of Ventura in honor of fallen Ventura County Sheriff's Deputy, Peter Aguirre, Jr.

Peter was a Santa Paula native son who was passionate about his work despite the dangers that came with the job. Peter was a selfless public servant that worked tirelessly to keep his community safe.

Despite his short time as a law enforcement officer, Peter's fellow officers were impressed by his hard work and reliability. Peter's bravery for the sake of our community is truly remarkable. He put his life on the line to protect the safety of our families and our community.

We believe this naming resolution is an excellent way to honor the life of Peter Aguirre, Jr. Santa Paula strongly supports ACR No. 142.

If you have any questions, please contact Jaime M. Fontes, City Manager, at 805.933.4200.

Sincerely,

Martin F. Hernandez, Mayor
 City of Santa Paula

Attachment: ACR Peter Aguirre Jr. Resolution Sample Letter of Support (1087 : Letter of Support)

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.C

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Richard Araiza, Fire Chief
Richard Araiza, Fire Chief

Subject: Operations Agreement

Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) Approve the Regional Response Operations Agreement; (2) Authorize the Fire Chief to sign the Agreement; and (3) take such additional, related action as may be desirable.

Report by: Richard Araiza

Attachments:

Regional Response Agreement

EXHIBIT 1

January 2016
Ventura County Fire Services
Regional Emergency Response Operations Agreement

This Agreement is made on January 26, 2016, among the Ventura County Fire Protection District (VCFPD), a special district governed by its Board of Directors, and the City of San Buenaventura (Ventura), the City of Oxnard (Oxnard), the City of Fillmore (Fillmore), and the City of Santa Paula (Santa Paula), which are all municipal corporations within the state of California (each, individually, a “Party” and all, collectively, the “Parties”). Naval Base Ventura County, though not a party to this Agreement, has agreed to participate with the Parties under the provisions of a mutual-aid agreement.

WITNESSETH

Whereas, all Parties maintain equipment and personnel for mitigating emergency operations in areas within their respective jurisdictions through stabilizing the situation; and

Whereas, investigation has disclosed that it would be of mutual benefit to each Party in some circumstances if, mutually, the services of the fire department of one Party were extended extra-territorially to the aid of another Party; and

Whereas, it would be of mutual benefit to all Parties to standardize equipment needed to mitigate emergency operations to avoid unnecessary duplication; and

Whereas, it would be of mutual benefit to all Parties to standardize and coordinate the operations training of the members of each Party in accordance with applicable federal, state, and local laws and regulations; and

Whereas, pursuant to Section 55631 et seq. of the California Government Code, VCFPD, and the cities of Ventura, Oxnard, Fillmore, Santa Paula, along with the Naval Base Ventura County, desire to have the ability to extend to each other an emergency operations response within a specific extra-territorial area of one or more of them; and

Whereas, each Party is willing to provide emergency operations response within the territorial limits of the other Parties when requested; and

Therefore, VCFPD, Ventura, Oxnard, Fillmore, and Santa Paula agree, based on the mutual covenants and promises contained herein, as follows:

Attachment: Regional Response Agreement (1071 : Operations Agreement)

Ventura County Fire Services
 Regional Emergency Response Operations Agreement
 (VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
 Reference Date: January 26, 2016

1. DEFINITIONS

For the purpose of this Agreement, the following definitions shall apply:

Agency Representative – An officer of any of the Parties who can provide advice to an Incident Commander pertaining to the capabilities of the emergency response personnel.

Incident Commander – The Incident Commander will be from within the agency that has jurisdictional authority.

Special Emergency Response Operations (Special Operations) – Shall be defined as (1) Hazardous Materials Response, (2) Urban Search and Rescue Response (USAR), (3) Ocean Rescue Response, (4) Light and Air Response, (5) Support Company Response, and (6) Crash Rescue Response for petroleum-based fires and aircraft incidents.

Special Operations Committee – The standing committee authorized by this Agreement to provide ongoing advisory oversight of the provisions of this Agreement.

Special Operations Incident – An incident involving the release or potential release of one or more hazardous materials that threaten human health and/or the environment beyond the legal capabilities of first responders, or as described in the Operational Plan; a USAR incident involving rescue (extrication), structural stabilization, and initial medical treatment of victims trapped in confined spaces; an ocean water rescue incident involving victim(s) trapped in open waters or surf; an emergency incident involving the need for Light and Air Response; an emergency incident involving the need for Support Company Operations; or an operation requiring the response of a Crash Rescue vehicle to assist with petroleum fires and aircraft incidents.

Territorial Limits – The jurisdictional boundaries of the Parties participating in this Agreement.

2. OPERATIONAL PLAN

All Parties agree to implement an Operational Plan that provides detailed technical standards and procedures for emergency operations response

Ventura County Fire Services
 Regional Emergency Response Operations Agreement
 (VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
 Reference Date: January 26, 2016

functions and operations of each Party's response unit including, but not limited to, alarm levels for dispatching such units, communications among the fire departments of the various Parties, and common training and equipment. The Fire Chiefs of each Party are authorized to execute the Operational Plan. The Operational Plan is updated annually as needed and agreed to by all Fire Chiefs.

3. SPECIAL OPERATIONS RESPONSE – AUTOMATIC AID

The Parties agree to provide automatic aid to each other after receipt of a notification of any Special Operations within the Territorial Limits of any of the Parties to this Agreement as provided herein or as stated in the Operational Plan.

4. ALARM RESPONSE AND NOTIFICATION

The Parties agree to respond to an alarm within the Territorial Limits of this Agreement and respond with Special Operations apparatus and personnel as outlined in the Operational Plan. When a Special Operations response request is received by one Party, that Party, if available, will dispatch its unit(s) and notify the other Parties, who shall then dispatch their units, if available, as outlined in the Operational Plan. An alarm is a notification of response to one or more of the Parties to this Agreement.

5. STATUS OF AVAILABILITY

All Parties agree to notify each other's Communications Centers as to the status of the availability of Special Operations apparatuses.

6. COMMUNICATIONS

The dispatch center of the Party having territorial jurisdiction over the area in which the emergency occurs shall retain incident communications control and coordination responsibilities.

7. NON-PERFORMANCE

Each Party agrees to utilize its best efforts to provide equipment and personnel when notified by a Party having first-responder responsibility that such equipment and personnel are necessary. However, it is understood and agreed that no guarantee of Special Operations response is stated or implied by this Agreement.

Ventura County Fire Services
 Regional Emergency Response Operations Agreement
 (VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
 Reference Date: January 26, 2016

Each Party shall assist the others hereunder within the limits of such Party's initial action capabilities. Assistance rendered hereunder will be dependent at any particular time on the status of a Party's resources and any emergency conditions existing within the Party's own jurisdiction. If a Party is unable to provide support services because it is already assisting at another incident (regardless of the location of such incident), such Party shall not be required to respond under the terms of this Agreement until it has resources available to do so.

8. INCIDENT COMMANDER AT MULTI-UNIT INCIDENTS

- A. The fire department of the Party that has territorial jurisdiction over the incident shall designate an Incident Commander (IC) to direct all mitigation and containment activities.
- B. An assisting Party having first-responder responsibility shall assume command over the incident, if the assisting Party arrives before the first responder with territorial jurisdiction. When the jurisdictional department arrives, the assisting Party shall promptly complete a transfer of command to the jurisdictional department.
- C. If the incident is under command of an authority other than one or more of the Parties to this Agreement, an Agency Representative will be selected from among the officers of one of the Parties at the incident to coordinate activities under this Agreement.

9. INCIDENT REPORTS

Each Party shall be responsible for the transfer of information needed so that the Party having jurisdiction can complete the necessary fire department incident report(s) and the California Hazardous Materials Incident Response System (CHMIRS) report. Such information shall be transferred on the date of the incident. If the incident is completed after normal business hours, the CHMIRS information shall be transferred on the following business day.

10. TRAINING LEVELS AND STAFFING

It shall be the responsibility of the fire departments of the Parties to ensure that members of their respective departments demonstrate and maintain competency.

Ventura County Fire Services
 Regional Emergency Response Operations Agreement
 (VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
 Reference Date: January 26, 2016

11. RESPONSIBILITIES OF EACH PARTY – COSTS

- A. Each Party shall assume and bear its own costs of providing the other Parties with the emergency response authorized hereunder, it being understood that the mutual covenants of the respective Parties constitute the sole consideration for services performed hereunder.
- B. The costs assumed and to be borne by each Party are comprised of all costs to the Party arising out of its performance and administration of this Agreement, including but not limited to:
 - i. Salaries and benefits of personnel.
 - ii. Vehicle equipment expense: all depreciation, maintenance, repairs, replacement, fuel, lubrication, and insurance coverage.
 - iii. General liability and Workers' Compensation insurance or self-insurance coverage.
 - iv. Baseline medical monitoring of personnel.
- C. Utility charges incurred and assessed within a Party's area of jurisdiction will be the responsibility of that Party.
- D. Each Party will attempt to recover direct and indirect costs from potential responsible persons in such Party's jurisdiction for responding to incidents in accordance with applicable laws, or as described in the Operational Plan.
- E. This Section 11 shall not apply to fires or other emergency incidents caused by the negligence or willful misconduct of any other Party, its agents, contractors, or employees. For any such incidents, each responding Party shall be entitled to seek full recovery of its costs from the responsible Party as otherwise provided by applicable law.

12. INSURANCE

- A. Each Party shall provide and maintain insurance or self-insurance covering liability risks created by the performance of mutual-aid-assistance services pursuant to this Agreement.
- B. Each Party shall provide and maintain for the benefit of its employees Workers' Compensation insurance or Workers' Compensation self-insurance as required by the laws of the state of California.

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 Regional Emergency Response Operations Agreement
 (VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
 Reference Date: January 26, 2016

13. ADMINISTRATION AND INTERPRETATION OF AGREEMENT

- A. The Fire Chiefs of each Party, or their designees, shall implement this Agreement and ensure that its requirements are properly carried out. The Fire Chiefs by mutual agreement may modify any term or portion of this Agreement or the Operational Plan, provided such modification would not be in violation of existing federal, state, or local laws and regulations. All modifications shall be in writing and incorporated into the Agreement as an attachment or addendum.
- B. For the purpose of determining continued participation, the provisions of this Agreement and the Parties' experience hereunder shall be evaluated annually by the Fire Chiefs of the Parties. Such review shall occur prior to April 1 of each calendar year to allow each Party to meet any fiscal year planning needs that may arise under this Agreement.
- C. A Special Operations Committee having members from each of the Parties shall be established to advise the Fire Chiefs concerning matters related to the provision of the terms of this Agreement in mitigating and containing emergencies. This advisory role shall include, but not be limited to, the adoption of technical criteria and procedures for the operation of Special Operations units, training of personnel, and maintenance of equipment. Each member of the committee shall be, at all times, an officer or employee of the Party represented. The committee shall meet on a quarterly basis, at a minimum, and more frequently if necessary.
- D. This Agreement shall not be interpreted to relieve any Party from any necessity or obligation of furnishing adequate fire, rescue, or jurisdictional specific hazardous-materials services within any part of its jurisdictional limits.
- E. By entering this Agreement, each Party represents to the others that it has sufficient equipment and apparatus to perform its covenants hereunder.

14. WAIVER OF CLAIMS

Except as provided in Sections 11 and 15, the Parties to this Agreement waive all claims against each other for compensation for any loss, damage, personal injury, or death occurring in consequence of the performance of automatic-aid

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 (VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
 Reference Date: January 26, 2016

assistance under this Agreement. Further, it is understood and agreed that no Party to this Agreement shall be liable to third persons for the acts of another Party's agents, employees, and servants in the course of rendering automatic-aid assistance as described in Section 3.

15. **INDEMNIFICATION AND HOLD-HARMLESS AGREEMENT**

Each Party to this Agreement agrees to indemnify, hold harmless, and defend every other Party, including the officers, agents and members of each other's fire department, from all liability, damages, including personal injury, death at any time, or property damage, costs and financial loss, including all costs and expense of litigation, for the sole wrongful or negligent acts or omissions of the indemnifying Party's officers, agents, or fire department members in the performance of any services described in this Agreement that allegedly caused such liability, damage, costs, and financial loss to any third party. If the injury, death, or loss that forms the basis of any claim, suit, or judgment by a third party is determined to have been caused by the combined negligent or willful acts or omissions of more than one Party in the performance of any services described in this Agreement, then each such Party agrees to bear its respective share of the payment of any award or judgment in favor of such third party, but each Party shall bear its own costs of defense, including attorney's fees.

16. **TERM**

This Agreement shall become effective on the date when the last Party signs, and shall remain in full force and effect unless and until it is modified or terminated in writing, in accordance with the terms of this Agreement. This Agreement may be modified or terminated at any time by written agreement by a majority of the Parties to the Agreement, effective ninety (90) days after notice to all Parties. Modifications agreed to by the majority will be placed in a written amendment to the Agreement that shall be circulated to all Parties.

17. **WITHDRAWAL OF A PARTY**

Any Party may withdraw from this Agreement prior to the termination of this Agreement upon giving ninety (90) calendar days' prior written notice to the other Parties. The withdrawing Party's rights and duties shall terminate as of the date of withdrawal.

Any notice required hereunder shall be perfected if it is served, personally or by certified mail, upon the Fire Chief of the Party to be served. Any notice by mail

Ventura County Fire Services
Regional Emergency Response Operations Agreement
(VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
Reference Date: January 26, 2016

shall be deemed given upon deposit in the United States mail, certified, return-receipt requested.

18. PRIOR AGREEMENTS

This Agreement supersedes portions of any other automatic-aid agreements with respect to any Special Operations Incident.

This Agreement has been approved by the following entities:

(SIGNATURES ON NEXT PAGE.)

Ventura County Fire Services
Regional Emergency Response Operations Agreement
(VCFPD, Ventura, Oxnard, Fillmore, Santa Paula & Naval Base)
Reference Date: January 26, 2016

Mark Lorenzen, Fire Chief
Ventura County Fire Protection District

Date

David Endaya, Fire Chief
City of San Buenaventura

Date

Bryan Brice, Fire Chief
City of Oxnard

Date

Bill Herrera, Interim Fire Chief
City of Fillmore

Date

Richard C. Araiza, Fire Chief
City of Santa Paula

Date

Naval Base Ventura County:

The federal naval base will participate under the provisions of an existing mutual-aid agreement with the Fire District dated February 19, 1993.

Attachment: Regional Response Agreement (1071 : Operations Agreement)

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.D

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: John Ilasin, Capital Projects Engineer

Subject: Authorize the Filing of a Notice of Completion for the Fuchsia Tank Water Main Connection Project

Date: March 7, 2016

Recommendation: It is recommended that the City Council: 1) Accept the work performed by Toro Enterprises, Inc.; 2) Authorize City staff to file the Notice of Completion with the County Recorder; 3) Allocate \$29,379.94 from the approved FY15/16 Capital Improvement Program budget for Water Main Replacement Program Account 620.5.9108.660 to close the project; and 4) Take such additional action that may be desired.

Report by: Brian J. Yanez, Interim Public Works Director
John L. Ilasin, Capital Projects Engineer

Fiscal Impacts: The allocation of \$29,379.94 will be funded from the Water Main Replacement Program Account 620.5.9108.660 (Water Bond Proceeds). The process of filing the Notice of Completion has no fiscal impact on the City.

Personnel Impacts: There are no personnel impacts associated with this item.

General Discussion: On August 17, 2015, the City Council awarded the Fuchsia Tank Water Main Connection Project to Toro Enterprises, Inc., in an amount of \$474,616.00, and allocated \$522,078.00 from the Water Main Replacement Program Account 620.5.9108.660 for the Project budget. City staff issued the Notice of Award on August 19, 2015, and authorized the Notice to Proceed with the Project on October 26, 2015.

The Project involved installing City-standard polyvinyl chloride (PVC) water main piping that connects to Fuchsia Tank, relocating existing portions of water main improvements from the private properties of the Vista Pointe and the Monte Vista 8 subdivisions into the City right of way, and rehabilitating the pavement on E. Monte Vista Drive.

During construction, extra work beyond the contract was determined necessary by the Capital Projects Engineer and approved by the Interim Public Works Director to correct

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.D

or work around existing site conditions. The following contract change orders (CCO) describe the various extra work performed by the Contractor:

CCO No.	Description	Reason for Change	Amount
1	This contract change order provides for eliminating work for pipe joint restraints.	The reason for change is to eliminate pipe joint restraints as directed by the engineer-of-record.	(\$1,610.00)
2	This contract change order provides for extension to the Contract Time. The Contract Time is adjusted to 5 working days or not later than December 16, 2015.	The reason for extension of time is that the Contractor encountered subsurface rocky conditions within E. Monte Vista Drive and required mobilization of special trenching equipment to remove such conditions within the new water main trench. This delayed the Contractor's progress and affected its critical path of the work.	\$0.00
3	In accordance with Section 3-2.5, "Eliminated Items," of the Standard Specifications, this contract change order provides for the adjustment in final pay item due to the elimination of Bid Item No. 6, "Cold Planning."	The adjustment in final pay item for Bid Item No. 6 shall be zero dollars (\$0) and a credit.	(\$9,947.00)
	This contract change order provides for extra work to pulverize, grade, and compact the existing asphalt concrete pavement and a portion of the granular base material to 6" maximum depth pursuant the Contractor's proposal dated December 1, 2015.	The reason for change is that the existing asphalt concrete pavement is less than 2" thick, which does not conform to either City standards or industry-accepted construction standards including pavement structural section inconsistency and major material deterioration that were not expected or foreseen for the original project plans. The original project plans specified cold planning 1" thick of the existing asphalt concrete pavement and placing new 1-1/2" thick asphalt concrete pavement overlay.	\$11,900.00
	This contract change order will add 120 tons of asphalt concrete overlay to Bid Item No. 5 quantity of 120 tons for a modified quantity of 240 tons and shall be paid for at the Contract Unit Price of \$124.00 per ton.	The reason for change is to place new 3" thick asphalt concrete pavement for the roadway within E. Monte Vista Drive.	\$14,880.00
	This contract change order provides for extension to the Contract Time. The Contract Time is adjusted to 3 working days or not later than December 21, 2015.	The reason for extension of time is to allow time for the extra work.	\$0.00
4	This contract change order provides for extra work to flush, chlorinate, test, and dechlorinate the existing Line "E" water main on Tenth Street pursuant to the Contractor's proposal dated December 3, 2015.	The reason for this change is to properly treat Line "E" prior to connecting with the new water main for the project. Line "E" was constructed at the time of the adjacent development and remained inactive since 2008.	\$6,727.00
	This contract change order provides for extension to the Contract Time. The Contract Time is adjusted to 5 working days or not later than December 29, 2015.	The reason for extension of time is to allow time for the extra work.	\$0.00
5	This contract change order provides for extra work to install two (2) 18" precast risers for the excess flow valve vault that was installed to the existing Line "G" pursuant to the Contractor's proposal dated December 23, 2015.	The reason for the change is that the existing Line "G" was 2' deeper that was not expected or foreseen for the original project plans. The risers were necessary to ensure the vault lid had sufficient clearance above the adjacent grade.	\$2,284.59
6	This contract change order provides for extra work to pothole for the positive location of the existing water main facilities within W. Monte Vista Drive at the Tenth Street intersection pursuant to the field directive dated November 12, 2015.	The reason for change is because the initial potholing performed by the Contractor found no existing water main facilities at the locations as shown on Detail "C" on Plan Sheet 4.	\$624.54
	This contract change order also provides for the compensation of idle time of equipment and idle time of workers during the Engineer's field determination process for realignment of the new water main pursuant to the field directive dated	The reason for change is to install the new water main at Station 01+50 to the required health separation from an existing sanitary sewer facility that was not expected or foreseen for the original project plans.	\$2,258.78

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.D

	November 19, 2015.		
	This contract change order provides for increasing the quantity for the work involved in Bid Item No. 7, "8" PVC Pipe Water Main (Class 200), Complete in Place."	The reason for change is that the point of connection to the existing 8" water main at Station 0+61.34 was relocated to a point 88' south of said station to avoid conflict with existing storm drainage and landscape improvements.	\$19,706.00
	This contract change order provides for extension to the Contract Time. The Contract Time is adjusted to 2 working days or not later than December 29, 2015.	The reason for extension of time is to allow time for the extra work.	\$0.00
7	This contract change order provides for changing the City standard-access flow water valve product model, Cla-Val Model No. 85.02, to Cla-Val Model No. 50-07 pursuant to field directive dated December 2, 2015.	The reason for change was a City Water Division-initiated change as recommended by the manufacturer to meet the water system needs.	\$0.00
	This contract change order provides for changing the SCADA communication conduit size from 4" to 2" nominal size.	The reason for change is because the proposed 4" conduit as shown on the plans for connection of the access flow water valve to Fuchsia Tank was oversized for the application.	(\$121.60)
	This contract change order provides for extension to the Contract Time. The Contract Time is adjusted to 5 working days or not later than January 8, 2016.	The reason for extension of time is to allow time for the work.	\$0.00
8	This contract change order provides for extra work to field realign the design of the segment between Station 08+61 and Station 10+00 for the new 10" water main pursuant to a field directive dated December 1, 2015.	The reason for change is to avoid conflict with an existing gas main facility.	\$14,880.05
	This contract change order provides for increasing the quantity for the work involved in Bid Item No. 8, "10" PVC Pipe Water Main (Class 200), Complete in Place." This contract change order will add 5 linear feet to the bid quantity of 682 linear feet for a modified quantity of 687 linear feet and shall be paid for at the Contract Unit Price of \$172.00 per linear foot.	The reason for change is to increase the pipeline length due to the extra work to field realign the design of the segment between Station 10+00 and Station 08+61 for the new 10" water main.	\$860.00
	This contract change order provides for extension to the Contract Time. The Contract Time is adjusted to 3 working days or not later than January 11, 2016.	The reason for extension of time is to allow time for the extra work.	\$0.00
9	This contract change order provides for extra work to remove 1-each concrete thrust block at the end of the existing Line "E" water main on Tenth Street pursuant to a field directive dated December 17, 2015.	The reason for change is to remove a non-City standard concrete thrust block.	\$1,093.15
10	This contract change order provides for extra work to export material that resulted from pulverizing, grading, and compacting the existing asphalt concrete pavement and a portion of the granular base material within E. Monte Vista Drive pursuant to a field directive dated December 17, 2015.	The reason for change is because excess material resulting from the above items of work prevented the establishment of the desired grades for the new 3" thick asphalt concrete pavement.	\$2,549.31
	This contract change order also provides for increasing the quantity for the work involved in Bid Item No. 5, "Asphalt Concrete Pavement Resurfacing." This contract change order will add 28.28 tons to the bid quantity of 240 tons for a modified quantity of 268.28 tons and shall be paid for at the Contract Unit Price of \$124.00 per ton.	The reason for change is to complete the new 3" thick asphalt concrete pavement.	\$3,506.72
11	This contract change order provides for increasing the quantity for the work performed under Bid Item No. 19, "Fire Hydrant Assembly."	The reason for change is to provide a second hydrant on E. Monte Vista Drive for conformance with current City Standards.	\$7,250.00

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.D

Total Contract Change Orders	\$76,841.54
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The following table summarizes the total cost of construction:

Total Construction Cost		
a.	Allocated Project Budget	\$ 522,077.60
b.	Original Contract Price	\$ 474,616.00
c.	Contract Change Orders	\$ 76,841.54
d.	Adjusted Contract Price	\$ 551,457.54
e.	Allocated Project Budget Increase	\$ 29,379.94
f.	Percent (%) Allocated Project Budget Increase	5.6

City staff recommends allocating an additional \$29,379.94 to complete the construction. The Project was constructed in accordance with the contract documents.

Alternatives:

- A. Approve City staff's recommendation as presented.
- B. Deny City staff's recommendation as presented.
- C. Provide staff with additional direction.

Attachments: Notice of Completion

Attachments:

20160307_Notice of Completion Form_Fuchsia Tank Water Main Connection Proj

Recording Requested by
and When Recorded Mail To:
City Clerk, City Hall
P. O. Box 569
Santa Paula, CA 93061

NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Fuchsia Tank Water Main Connection Project
Project No.: 589

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an agent of the owner of the interest stated below in the property hereinafter described.
2. The full name of the owner is: City of Santa Paula.
3. The full address of the owner is: City Hall, 970 Ventura Street, Santa Paula, CA 93060.
4. The nature of the interest of the owner is: Public utility facility (water main and appurtenances).
5. A Work of improvement on the property hereinafter described was field reviewed by the Engineer in January 29, 2016. The Work done was: Fuchsia Tank Water Main Connection Project.
6. On March 7, 2016, the City of Santa Paula accepted the Work on of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
7. The name of the Contractor for such Work of improvement was: Toro Enterprises, Inc.
8. The property on which said Work of improvement was completed is in the City of Santa Paula, County of Ventura, State of California, and is described as follows: Tenth Street and E. Monte Vista Drive, Santa Paula, CA 93060.
9. The street address of said property is: Tenth Street and E. Monte Vista Drive, Santa Paula, CA 93060.

Dated: _____
Brian J. Yanez
Interim Public Works Director

VERIFICATION

I, the undersigned, say: I am the Interim Public Works Director of the City of Santa Paula, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on _____, 2016 at Santa Paula, California.

Brian J. Yanez
Interim Public Works Director

Attachment: 20160307_Notice of Completion Form_Fuchsia Tank Water Main Connection Proj (1072 : Notice of Completion for the Fuchsia

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.E

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council
From: Jaime Fontes, City Manager
Subject: Request for Approval for Out-Of-State Training
Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) Approve the attendance by Officers Allen Macias and Daniel Gosselin at the 2016 Police K-9 Magazine Conference in Las Vegas, Nevada on March 9 – 10, 2016; and (2); take such additional related action that may be desirable.

Report by: Commander Ismael Cordero

Fiscal Impacts: Funds associated with this conference have been secured through the Santa Paula Police and Fire Foundation, which will cover lodging, travel, tuition and per diem. Both officers will be on regular duty time with no other costs to be incurred.

Personnel Impacts: None.

General Discussion: In 2015, the City retired to police K-9 dogs due to their years of service. Over the past year, the City of Santa Paula Police Department acquired two new police K-9 dogs to replace these retired K-9 dogs. The Santa Paula Police and Fire Foundation have been financially responsible for the costs of each dog and initial training of each dog and handler. This has been partially done through donations and the yearly Spaghetti K-9 Dinner fund raiser.

Since the dogs have just been put in service, training of the dog and handler is an essential and continuous part of the K-9 program. Each dog and handler must have a certain number of training hours and certifications prior to being deployed. The annual K-9 Magazine Conference offers a variety of training to include; tactical emergency operations, advanced K-9 tactics, decoy and bite work, update legal issues, and preparing your dog for deployment are amongst the many training blocks being offered. These training courses provide invaluable training for our K-9 handlers.

Alternatives:

For the City Council Regular Meeting of March 7, 2016**Agenda Item # 1.9.E**

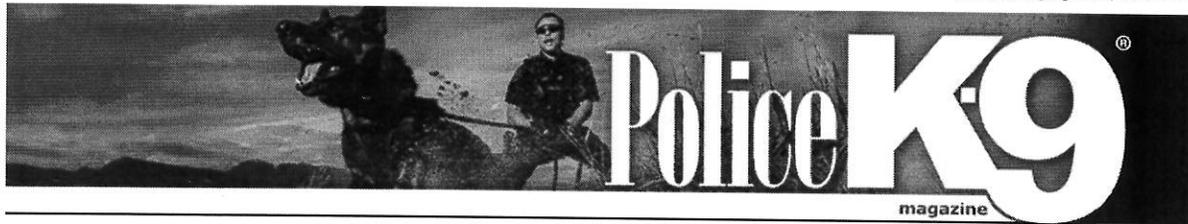
1. Authorize Officers Allen Macias and Daniel Gosselin attendance at this conference / training;
2. Provide further direction to City staff.

Attachments:

K-9 Conference 2016

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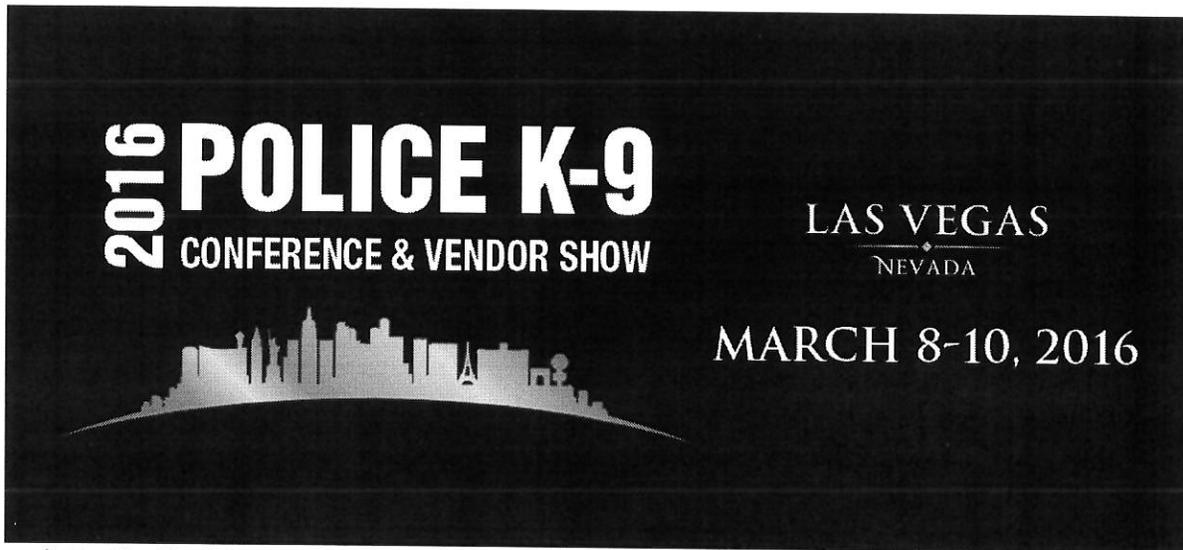
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2016 Police K-9 Conference & Vendor Show – Welcome



<http://policek9magazine.com/wp-content/uploads/2015/10/PK9ConferenceSlider.jpg>

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Attachment: K-9 Conference 2016 (1073 : Request for Approval for Out of State Training)

Police K-9 Conference Class Schedule

WEDNESDAY, MARCH 9TH

	Classroom A	Classroom B	Classroom E	Classroom F/G	Classroom 6
8:00 - 10:00 AM	<input type="checkbox"/> The NePoPo® Training System Bart Bellon	<input type="checkbox"/> K-9 Tactical Emergency Casualty Care: Answering Common Concerns and Tactical Trauma Care for Operational K-9s Dr. Lee Palmer & Jo-Anne Brenner	<input type="checkbox"/> Decoy and Bitework Franco Angelini	<input type="checkbox"/> Service Dog Procurement from 1970 into the 21st Century Dave Reaver	<input type="checkbox"/> Boost Your K-9 Athlete's Performance: K-9 Healthcare from Kennel Environment to Nutrition Jill Cline, PhD & Rick Kesler, DVM
10:00-10:15 AM – BREAK					
Food & beverages in the Vendor Hall - Sponsored by our BRONZE Sponsor, K-9 BSD					
10:15 AM- 12:15 PM	<input type="checkbox"/> Imprinting Scent Specific Tracking Dogs Jeff Schettler	<input type="checkbox"/> K-9 Tactical Emergency Casualty Care: Answering Common Concerns and Tactical Trauma Care for Operational K-9s Dr. Lee Palmer & Jo-Anne Brenner	<input type="checkbox"/> Advanced K-9 Tactics Integration Course Romeo Ingresso & Ernest Wolosewicz	<input type="checkbox"/> Detector Dog Selection Ken Pavlick	<input type="checkbox"/> Can You Recognize a Homemade Explosive (HME) Lab? Dr. Julie Wilkerson & Claire Rayburn
12:15-1:15 PM – LUNCH					
Everyone will be on their own for lunch, but there are four fabulous dining options to choose from inside the gorgeous Tuscany Suites!					
1:15- 3:15 PM	<input type="checkbox"/> E-Collar: Off Leash Control and Canine Problem Solving Doug Roller	<input type="checkbox"/> Scent Detection Paul Shaughnessy	<input type="checkbox"/> Preparing Your K-9 for Combat Scott Clark	<input type="checkbox"/> Reality Based Detection Training Rodney Spicer	<input type="checkbox"/> Introduction to Improvised Explosive Formulations Ryan Morris
3:15-3:30 PM – BREAK					
Food & beverages in the Vendor Hall - Sponsored by our BRONZE Sponsor, K-9 BSD					
3:30- 5:30 PM	<input type="checkbox"/> Detector Dog Behavior Ken Licklider	<input type="checkbox"/> Training to a Tactical Level Bret Titus	<input type="checkbox"/> Tactical Obedience Training Methods Jerry Bradshaw & Sean Siggins	<input type="checkbox"/> Officer Involved Shootings Danny King	<input type="checkbox"/> Unraveling Misunderstandings and Misconceptions about Scent Training Aids David Adebimpe, DSc, PhD, CChem
HOSPITALITY NIGHT 5:30-8:00 PM					
Sponsored by our GOLD Sponsor, Elite K-9					

Police K-9 Conference Class Schedule

THURSDAY, MARCH 10TH

	<u>Classroom A</u>	<u>Classroom B</u>	<u>Classroom E</u>	<u>Classroom F/G</u>	<u>Classroom 6</u>
8:00 - 10:00 AM	<input type="checkbox"/> The NePoPo® Training System Bart Bellon	<input type="checkbox"/> K-9 Healthwatch: Reading Your K-9 and Temperature Control Dr. Alexis Newman	<input type="checkbox"/> Decoy and Bitework Franco Angelini	<input type="checkbox"/> The Future of Detection Dog Training Jason Purgason	<input type="checkbox"/> Boost Your K-9 Athlete's Performance: K-9 Healthcare From Kennel Environment to K-9 Nutrition Jill Cline, PhD & Rick Kestler, DVM
10:00-10:15 AM – BREAK					
Food & beverages in the Vendor Hall - Sponsored by our BRONZE Sponsor, K-9 BSD					
10:15 AM- 12:15 PM	<input type="checkbox"/> Tactical Tracking: The Four Stages of the Proximity Alert - Learn Them and Live! Jeff Schettler	<input type="checkbox"/> K-9 Legal: Session 1 John M. Peters, Attorney at Law	<input type="checkbox"/> Tactical Apprehension for the Canine Handler Romeo Ingreso & Ernest Wolosewicz	<input type="checkbox"/> Perimeters and K-9 Search Team Tactics Mike Goosby	<input type="checkbox"/> Developing a Reliable Out Mark Haywood
12:15-1:15 PM – LUNCH					
Everyone will be on their own for lunch, but there are four fabulous dining options to choose from inside the gorgeous Tuscany Suites!					
1:15- 3:15 PM	<input type="checkbox"/> E-Collar: Off Leash Control and Canine Problem Solving Doug Roller	<input type="checkbox"/> K-9 Legal: Session 2 John M. Peters, Attorney at Law	<input type="checkbox"/> Preparing Your K-9 for Combat Scott Clark	<input type="checkbox"/> K-9 Stress Inoculation Prior to Deployments Rodney Spicer	<input type="checkbox"/> Bomb Technician Awareness Ryan Morris
3:15-3:30 PM – BREAK					
Food & beverages in the Vendor Hall - Sponsored by our BRONZE Sponsor, K-9 BSD					
3:30- 5:30 PM	<input type="checkbox"/> Detector Dog Behavior Ken Licklider	<input type="checkbox"/> High Risk K-9 Patrol Operations and K-9 SWAT Deployment – S.K.I.D.D.S./CATS Brad Smith	<input type="checkbox"/> Transferring Bite Training to the Reality of the Street Steve Sprouse	<input type="checkbox"/> Officer Involved Shootings Danny King	<input type="checkbox"/> Unraveling Misunderstandings and Misconceptions about Scent Training Aids David Adebimpe, DSc, PhD, CChem
RAFFLE NIGHT 5:30-8:00 PM					
Sponsored by our PLATINUM Sponsor, Metro Dade K-9 Services					

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.F

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council
From: Richard Araiza, Fire Chief
Subject: Request for Approval for Out of State Travel for Training
Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) Approve Assistant Fire Chief Keith Gurrola's out-of-state travel to Clark County, Nevada for educational purposes; and (2) take such additional, related action as may be desirable.

Report by: Fire Chief Richard Araiza

Fiscal Impacts: Costs associated with this meeting will be limited to the use of a City Vehicle for travel to the hotel, the meeting and the return trip. No other costs are being requested for this travel.

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.G

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Brian Yanez, Interim Public Works Director
John Ilasin, Capital Projects Engineer

Subject: Approval of a Professional Services Agreement with Leach Mounce Architects for the Corporation Yard Feasibility Study

Date: March 7, 2016

Recommendation: It is recommended that the City Council: 1) Authorize the City Manager to execute a Professional Services Agreement with Leach Mounce Architects for a consulting feasibility study services in the amount of \$95,636.00 in a form approved by the City Attorney; (2) Allocate additional funding from General Government Facilities fund balance and water fund balance; and (3) Take such additional, related action that may be desirable.

Report by: Brian J. Yanez, Interim Public Works Director
John L. Ilasin, Capital Projects Engineer

Fiscal Impacts: The Corporation Yard Feasibility Study proposal cost is \$95,636.00 and will be funded from the following accounts:

State Gas Tax – FY 2015/2016 280.5.9314.290	\$27,097.00
Develop Impact Fees – General Government Facilities –Allocation Needed 225.5.9314.290	\$27,097.00
Water Enterprise Funds – Allocation Needed 620.5.9314.290	\$14,345.00
Sewer Enterprise Funds – FY 2015/2016 610.5.9314.290	\$27,097.00

Personnel Impacts: None

General Discussion: The City currently operates an existing corporation yard located at 903 Corporation Street, Santa Paula, CA. The corporation yard is situated on an approximately 1.51-acre industrially-zoned parcel. The corporation yard serves as a vehicle and equipment maintenance facility and a construction material and supply

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.G

storage facility. Currently, Streets Maintenance, Fleet Maintenance and Buildings and Grounds personnel occupy the corporation yard. The Yard also serves as an administrative office.

The existing corporation yard does not meet the needs for size, efficiency, and future expansion. While improvements to the corporation yard have been contemplated for the last three years, funding for the project has not existed until Fiscal Year 2015/2016.

In order to satisfy the needs of the several divisions currently utilizing the corporation yard, City staff determined that a feasibility study to analyze options prior to design would be prudent, including:

1. Improvements to the existing corporation yard's security, storage, buildings, offices, and utility infrastructure;
2. Construction of a new facility on Assessor Parcel Number 099-0-080-305, a vacant 4.71 acre City-owned parcel located immediately adjacent to the City Water Recycling Facility, that would accommodate all field staff from Public Works and Community Services Departments' existing operations and future expansion; and
3. A "no-build" scenario.

The purpose of the feasibility study is to provide a cost-benefit analysis for an informed decision making on investment, to frame appropriate objectives, to develop before-and-after measures of success, to prepare estimates of the resources required, and to form the basis of design.

On December 4, 2015, staff issued a formal request for proposal (RFP) to provide consulting feasibility study services. The services requested involved the studying of the technical, financial, operational, and schedule feasibilities for the three scenarios set forth above. On January 14, 2016, staff received three proposals from the following architectural firms:

1. Anderson Kulwiec Appleby (Santa Paula, CA)
2. Lauterbach & Associates (Oxnard, CA)
3. Leach Mounce Architects (Ventura, CA)

A City staff evaluation committee conducted an evaluation process that included a qualifications-based selection (QBS) process. The QBS process is an evaluation of the consultant based on the following essential criteria:

1. Project Manager's qualifications and ability to perform the work as outlined above based on information provided by the Consultant and client references.
2. Consultant's key personnel and subconsultant's qualifications, knowledge of local conditions and ability to perform the work as outlined in the request for proposal, based on information provided by Consultant.
3. Consultant's responsiveness and availability to City staff, and the ability of the Consultant's key personnel to effectively and efficiently complete a project.

For the City Council Regular Meeting of March 7, 2016**Agenda Item # 1.9.G**

4. The Consultant's understanding of the City's needs as demonstrated by its approach, the proposal's responsiveness to the RFP and project needs, and its demonstrated ability to meet the schedule.

5. Based on client references, the Consultant's performance on similar projects. On February 8, 2016, the evaluation committee conducted interviews of each firm. On February 18, 2016, the evaluation committee assigned the highest overall rating to Leach Mounce Architects. Staff requested a separate fee proposal from Leach Mounce Architects for negotiation. Staff received a fee proposal (dated February 23, 2016) and concluded that the fee is fair compensation for the requested services.

Alternatives:

- A. Approve City staff's recommendation.
- B. Deny City staff's recommendation.
- C. Provide City staff with additional direction.

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.9.H

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council
From: Brian Yanez, Interim Public Works Director
Subject: Approval of Traffic Safety Committee Action Items
Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) Adopt Resolution No. 6967 to implement the Traffic Safety Committee's November 17, 2015 Recommended Actions; and (2) take such additional, related action that may be desirable.

Report by: Brian J. Yanez, Interim Public Works Director

Fiscal Impacts: The Streets Maintenance Budget is primarily funded by State Gas Tax. The estimated cost for the signs and installation is \$250.00 and will be funded from the Streets Maintenance Budget account 280.5.5022.123.

Personnel Impacts: If approved, Streets Division Personnel will install four 2-hour parking signs on the north side of Santa Barbara Street from 10th Street to Mill Street.

General Discussion: The City of Santa Paula established a Traffic Safety Committee (TSC) as an advisory body to the City Council. The committee consists of staff representatives from Public Works, Police Department and the Fire Department. The TSC meets bi-monthly on the third Tuesday of the month and the meetings are publicly noticed. The meetings provide an opportunity for the community to voice their support for or concerns about various traffic issues in Santa Paula.

On November 17, 2015, the TSC met to discuss various issues regarding parking and traffic. After the discussion, the TSC provided the following recommendation for Consideration:

- Install approximately four (4) 2-hour Parking Signs, from the hours of 9:00 am to 6:00 pm on the north side of Santa Barbara Street, and from 10th Street to Mill Street.

The request for the above action item was submitted by the Santa Paula Chamber of Commerce. The request stems from the Chamber's desire to prevent long-term parking

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and, in turn, provide more access to existing businesses in the Central Business District near the Train Depot. The request involves the installation of 2-hour Parking Signs in front of the Train Depot from 9:00 am to 6:00 pm on the north side of Santa Barbara Street from 10th Street to Mill Street. The installation of 2-hour Parking Signs is consistent with our 2-hour Parking Zones in other areas of the Central Business District. The Central Business District ranges from 7th Street to 11th Street and from Ventura Street to Santa Barbara Street. The Train Depot is within the Central Business District.

Staff requests approval of Resolution No. 6967, approving the TSC recommendation and authorizing the Public Works Director, or its designee, for implementation.

Alternatives:

- A. Approve staff's recommendation as presented.
- B. Deny staff's recommendation as presented.
- C. Provide staff with additional information.

Attachments:

Resolution No 6967

RESOLUTION NO. 6902

**A RESOLUTION IMPLEMENTING TRAFFIC SAFETY COMMITTEE
RECOMMENDATIONS**

The City Council of the City of Santa Paula does resolve as follows:

SECTION 1: Pursuant to Vehicle Code § 21351 and Santa Paula Municipal Code (“SPMC”) § 70.35, the City Council approves the Traffic Safety Committee recommendations and authorizes the Interim Public Works Director, or its designee, to implement such recommendations as follows:

- A. Install four (4) 2-hour Parking Signs, from the hours of 9:00 am to 6:00 pm on the north side of Santa Barbara Street, and from 10th Street to Mill Street.
- B. Review and oversee the implementation of the signage set forth in Subsection A, above.

SECTION 2: The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to traffic control devices.

SECTION 3: This Resolution may be enforced pursuant to any applicable law including, without limitation, the SPMC, after the area designated above is properly posted with signs.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City’s original resolutions; and make a minute of the adoption of the Resolution in the City Council’s records and the minutes of this meeting.

SECTION 5: This resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

Attachment: Resolution No 6967 (1076 : Approval of Traffic Safety Committee Action Items)

PASSED AND ADOPTED this 7th day of March 2016

Martin F. Hernandez, Mayor

ATTEST:

Judy Rice, City Clerk

APPROVED AS TO FORM:

John C. Cotti, City Attorney

APPROVED AS TO CONTENT:

Jaime M. Fontes, City Manager

Attachment: Resolution No 6967 (1076 : Approval of Traffic Safety Committee Action Items)

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.10.B

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council
From: Sandra Easley, Finance Director
Subject: Adoption of Wastewater Revenue Rebate Policy
Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) Adopt Resolution No. 6968 establishing a Wastewater Revenue Rebate Policy; and (2) take such additional, related action that may be desired.

Report by: Sandra K. Easley, Finance Director

Fiscal Impacts: Rebates will be determined on a quarterly basis. Currently the City has approximately 6,600 wastewater accounts.

Personnel Impacts: Minimal staff time to calculate bond coverage and process rebate amounts.

General Discussion: On February 1, 2016, the Council received a presentation by the City's Financial Advisor, Terry Maas, regarding the Wastewater Revenue Rebate Program, its methodology, and the mechanics of how the program would work. At the conclusion of the meeting, the Council directed City staff to develop for Council approval a written policy as to how the rebates would be calculated and who would be eligible under the rebate program. The proposed policy is attached. This policy, if approved, would take effect April 1, 2016. The rebates will show on the customer's bill they would receive in May.

Alternatives:

- A. Adopt Resolution No. 6968 establishing a Wastewater Revenue Rebate Policy;
- B. Refer the matter back to staff for additional review and/or revision.

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.10.B

Attachments:

Wastewater Rebate Resolution

WW Revenue Rebate Policy

RESOLUTION NO. 6968

A RESOLUTION OF THE CITY OF SANTA PAULA CITY COUNCIL ADOPTING THE WASTEWATER REVENUE REBATE POLICY

The City Council of the City of Santa Paula resolves as follows:

SECTION 1: The City Council finds and declares as follows:

- A. On February 1, 2016 the City Council was presented a proposal to establish a Wastewater Revenue Rebate for applicable utility customers on a quarterly basis;
- B. Pursuant to Santa Paula Municipal Code Section Chapter § 51 et seq. a proposed Wastewater Revenue Rebate Policy shall be established under Subchapter Utility Sewer Services; and
- C. In furtherance of this authority, the Finance Director was required to establish procedures governing the rebate procedure, including calculating said rebate as well as customer eligibility;
- D. The City Council considered the information provided by City staff and any public testimony. This Resolution, and its findings, is made based upon the evidence presented to the City Council at its meeting of February 1, 2016, including without limitation, the staff report submitted by the Finance Department.

SECTION 2: The City Council adopts a Wastewater Revenue Rebate Policy, attached as Exhibit "A", which is incorporated by reference that establishes the policy and requirements for wastewater customers and City Staff.

SECTION 3: This resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 7th day of March 2016.

Martin F. Hernandez,
Mayor

ATTEST:

Judy Rice,
City Clerk

APPROVED AS TO FORM:

John C. Cotti,
City Attorney

APPROVED AS TO CONTENT:

Jaime M. Fontes,
City Manager

Attachment: Wastewater Rebate Resolution (1084 : Wastewater Revenue Rebate Policy)

CITY OF SANTA PAULA
FINANCE POLICIES AND PROCEDURES

APP NO.:

WASTEWATER REVENUE REBATE POLICY

I. PURPOSE

The purpose of this Wastewater Revenue Rebate Policy (the “Policy”) is to provide guidance to the Ad Hoc Utility Committee and City Staff regarding periodic rebates to wastewater customers’ Base Rate Billing generated from any excess funds or revenues from the Wastewater Rate Base. Such rebates will occur only after taking into account cash needs for capital improvements, a defined (herein) Debt Service Coverage Requirement or any extraordinary circumstances affecting the operations and maintenance of the wastewater system.

II. Policy

What follows are general policies governing the Wastewater Revenue Rebate Program:

1. The entity responsible for receiving quarterly reports from both the City Public Works and Finance Departments and making recommendations regarding contributions to the Rate Rebate Fund will be the Ad Hoc Utility Committee (the “Committee”). This committee is made up of two City Councilmembers periodically appointed by the City Council.
2. The Wastewater Rate Rebate Program will be retroactive to January 1, 2016 with periodic (initially quarterly) contributions being made to the Rate Rebate Fund if they are available effective on April 1, 2016 and continuing quarterly thereafter. A typical cycle would entail a meeting of the Committee in the first two weeks of the third month of the quarter, rebate contribution recommendations (if any) would be sent to the City Council for approval at the last City Council meeting of the quarter, and after those funds were transferred to the Wastewater Rate Rebate Fund on the first business day of the next month, a credit equal to three months of rebate would appear against the Base Rate on that month’s bill. Each wastewater account in place for 6 months would be eligible for the rebate. The gross amount of the rebate would then be transferred by the finance department to the Wastewater Revenue Fund to replace the lost revenue for that month.
3. The priority of allocation of Wastewater Enterprise Funds will be as follows:
 - A. Payment of Bond Debt Service as prescribed in the Bond Agreements and covenants;
 - B. Payment of upcoming capital expenditures for such items as chloride removal remedies, wastewater facility and collection system improvements and other regulatory mandates;

- C. Maintenance of adequate resources/cash balance for purposes of operations and credit rating management
 - D. Contributions to the Rate Rebate Fund.
4. The criteria to be used for the Rate Rebate Fund contribution, after taking into account the priority allocation enumerated in (3) is as follows:
- A. When the excess cash generated by the rate base cash flows exceeds, for the first 6 months and the next projected 6 months, 1.50x debt service coverage. Also from any additional cash on hand either from an external source not generated from the rate base or cash previously allocated to capital improvements and then determined to not be needed for such improvements. This would also include funds previously set aside to meet regulatory requirements but eventually determined to be not needed for such purpose.
 - B. The calculation to prove 1.50x debt service coverage outlined in (A) will be provided by the City's Financial Advisor or a third-party source agreeable to the Ad Hoc Utility Committee.
5. If the Ad Hoc Utility Committee determines that this Policy, if implemented, would be detrimental to the Wastewater Enterprise System or any Bondholders relying on System Revenues for Debt Service Payments, it may suspend this program for whatever time it feels necessary.

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.10.C

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council
From: Sandra Easley, Finance Director
Subject: Fiscal Year 2015-2016 Mid-Year Budget Report
Date: March 7, 2016

Recommendation: It is recommended that the City Council: (1) review and file the following mid-year budget report; (2) direct the City Manager to continue monitoring the FY 2015/16 budget, (3) approve the creation of six temporary part-time positions (Public Works Field Technicians) to assist with public education regarding water softening systems; (4) make budget adjustments requested from Storm Drain Facilities and from Sewer Fund Balance for the above positions, and 5) take such additional, related action that may be required.

Report by: Sandra K. Easley, Finance Director

Fiscal Impact: Based upon the revenues as of the first half of Fiscal Year 2015/16 and best estimates for the remainder of the year, the anticipated total revenues for the General Fund are \$13,648,151. This is \$438,574 below budgeted estimates. Property and Sales related taxes are estimated to come in over budget by approximately \$173,210 and \$79,937 respectively. Year-end operating expenses are anticipated at \$13,892,782. This is a decrease of \$388,551 or 97% from the original budget estimates. Salary (including Overtime and Benefits) expenses are anticipated to be under budget by approximately \$245,909 due to staff vacancies. This will be offset in some cases by an increase in contractual services.

In summation, the General Fund's fiscal position is balanced with some reserves being used for the items listed on page 16 of the budget (Janitorial, SAFER backfill, Lawsuit, and Employee recognitions). Modest improvement is being accomplished by limited growth in spending. The Street related capital projects from the Bond proceeds are budgeted at \$2,278,409. This is not booked as revenue but as a draw-down from the Bond proceeds. Staff will be asking Council to spend the funds from the Gas Tax fund and transferring the Bond drawdown from the General Fund. This should help clarify the audit presentation in the future.

This means that the year-end General Fund balance is estimated to be decreased by

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approximately \$(43,149). This will be monitored closely as we approach June 30th.

Budget adjustments are requested from the (1) Storm Drain Facilities fund balance for services to prepare, plan, profile and detail the storm drain outlet to the Santa Clara River in the amount of \$7,800 for account #228-5-5026.290 and (2) the Sewer Fund in the amount of \$59,035 for the Public Works Field Technician, account #610-5-5061-002 and related benefit accounts. Both of these adjustments would be made using the available fund balance.

Personnel Impacts: In the Public Works Department, a recent internal review of the operations to resolve the City's chloride program has created an opportunity to re-align resources in a more effective manner by creating and funding six part-time temporary Public Works Field Technician position(s). These positions would assist in the public education relating to the banned use of the salt-based water softening systems and the City's Water Softener Buyback Program. The funding of these positions would allow the Public Works Department to take a more pro-active role in reducing the chlorides in wastewater as ordered by the Regional Water Quality Control Board. Funding of these positions will increase sewer part-time expenditures by approximately \$59,035. These funds can be allocated from the available Sewer Fund Balance.

General Discussion-National Economic Forecast: The UCLA Anderson Forecast's released December 12, 2015 concludes that "ongoing job growth and expected wage increases will drive consumption in 2016 leading to the first year of greater than 3.0% growth in real GDP since 2005. The higher wages, along with a modest rebound in oil prices and higher housing costs will push the inflation rate above 2.0%, leading the Fed to begin a gradual tightening cycle beginning this month. Economic strength will be found in housing and commercial construction along with a booming automobile market. The collapse in oil-related capital spending will come to an end next year and defense spending will be increasing after five years of decline".

For the State of California, Senior Economist Jerry Nickelsburg sees "the current forecast is for continued steady gains in employment through 2017. The increase in U.S. growth rates will continue to fuel the local economy, leading to a steady decrease in the unemployment rate in California over the next two years. Anderson economists expect California's unemployment rate to be insignificantly different from the U.S. rate at 4.9% by the end of the forecast period. The forecast calls for a 2015 total employment growth of 2.6% and for 2016 and 2017 the forecast is for 2.1% and 1.4%. Payrolls will grow more at about the same rate. Real personal income growth is estimated to be 4.3% in 2015 and forecast to be 3.4% and 3.2% in 2016 and 2017, respectively."

State Budget 2014-2015: The Governor released his budget summary on January 7th. In the Governor's Budget Summary, the first issue addressed is ongoing fiscal stability and responsibility as this would be the fourth consecutive fiscal year with a balance budget. Brown warns of historical trends of budgets with massive shortfalls following previous stretches of balanced budgets.

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Moreover, the budget summary addresses all of the state's liabilities and where the Proposition 2 funds are being directed in effort to reign in all this liability, the biggest of which is everyone's favorite "P" word, until it is unfunded, Pensions.

The \$1.5 billion in Prop 2 funding might seem like drops in a \$223 billion bucket, but the current plan is on track to deal with all the state's liabilities over the coming decades.

Recession planning is another point the proposal touches on, saying that the topping up of the Rainy Day Fund should be "the primary fiscal goal of the state." The Department of Finance has modeled an "average magnitude" recession to occur in 2017-18. Continuing to prioritize the Rainy Day Fund, the proposal seeks \$2 billion on top of the annual Prop 2 monies being directed into the fund. The \$2 billion boost would bring it up to \$8 billion, or 65 % of the fund's goal.

Ventura and Santa Paula; the unemployment rate in Ventura County was 5.4 percent in December 2015, unchanged from a revised 5.4 percent in November 2015, and below the year-ago estimate of 6.2 percent. This compares with an unadjusted unemployment rate of 5.8 percent for California and 4.8 percent for the nation during the same period. Santa Paula's Unemployment Rate is at 7.00%, compared to 7.10% last month and 8.00% last year.

Discussion - Mid-Year Budget: The fiscal year 2015/16 adopted citywide budget for all funds was a balanced budget with expenditures of \$36,140,581 and revenues of \$37,785,228. With the exception of some reserves being used for the SAFER grant continuation, additional Janitorial services, Lawsuit, etc., all ongoing operating expenses were budgeted and funded with ongoing revenues.

Excess revenues in special funds were reserved as required by the special funds for future use such as Gas Tax and Local Transportation funds being used for the upcoming street repair projects. The Water and Sewer Enterprise Funds have funds reserved for capital projects using bond proceeds.

The General Fund budget provided for total department appropriations of \$14,281,333 and revenues of \$14,086,725. The department expenditures are anticipated to come in at \$13,892,782 which is under budget by 97.3%, however, the revenues are anticipated to come in at \$13,648,151, a shortfall of 96.9%. Using the carryover of \$201,481 of committed fund balance at FY 14/15 year end, this would net an anticipated deficit of \$(43,149) at year end.

General Fund Taxes and Other Revenues: The city's general tax revenues are seeing some recovery with year-over-year estimated increases in property and sales taxes. Sales Tax is expected to increase by \$404,961 or approximately 3.25%. Property taxes are anticipated to be up approximately \$173,210 by year's end with the portions related to the secured roll and triple flip providing the largest portion of that growth. This is a small increase of approximately 2.89%. Transient Occupancy Tax, Franchise Fee Tax and Property Transfer Tax has increased 4.88%, 3.7% and 6.1% respectively.

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Commercial Refuse Haulers and Business License Tax have seen decreases of 8% and 2% respectively.

Since the low in 2010 of \$1.2 million in annual receipts, sales taxes have been recovering and are projected to end the year at \$2,268,943.

Non-Departmental revenues are up due to the increases in Sales Tax, Property Taxes and Intergovernmental Revenue. Most department revenues are expected to come in under estimates; however, a few departments are expected to reach their budgeted estimates. Please refer to Exhibit A for further detail.

Mid-Year GF Revenue Summary			
	Current	Year-End	Additional/
General Tax Revenues	Budget	Estimate	(Deficit)
Property Taxes	6,002,700	6,175,910	173,210
Sales Taxes	2,437,518	2,517,455	79,937
Franchise Taxes	687,356	674,230	(13,126)
Other Taxes	303,000	309,756	6,756
Tax Total	9,430,574	9,677,352	246,778
Other Citywide	1,814,216	1,562,309	(251,907)
Department Revenues	2,841,935	2,408,491	(433,444)
Total General Fund	14,086,725	13,648,151	(438,574)

Operating Expenses: General Fund operating expenses are expecting budget savings in salaries and benefits due to vacant positions. However, overtime expenses and contractual services will be over budget due to the backfill of the vacant positions. Currently there are vacancies in the following Full-time positions: 2 Police Officers, Firefighter, Deputy Planning Director, Public Safety Dispatcher and Maintenance Worker. There are vacant Part-time positions as well.

Overall service and supply accounts are expected to be under budgeted figures by \$142,641. For a department summary see Exhibit B.

Mid-Year GF Expense Summary			
	Current	Year-End	Savings/
Department/Expense Type	Budget	Estimate	(Overage)
Salaries	5,778,888	5,467,982	310,906
Overtime	616,900	804,875	(187,975)
Benefits	4,409,964	4,286,986	122,978
Supplies, Services, & Main.	3,272,011	3,129,370	142,641
Transfers	22,770	22,770	-
Operating Capital/Equip.	180,800	180,799	1
Total General Fund	14,281,333	13,892,782	388,551

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Mid-year expenses are approximately 57% expended with year-end projections to be 97.3% expended.

Administration and Finance Departments: In these departments operating expenses are anticipated at 96.4% and 97.8% respectively. The State made payment on past State Mandated costs which offset expenses.

Building & Safety: Expenses are projected to end the year at 96.5% mostly due to the salary shift of the CDBG activity which was approved sooner than the previous year. Building permit fees as well as charges for services are expected to come in above budget (approximately 106.1% and 100.8% with other revenue coming in under budget by 12%) for a total of \$14,531 under budget.

Community Services: Operating expenses are projected at 94.6% of budget, with some salary saving. Revenues are expected to be above budget by approximately 102.5% due to rental of the Community Center and Recreation Admin Fee anticipated increases.

Fire Department: Department expenses are anticipated to come in over budget by 102.3% due to staff out on injury leave. Revenues are anticipated at 90.2% of budgeted figures with CUPA activity being moved to the County and Department Reimbursements not coming in. This has been offset by the State reimbursements for two strike teams during September 2015.

Planning: Revenues are lower than anticipated (66.2%) due to a decrease in all activity. Expenses are also lower due to the vacant Deputy Planning Director position which is offset by an increase in contractual services.

Police Department: Fees, Fines & Permits and Intergovernmental revenue categories for the Department are down while the Charges for Services and Other revenues are up. Department expenses are estimated at 98.6% of budgeted levels; primarily due to personnel shortage in the patrol and dispatch divisions which is offset by an increase in overtime. The current estimate is that the department revenues will be short approximately \$23,155 or 97.9% by year end. Fees, Fines & Permits should increase when the Part-time Community Services Officer position is filled.

Public Works: Department revenues are down \$171,946 due in part to permits associated with project activity. Due to less permit activity, expenses are also expected to come in under budget by \$50,427 or 83.1% of budget.

Non-Departmental: This budget unit has no staffing and expenses are limited to postage, supplies and utilities. At this time, the expenditures are expected to come in at 82.8% of budget. All citywide revenues are reported in this unit. See Attachment A for details.

GF Capital (Bond Proceeds): General Fund capital projects funded with the proceeds of bond sales were estimated at \$2.278 million. At mid-year \$56,483 has been

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expended. This is currently not booked as revenue but as a draw-down from the Bond proceeds. Staff will be asking Council to spend the funds from the Gas Tax fund and transferring the Bond drawdown from the General Fund. This should help clarify the audit presentation in the future.

Capital Improvement Plan (CIP): The Public Works Department has been working on finishing up last year’s CIP projects as well as getting started on the current year’s CIP projects. Water, sewer, storm drain, pavement, sidewalk, and curb ramp improvements have been moving forward.

The following table summarizes the Fiscal Year 2015/2016 CIP budget as of December 2015:

Capital Improvement Plan Summary - December 2015			
	Budget	Mid Year	Remaining
Streets	4,424,181	130,334	4,293,847
Sewer	2,909,469	613,690	2,295,779
Water	7,209,374	483,706	6,725,668
Buildings & Grounds	2,395,639	85,606	2,310,033
TOTAL FY 15/16	16,938,663	1,313,337	15,625,326

The following CIP projects are completed:

- Teague Tank Demolition Project
- Fuchsia Tank Water Main Connection Project
- Seventh Street Sewer Main Replacement Project
- Las Piedras Park Playground Remodel Project

The following CIP projects are currently in design:

- Tenth Street (State Route 150) Bicycle and Pedestrian Improvements Project
- Citywide Railroad Crossings Improvement Project
- Foothill/Hardison/Cameron Storm Drain Project
- Harvard Boulevard Improvements Project- Tenth Street to Twelfth Street
- Virginia Terrace/McKevett Heights Sewer Main Replacement Project
- Palm Court Water and Sewer Mains Replacement Project
- Veteran Memorial Park Restroom Rehabilitation Project

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The following CIP projects are currently in construction:

- Harvard Boulevard at Laurie Lane Intersection Improvement Project (Flashing Beacons)
- Harvard Boulevard Sewer Trunk Replacement Project
- 600 Zone Booster Pump Station Project
- George Harding Park Game Scoreboard Installation Project

Proposals were received in February 2016 for consulting architectural services for the Corporation Yard Feasibility Study, and start of the study is tentatively scheduled for March 2016. The environmental document (mitigated negative declaration) for the Crosstown Water Pipeline Project was completed in February 2016, and is scheduled for City Council adoption in March 2016. It is estimated that the request for proposal (RFP) for consulting design services for the Crosstown Water Pipeline Project will be issued in April 2016.

Acknowledgement

The current budget is the sixth year of a budget plan adopted by the City Council to curtail spending and bring expenses and revenue into alignment. As the goals are being reached the sacrifices from staff and the patience of the community in seeing the city through reduced service levels has to be recognized and greatly appreciated.

The next phase of the recovery will be aimed at setting policies to ensure the sustained fiscal stability. Taking what we have learned and using it to plan the future will be essential. The Council and staff have been creative and prudent in the use of one-time funds as we balanced the budget. Sustainability, as we have learned, requires ongoing revenues. The Council's current pursuit of economic opportunities and job creation for the City will be critical to a successful future.

I commend everyone highly for their efforts. This Mid-Year Report has been completed with the assistance of all members of the executive team.

Alternatives:

- A) That the City Council 1) review and file the following mid-year budget report, 2) direct the City Manager to continue monitoring the FY 2015/16 budget, 3) approve the creation of 6 temporary part-time positions (Public Works Field Technicians) to assist with public education regarding water softening systems 4) budget adjustments requested from Storm Drain Facilities and from Sewer Fund Balance for the above positions, and 5) take such additional, related, action that may be required.
- B) Refer the matter back to staff with direction.

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Attachments:

Exhibits A & B

Public Works Field Technician

Exhibit A-Revenue					
CITY OF SANTA PAULA					
Mid-Year General Fund Revenue Summary - By Department					
Department/Revenue Type	Current Budget	Year-to-Date Actual	Year-End Estimate	Additional/ (Deficit)	% Achieved
Charges for Services	5,050	12,949	12,949	7,899	256.4%
TOTAL ADMINISTRATION	5,050	12,949	12,949	7,899	256.4%
Fees, Fines, & Permits	193,570	99,957	205,381	11,811	106.1%
Charges for Services	125,390	63,956	126,332	942	100.8%
Other Revenues	31,000	2,905	3,715	(27,285)	12.0%
TOTAL BUILDING & SAFETY	349,960	166,818	335,429	(14,531)	95.8%
Fees, Fines, & Permits	3,000	500	3,250	250	108.3%
Charges for Services	96,500	53,135	98,055	1,555	101.6%
Other Revenues	6,000	1,570	6,857	857	114.3%
TOTAL COMMUNITY SERVICES	105,500	55,205	108,162	2,662	102.5%
Intergovernmental Revenues	1,500	1,890	1,890	390	0.0%
Charges for Services	18,100	8,096	18,489	389	102.2%
TOTAL FINANCE	19,600	9,986	20,379	779	104.0%
Fees, Fines, & Permits	70,000	10,944	48,870	(21,130)	69.8%
Intergovernmental Revenues	92,500	38,162	141,266	48,766	152.7%
Charges for Services	63,855	9,356	35,383	(28,472)	55.4%
Other Revenues	161,261	86,769	124,033	(37,228)	76.9%
TOTAL FIRE	387,616	145,231	349,553	(38,063)	90.2%
Charges for Services	560,457	99,383	365,147	(195,310)	65.2%
Other Revenues	22,000	15,703	20,221	(1,779)	91.9%
TOTAL PLANNING	582,457	115,086	385,367	(197,090)	66.2%
Fees, Fines, & Permits	180,000	40,785	93,825	(86,175)	52.1%
Intergovernmental Revenues	192,000	79,813	177,098	(14,902)	92.2%
Charges for Services	714,902	354,418	725,818	10,916	101.5%
Other Revenues	7,350	40,299	74,357	67,007	1011.7%
TOTAL POLICE	1,094,252	515,315	1,071,097	(23,155)	97.9%
Fees, Fines, & Permits	255,000	34,266	98,584	(156,416)	38.7%
Charges for Services	42,500	9,456	26,970	(15,530)	63.5%
TOTAL PUBLIC WORKS	297,500	43,722	125,554	(171,946)	42.2%
Taxes	9,430,574	2,654,081	9,677,352	246,778	102.6%
Fees, Fines, & Permits	27,600	10,194	25,093	(2,507)	90.9%
Investments & Rents	188,000	80,144	138,415	(49,585)	73.6%
Intergovernmental Revenues	114,700	98,033	117,192	2,492	102.2%
Charges for Services	48,963	5,364	11,818	(37,145)	24.1%
Other Revenues	165,163	(0)	(0)	(165,163)	0.0%
Transfers	1,269,790	634,895	1,269,790	0	100.0%
TOTAL NON-DEPARTMENTAL	11,244,790	3,482,711	11,239,661	(5,129)	100.0%
TOTAL REVENUES	14,086,725	4,547,023	13,648,151	(438,574)	96.9%

Exhibit B-Expenditures		CITY OF SANTA PAULA			
Mid-Year General Fund Expenditure Summary - By Department					
Department/Revenue Type	Current Budget	Year-to-Date Actual	Year-End Estimate	Savings/ (Overage)	% Achieved
Salaries	493,056	244,603	489,472	3,584	99.3%
Overtime	15,900	10,278	18,125	(2,225)	114.0%
Benefits	279,361	176,705	284,604	(5,243)	101.9%
Supplies, Services, & Main.	1,445,940	1,034,598	1,362,117	83,823	94.2%
TOTAL ADMINISTRATION	2,234,257	1,466,184	2,154,317	79,940	96.4%
Salaries	208,109	118,134	178,043	30,066	85.6%
Overtime	150	80	150	(0)	100.3%
Benefits	117,864	105,438	132,791	(14,927)	112.7%
Supplies, Services, & Main.	46,086	26,925	48,086	(2,000)	104.3%
TOTAL BUILDING & SAFETY	372,209	250,578	359,070	13,139	96.5%
Salaries	473,343	226,245	427,763	45,580	90.4%
Overtime	10,650	6,383	13,135	(2,485)	123.3%
Benefits	258,195	148,973	233,016	25,179	90.2%
Supplies, Services, & Main.	197,565	129,863	214,658	(17,093)	108.7%
Operating Capital/Equip.	5,000	249	4,999	1	100.0%
TOTAL COMMUNITY SERVICES	944,753	511,714	893,570	51,183	94.6%
Salaries	285,152	137,071	273,095	12,057	95.8%
Overtime	150	181	617	(467)	411.0%
Benefits	134,297	88,063	140,895	(6,598)	104.9%
Supplies, Services, & Main.	102,450	26,552	95,837	6,613	93.5%
TOTAL FINANCE	522,049	251,866	510,443	11,606	97.8%
Salaries	1,177,552	639,782	1,253,642	(76,090)	106.5%
Overtime	205,800	152,092	230,351	(24,551)	111.9%
Benefits	1,073,806	696,515	1,059,053	14,753	98.6%
Supplies, Services, & Main.	303,478	137,676	281,725	21,753	92.8%
TOTAL FIRE	2,760,636	1,626,065	2,824,771	(64,135)	102.3%
Salaries	386,797	161,500	289,541	97,256	74.9%
Overtime	450	38	38	412	8.3%
Benefits	165,553	99,785	145,036	20,517	87.6%
Supplies, Services, & Main.	149,400	12,384	150,095	(695)	100.5%
TOTAL PLANNING	702,200	273,706	584,709	117,491	83.3%
Salaries	2,603,746	1,205,653	2,435,274	168,472	93.5%
Overtime	378,300	342,588	538,891	(160,591)	142.5%
Benefits	2,299,448	1,433,233	2,212,070	87,378	96.2%
Supplies, Services, & Main.	761,230	395,946	767,018	(5,788)	100.8%
Operating Capital/Equip.	175,800	145,635	175,800	0	100.0%
TOTAL POLICE	6,218,524	3,523,055	6,129,052	89,472	98.6%

Attachment: Exhibits A & B (1082 : Mid-Year Report)

Salaries	151,133	64,417	121,152	29,981	80.2%
Overtime	5,500	1,569	3,569	1,931	64.9%
Benefits	81,440	50,358	79,522	1,918	97.6%
Supplies, Services, & Main.	36,860	9,536	20,263	16,597	55.0%
Transfers & Contingencies	22,770	-	22,770	0	100.0%
TOTAL PUBLIC WORKS	297,703	125,880	247,276	50,427	83.1%
Supplies, Services, & Main.	229,002	92,570	189,573	39,429	82.8%
TOTAL NON-DEPARTMENTAL	229,002	92,570	189,573	39,429	82.8%
TOTAL EXPENDITURES	14,281,333	8,121,619	13,892,782	388,551	97.3%
	(194,608)	(3,574,596)	(244,630)		
	APPROVED CARRYOVER FROM LAST FY		201,481		
			(43,149)		

CITY OF SANTA PAULA

Date Adopted: 03/07/2016

Step A	Step B	Step C	Step D	Step E
\$12.00/hr	\$12.60/hr	\$13.23/hr	\$13.89/hr	\$14.59/hr

Public Works Field Technician

Under the general supervision of the Public Works Director or designee, the Field Customer Service Technician provides door to door education to the public relating to the Water Softener Buyback program and available rebates. Provides follow-up on public requests and assists public members with reaching compliance and completing necessary paperwork; and performs other related work as assigned.

ESSENTIAL DUTIES AND RESPONSABILITIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional duties as those set forth below.

Provides education to the public and answers questions regarding the water softener program and available rebates.

Assists customers by providing information, explaining procedures and answering questions over the telephone or in-person.

Participates in the enforcement of State requirements pertaining to water softeners within the City of Santa Paula.

Assists with the processing and issuing of rebates, accepting the application, checking for accuracy and completeness, documentation, routing to appropriate review staff, monitoring application progress for status reports scope of authority and responsibility assigned.

Prepares, assembles and distributes information packets.

Provide administrative support to Public Works staff as assigned.

Performs other related duties as assigned.

MINIMUM QUALIFICATIONS:

Education and Training: Any combination of education, training and/or experience equivalent to a High School Diploma or equivalent, skills and abilities necessary for Field Customer Service Representative.

License:

A valid class C California driver's license.

Knowledge and Abilities:

Knowledge of: Knowledge of basic principles and practices of customer service; principles and practices of program development and implementation; knowledge of related laws, ordinances, rules, regulations, policies and procedures; knowledge of recent developments, current literature, and information related to the program; and use of computer and software applications.

Ability to: Ability to learn related laws, ordinances, rules and regulations; ability to learn quickly and apply departmental policies and procedures affecting the acceptance and review applications; ability to learn to interpret laws and regulations; properly interpret and make decisions in accordance with laws, regulations, and policies; respond to difficult and sensitive public inquiries; ability to maintain effective working relationships with supervisors, co-workers, customers and others encountered in the course of the work; understand and carry out oral and written directions; communicate clearly and concisely, both orally and in writing

Physical and Environmental Requirements:

Physical Abilities: Exercise physical exertion in walking approximately 3-5 miles per day; see well enough to read, write and make observations; communicate orally, in person and by telephone, face-to-face, one-to-one and group settings; sufficient physical ability to work in an office setting; sit, stand, walk, reach, twist, turn, kneel, bend, squat, and/or stoop for prolonged periods of time; perform duties requiring grasping, repetitive hand movement, and fine coordination; and operate office equipment.

Environment: Work is performed primarily in the field with extensive public contact; works in indoor and outdoor conditions, in seasonal and weather conditions; may drive vehicle to different locations; position may also require incumbents to perform site visitations that involve exposure to outdoor weather conditions and possible exposure to air contaminants; interact with public officials and members of the public.

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.10.D

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: John Cotti, City Attorney

Subject: Discussion and Possible Action to Direct Preparation of a Resolution Calling for an Election on a Proposed Ballot Measure Seeking Voter Approval of a Transactions and Use (Sales) Tax

Date: March 7, 2016

Recommendation: It is recommended that the City Council: 1) receive and file the attached report; 2) direct City staff to prepare the necessary resolutions to call for a Ballot Measure to Increase the Transactions and Use Tax as part of the November 8, 2016, consolidated election; and 3) take such additional, related action as may be desired.

Report by: John C. Cotti, City Attorney

Fiscal Impacts: According to the County, the cost to include a ballot measure on the November, 2016, consolidated ballot would increase the City's election cost by approximately \$3,000 to 5,000, depending on the size of associated text. The cost would be appropriated from the General Fund.

If the voters pass the sales tax increase ballot measure, the City will receive approximately \$500,000 to \$2,100,000, annually, depending on the percentage increase approved. For example, a .5% increase would result in an increase of approximately \$1,000,000, annually. Whether, as discussed below, the ballot measure is proposed as a general tax or special tax will determine how the revenue can be used.

Personnel Impacts: None. If the local revenue measure passes, the City would enter into a contract with the State to set up and administer the tax.

General Discussion: At its February 16, 2016, meeting, the City Council directed City staff to present an item relative to the issues surrounding a ballot measure proposing to raise revenue through a Transactions and Use Tax (i.e., local sales tax) within Santa Paula. The tax would be paid in addition to current sales taxes and would be collected at the same time and in the same manner as existing sales taxes. California law authorizes the City Council to impose this sales tax, provided the tax is approved by the voters.

For the City Council Regular Meeting of March 7, 2016**Agenda Item # 1.10.D***The Sales Tax Increase*

As noted above, the local sales tax increase is what is known as a “Transactions and Use Tax.” The Transactions and Use Tax was adopted by the legislature in 1969, authorizing the adoption of local “transactions and use tax” add-ons to the combined state and local sales tax rate. Over the years, the law was amended to allow for specific authorizations for various particular cities, counties, special districts and countywide authorities. Prior to 2003, the most common transactions and use tax measures were those for a specific countywide need, most commonly transportation. But since a 2003 change in the law, add-on Transaction and Use Taxes (local sales tax add-ons) by cities for general purposes have become more frequent. In California, there are approximately 100 cities, counties and special districts with local sales tax add-ons. In Ventura County for example, the cities of Port Hueneme and Oxnard have .5% sales tax add-ons, increasing the sales tax rate to 8%. As noted above, a .5% increase would result in an increase of approximately \$1,000,000, annually. A 1% increase would increase revenues by approximately \$2,100,000, annually.

There are differences between the statewide “Sales and Use Tax” and the locally approved “Transactions and Use Tax.” The statewide Sales and Use Tax, currently at 7.50%, includes portions that go to the State General Fund, to several specific State funds, the cities, and the counties, based on the location of the purchase. Notably, sales tax is not imposed on the sale of real property, or to services that do not result in a finished product. In addition, some products are specifically exempt from the sales and use tax. Some of the more prominent exemptions include food purchased for home consumption, goods purchased for resale, prescription medicine, aircraft used as common carriers, utilities and goods sold to the federal government.

The Transactions and Use Tax, however, generally applies to merchandise that is delivered in a jurisdiction that imposes the tax. For purchases of everyday items, the state allocates the taxes paid on those purchases to the city or county in which the item was purchased; but, for the sale or lease of a vehicle, vessel or aircraft, the Transactions and Use Tax is charged and allocated based on the location in which the property will be registered.

For example: If the city Ms. Smith lives in has a Transaction and Use Tax of a .5%, she will pay that tax (in addition to the base 7.50% sales tax) when she purchases a car, regardless of whether she makes the purchase in a neighboring city or county, or regardless of whether the neighboring city or county has its own Transactions and Use Tax. Conversely, if Ms. Smith purchases hand soap in another city or county without a Transactions and Use Tax, she would not pay her city’s Transactions and Use Tax. But, if the city in which she purchases the hand soap has a Transactions and Use Tax, she will pay that city’s total tax (base sales tax plus Transactions and Use Tax).

From the perspective of the consumer, a .5% increase in the sales tax would add \$6.50

For the City Council Regular Meeting of March 7, 2016

Agenda Item # 1.10.D

to the purchase of a \$1,299 refrigerator and \$97.15 to the purchase of a 2014 Chevrolet Cruze LS (with a sticker of \$19,430). An increase in the sales tax of 1% would add \$5.00 to the purchase of a \$500 dishwasher and \$194.30 to the cost of the Chevrolet Cruze.

General vs. Special Tax¹

If the City Council chooses to pursue additional revenue sources for a specific purpose, there are different mechanisms to consider.

If the Council chooses to place a "general tax" on the ballot, all revenue generated from the proposed sales tax would be deposited into the City's General Fund and would be available for use by the City to pay for general City operations and services. The City would not be legally bound in any way to use the tax monies for any special purpose or for any particular facilities or programs. However, it is possible to include a non-binding advisory measure in the ballot materials indicating the City's intent to use the new tax revenue for specific purposes, such as public safety. An advisory question is a type of ballot measure in which citizens vote on a non-binding question. This allows voters to have a say in how the additional revenues should be spent. While the advisory measure is not legally binding on the City, it is viewed as clear direction from the citizens to the City Council on where the voters would like to see the funds spent.

A ballot measure proposing a "general tax" rather than a "special purpose tax" requires approval by a simple majority of the City's voters. A general tax, however, requires a supermajority of the Council to place the measure on the ballot. By contrast, passage of a special tax requires a two-thirds supporting vote of the public. If the Council chooses to place a measure on the ballot, a majority of the Council would have to approve the ballot measure prior to the election.

Unlike a general tax, use of special tax revenue is legally restricted to the purposes identified in the ballot measure. So if the ballot measure requires the use of funds for public safety, the revenue raised through a special tax could not be re-purposed to other City operations, programs or services.

Other Considerations

A sunset clause is a provision stating that the tax measure ends or "sunset" after a certain period of time. Sunset clauses can be perceived as beneficial because the tax is temporary and voters retain control over the tax. If a sunset provision is included in the tax measure, further action would be required to extend the tax beyond the sunset date.

¹ In November, 2014, Santa Paula voters were asked to vote on a special sales tax measure that designated the proceeds of the tax to police, fire and roadway improvements. Designated Measure F, the tax measure failed to garner the 66% vote required for approval.

For the City Council Regular Meeting of March 7, 2016**Agenda Item # 1.10.D**

There are several other provisions that can be implemented to assure adequate oversight, auditing and reporting. A citizen advisory committee can be established to analyze how new tax monies are being spent. The committee would be charged with meeting annually to review the previous year's expenses from the proceeds of the increased sales tax. The committee would compile a report to the Council stating how the funds were spent and share with the community how the tax was being used.

The tax ordinance should include a provision requiring the mandatory auditing by the City's independent auditors of the collection, management and expenditure of the tax revenue. The audit report would be public available and require review and approval by the City Council.

The Required Resolutions

Should the Council choose to put forth a sales tax measure on the November 8, 2016, ballot, the City would need to approve three resolutions. The first resolution would approve the ballot measure language, the conditional implementing sales tax ordinance, and places the measure on the ballot. As set forth above, this resolution requires either a four-fifths vote of the City Council for a general tax, or a simple majority for a special tax.

A second resolution would establish the requirements for the writing of ballot arguments and rebuttals. Although Elections Code §9287 sets forth the priority order of which ballot arguments are to be printed if multiple arguments are received, the City Council may decide to take precedence and write the ballot argument and rebuttal itself. Staff recommends Council approve by minute action the designation of itself as the Measure's proponent and write and file the ballot argument and rebuttal. This resolution and minute action require a simple majority vote of the Council.

A third and final resolution would direct the City Attorney to prepare and file an Impartial Analysis of the measure showing its affect, if any, on existing law and the operation of the measure. This resolution requires a simple majority vote of the Council.

Requested Action

Approval of the recommended action tonight requires the approval of a majority of the City Council. Upon receiving that approval, depending on the tax measure supported by the Council (i.e., .5% or 1%, special or general tax, purpose of the tax), the City Attorney will bring back several procedural resolutions involving, among others, ballot arguments and the impartial analysis.

In order to secure a ballot measure for the November ballot, Revenue & Taxation Code §7285.9 (for a general tax) and §7285.91 for a special tax, requires that the ordinance

For the City Council Regular Meeting of March 7, 2016**Agenda Item # 1.10.D**

proposing that tax be approved by a two-thirds vote of all members of the governing body.

City staff requests the following information in order to prepare the necessary documentation:

1. The Tax:

Special (2/3) or General (50%)
.5% or 1%

2. Sunset Provision

Yes or no

3. If special tax:

Specify purpose (police, fire and/or roads)
Specify percentage for each

4. If general tax:

Does the Council want to include and advisory measure?

Alternatives:

- A. Direct City staff to prepare the necessary resolutions to call for a Ballot Measure to Increase the Transactions and Use Tax as part of the November 4, 2016, consolidated election; or
- B. Decline to include a ballot measure on the November, 2016, election ballot.