

City of Santa Paula

City Council

MAYOR JENNY CROSSWHITE
VICE MAYOR GINGER GHERARDI
COUNCILMEMBER CLINT GARMAN
COUNCILMEMBER JOHN PROCTER
COUNCILMEMBER MARTIN F. HERNANDEZ



REGULAR MEETING OF THE
SANTA PAULA CITY COUNCIL

February 21, 2017

6:00 P.M – CLOSED SESSION

6:30 P.M – REGULAR MATTERS

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

LUCY BLANCO, 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 • FEBRUARY 21, 2017**

I. CLOSED SESSION - CITY HALL ADMINISTRATION CONFERENCE ROOM

1. CALL TO ORDER

2. 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.

3. CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code §§ 54950, et seq.) for the following purpose:

- A. **CONFERENCE WITH LEGAL COUNSEL: Initiation of Litigation - Significant Exposure to Litigation. Pursuant to Government Code §54956.9 (D)(4). Based on Existing Facts and Circumstances, the Legislative Body Has Decided to Initiate or is Deciding Whether to Initiate Litigation. Number of Cases: One. –**
- B. **CONFERENCE WITH LEGAL COUNSEL: Existing Litigation -- Government Code Section 54956.9(D)(1). the City Finds, Based on Advice from Legal Counsel, that Discussion in Open Session Will Prejudice the Position of the City in the Litigation. –**

4. CONTINUED MEETING TO 6:30 P.M IN COUNCIL CHAMBERS

II. REGULAR MATTERS - COUNCIL CHAMBERS

1. **CALL TO ORDER**

2. **INVOCATION**

3. **FLAG SALUTE**

4. **ROLL CALL**

5. **PRESENTATIONS**

A. **Presentation by Erik Sternad, Interface Children and Family Services Regarding 2-1-1 –**

6. **CLOSED SESSION REPORT**

7. **PUBLIC COMMENT**



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8. **CITY COUNCIL, STAFF COMMUNICATIONS**

A. **Next Steps for Evaluation of City Salary Survey – Recommendation:** It is recommended that the City Council: (1) Receive and file this report; and (2) Take such additional, related action that may be desirable.

Report by: Elisabeth V. Paniagua, Assistant to the City Manager

9. **APPROVAL OF FINAL AGENDA**

10. **CONSENT CALENDAR**

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

- A. **Purchase of New Police Vehicles – Recommendation:** It is recommended that the City Council: 1) Pursuant to Santa Paula Municipal Code 41.13, authorize the City Manager or designee to utilize the cooperative bidding process used by the State of California for contracting with Folsom Lake Ford, Folsom CA: 2) Authorize the City Manager to execute an agreement in a form approved by the City Attorney with Folsom Lake Ford for the purchase of three Ford Interceptor vehicles: 3) and take such additional, related action that may be desirable.

Report by: Cmdr. Ismael Cordero

- B. **Enforcement Agreement for Palazzo Event Center – Recommendation:** It is recommended that the City Council: (1) authorize the City Manager to execute an enforcement agreement, in a form approved by the City Attorney, allowing for the sale of beer, wine and distilled spirits for on-site consumption at property located at 814 East Main Street; and (2) take such additional, related, action that may be desirable.

Report by: Joyce Parker Bozylinski, Contract Planner

- C. **Enforcement Agreement for La Terraza Event Center – Recommendation:** It is recommended that the City Council: (1) authorize the City Manager to execute an enforcement agreement, in a form approved by the City Attorney, allowing for the sale of beer and wine for on-site consumption at the property located at 1000 & 1008 East Main Street; and (2) take such additional, related, action that may be desirable.

Report by: Joyce Parker Bozylinski, Contract Planner

- D. **Measure T – Board of Equalization Set-Up Package for Collection of Transaction and Use Tax – Recommendation:** It is recommended that the City Council:

(1) Adopt Resolution No. 7037 approving the Agreement for Preparation to Administer and Operate Transactions and Use Tax Ordinance and the Agreement for State Administration of City Transactions and Use Taxes and authorizing the Mayor to execute each agreement and take any other steps as may be necessary to effect implementation of each agreement.

2. Adopt Resolution No. 7038 designating the City Manager, Finance Director, City Attorney or other officer or employee of the City authorized to examine Board of Equalization records pertaining to the transactions and use tax and authorize the Executive Director to execute a letter to BOE designating same.

3. Authorize the City Manager to take any and all other actions as may be necessary for implementation and administration of the transactions and use tax with the Board of Equalization.

Report by: John C. Cotti, City Attorney

- E. **Out of State Training for Police Officers** – **Recommendation:** It is recommended that the City Council: (1) approve the attendance by Detectives Randy Haumann and Frank Huerta at the CHIA- California Association of Homicide Investigators Training in Las Vegas Nevada from February 28th to March 3rd 2017 and (2) take such additional, related action that may be desirable.

Report by: Cmdr. I. Cordero

- F. **Creation of a Standing Committee to Address Water and Sewer Rates** – **Recommendation:** It is recommended that the City Council: (1) Adopt Resolution No. 7036 establishing the Water and Sewer Rate Committee as a Standing Committee of the City Council and establishing the responsibilities of the Committee; and (2) Take such additional, related action that may be desirable.

Report by: John C. Cotti, City Attorney

- G. **Final Approval of O&M Agreement for the WRF** – **Recommendation:** It is recommended that the City Council: (1) Authorize the City Manager to execute an Operations and Maintenance Agreement with American Water Operations and Maintenance, Inc. for the operation and maintenance of the Water Recycling Facility in a form approved by the City Attorney; and (2) Take such additional, related action that may be desirable.

Report by: John L. Ilasin, Interim Public Works Director/City Engineer
Caesar Hernandez, Regulatory Compliance Specialist

- H. **Consideration of a Resolution Opposing Caltrans' State Route 126 Safety Enhancement Project** – **Recommendation:** It is recommended that the City Council: (1) Receive and file this report; (2) Adopt Resolution No. 7035 declaring opposition to the State of California Department of Transportation State Route 126 Safety Enhancement Project; and (3) Take such additional, related action that may be desirable.

Report by: John C. Cotti, City Attorney

11. PUBLIC HEARING

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

- A. **Vacating a Portion of Public Right of Way on Eleventh Street in the City of Santa Paula, California** – **Recommendation:** It is recommended that City Council: (1) Adopt Resolution No. 7039 vacating a portion of Eleventh Street in the City of Santa Paula, California; and (2) Take such additional, related action that may be desirable.

Report by: John L. Ilasin, Interim Public Works Director/City Engineer

12. ORDER OF BUSINESS

- A. **Fire Annexation Update** – **Recommendation** It is recommended that the City Council: (1) Receive and file this staff report; (2) Direct staff to return on March 6, 2017 with a resolution to apply to LAFCO for annexation of fire services into the Ventura County Fire Protection District (VCFPD) for council consideration; (3) Direct staff to return on March 6, 2017 with a proposed tax share agreement with the VCPFD for council consideration; and (4) Take such additional, related action that may be desirable.

Report by: Richard Araiza and Sandy Easley

- B. **Audited Financial Statements Year Ended June 30, 2016** – **Recommendation:** It is recommended that the City Council: (1) Receive and file the Annual Audited Financial Statements for the Fiscal Year ended June 30, 2016; and (2) Take such additional, related action that may be desirable.

Report by: Sandra K. Easley

- C. **Approve a Contract with NBS for the Water and Wastewater Rate and Connection Fee Study** – **Recommendation:** It is recommended that the City Council: (1) Authorize staff to continue the water and wastewater rate and connection fee study with NBS; (2) Allocate \$75,000 from the Sewer and Water fund balance; and (3) take such additional, related action that may be required.

Report by: Sandra K. Easley, Finance Director

- D. **600 S. Palm Avenue Properties (Multiple Parcels)** – **Recommendation:** It is recommended that City Council: (1) Authorize the City Manager or his designee to explore the property value for the Property at 600 South Palm Avenue; (2) Direct staff to engage the Berchtold Equipment Company on the terms and condition of a potential sale; and (3) Take such additional, related action that may be desirable.

Report by: John L. Ilasin, Interim Public Works Director/City Engineer

E. **Age Requirement for Measure "T" Oversight Committee** –
Recommendation: It is recommended that the City Council: (1) Consider a change in the age requirement to serve on the Measure "T" Advisory Committee from the required 18 years of age to 16 years of age; (2) Deny the proposed age requirement change; and (3) take such additional, related action that may be desirable.

Report by: Jaime M. Fontes, City Manager

13. 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.

14. ADJOURNMENT

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

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

On _____ at _____ Signed: _____
Lucy Blanco, City Clerk