



**CITY OF SANTA PAULA
CITY COUNCIL
MINUTES • FEBRUARY 21, 2017**

I. CLOSED SESSION - CITY HALL ADMINISTRATION CONFERENCE ROOM

1. CALL TO ORDER

Mayor Crosswhite called the meeting to order at 6:00 p.m.

Councilmembers Clint Garman, Martin Hernandez, John Proctor, Vice Mayor Ginger Gherardi and Mayor Jenny Crosswhite were all present. Also present were City Attorney John Cotti.

2. PUBLIC COMMENT

No public comment.

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.

RESULT:	ANNOUNCED
----------------	------------------

- 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. –

RESULT:	ANNOUNCED
----------------	------------------

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

Mayor Crosswhite recessed the Council to the Regular Meeting at 6:25 p.m.

II. REGULAR MATTERS - COUNCIL CHAMBERS

1. CALL TO ORDER

Mayor Crosswhite called the meeting to order at 6:30 p.m.

2. INVOCATION

Pastor Magee led the invocation.

3. FLAG SALUTE

Councilmember Garman led the flag salute.

4. ROLL CALL

Attendee Name	Title	Status	Arrived
Clint Garman	Councilmember	Present	
Ginger Gherardi	Vice Mayor	Present	
John Procter	Councilmember	Present	
Jenny Crosswhite	Mayor	Present	
Martin F. Hernandez	Councilmember	Present	

5. PRESENTATIONS

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

Erik Sternad from the County of Ventura briefly presented the 2-1-1 services annual report 2016.

RESULT: ANNOUNCED

6. CLOSED SESSION REPORT

No reportable action.

7. PUBLIC COMMENT

Public Comment

Kelly Long, Third District Supervisor thanked the City Council and staff for working with the County. She gave a Bio of her background and stated she's looking forward to working on behalf of the constituents. She informed the Community that Martin Hernandez will be available for Santa Paula constituents in the City office every other Friday from 9:00 a.m. to 12:00 noon.

Vanessa Rodriguez a representative working with the Boys & Girls club spoke regarding bringing a mentoring project to Santa Paula. Her contact information (805) 684-6364.

Gina Mathwin, 1107 Cliff Drive spoke regarding Sparkuhl project stating she has not received the information she request at the February 6 meeting and would like to know when to expect it.

Anthony Ferrera spoke regarding the parking issue near the high school and how long it took to resolve. He also stated that funding should not be given to youth as a priority; streets need to be given priority.

Krys Bojanowski spoke regarding the street resurfacing project. He asked for an update on schedule on streets resurfacing. He also urged Council to install at least one electric charging station.

Victor Ojeda employee at Gramo de Oro asked that the City staff and Council support their business and to give them the same treatment as the other businesses.

Audrey Vincent thanked the City Council and City Manager Fontes for making Community Center available for the One Billion Rising event for women experiencing domestic violence. She also thanked Chief McLean for allowing Officer Heather VanHemert to speak and Alex Flores from the High School for having students decorate.

8. CITY COUNCIL, STAFF COMMUNICATIONS

City Manager Fontes made an announcement regarding the vacancies in the various committees such as the Measure T Oversight and the Planning Commission and encouraged the community to apply. He also gave an update on the employee salary analysis.

Chief Araiza briefly spoke regarding the rain storms and rescues by the Fire Department and the Warming Shelter set up by Ed Mount at the Community Center.

John Ilasin gave a brief update on chloride reduction in the City and introduced Betsy Elsefon, the consultant from Larry Walker & Associates who spoke regarding their work with the Regional Water Quality Control Board with regards to the chlorides.

Councilmember Hernandez stated he served as alternate for HERO program representing the City; he commented on emergency shelter and the great job by City staff to get the shelter started. He thanked Kay Wilson, the Fire, Police and all who helped provide food for residents who were in need.

Procter congratulated Mayor Crosswhite and all who assisted on the One Billion Rising event. He also gave a special recognition to Office Jeremy Watson for going above and beyond in helping make Christmas wishes for some of our residents.

Vice Mayor Gherardi stated that the Boys and Girls Club Auction was a successful event; and she thanked Caltrans for adjusting the light at Santa Paula Street and Highway 150.

City Attorney John Cotti updated the Council regarding the City Manager recruitment. He stated that the application period closes February 24.

- 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

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

9. APPROVAL OF FINAL AGENDA

It was moved by Mayor Crosswhite, seconded by Councilmember Procter to move Item 12E to be heard after 12A. All were in favor and the motion carried.

10. CONSENT CALENDAR

Item 10C was pulled for speaker comments. Vice Mayor Gherardi pulled Item 10G for questions.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Martin F. Hernandez, Councilmember
SECONDER:	Ginger Gherardi, Vice Mayor
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

- 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 Palazzio 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

SEPARATE ACTION ITEM

Paul Villalpando landlord of 986 E. Main St. spoke regarding his concerns and impact to his tenants by this event center with regards to parking and noise. He asked that Council reconsider.

Peri Gottesman, 986 E. Main Street stated his concerns regarding the parking and noise. He asked that Council reconsider.

It was moved by Councilmember Hernandez, seconded by Councilmember Garman to 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. All were in favor and the motion carried.

- 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: Commander Ismael 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

SEPARATE ACTION ITEM

The Motion included allowing staff to add an effective date or timeline of implementation of contact.

- 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

Mayor Crosswhite recessed the Council to a break at 8:18 p.m.

Mayor Crosswhite reconvene the Council at 8:23 p.m.

- 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

The public hearing was opened at 8:24 p.m.

Civil Engineer Jon Turner briefly spoke regarding the benefit to the school.

The public hearing was closed at 8:27 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Procter, Councilmember
SECONDER:	Ginger Gherardi, Vice Mayor
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

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

Speakers

Shirley Hendren spoke in opposition to the Fire annexation.

Stella Kuyumjian spoke on behalf of Moorpark College, and for the Fire Department. She asked what the cost would be to annex and will the public be paying.

Chris Mahon representing Santa Paula fire fighters spoke in favor and in support of the annexation and reminded Council that they have 100% support from all fire fighters for this annexation. He stated that the City is looking at long term saving with this option.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ginger Gherardi, Vice Mayor
SECONDER:	Martin F. Hernandez, Councilmember
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

- 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

Speaker

Sheryl Hamlin stated that the report is from June 2015 and that the six figure loss was not included in this report. She suggested that Council consider getting a financial update every quarter and that a Request for Proposal be done for a new auditor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Procter, Councilmember
SECONDER:	Martin F. Hernandez, Councilmember
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

- 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

The motion included that NBS be instructed to proceed with what they can with regards to the water and wait on the sewer portion until all capital projections are in place.

It was moved by Mayor Crosswhite, seconded by Councilmember Hernandez to extend meeting past 10:30 p.m. All were in favor and the motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Procter, Councilmember
SECONDER:	Martin F. Hernandez, Councilmember
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

- 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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Procter, Councilmember
SECONDER:	Martin F. Hernandez, Councilmember
AYES:	Garman, Gherardi, Procter, Crosswhite, Hernandez

- 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

Speaker

Chris Rivera Vice President of Police Association spoke in opposition to lowering the age of members for the advisory committee stating that the members should be financially mature individuals such as teachers, parents, business owners; people who are familiar with taxes. He also stated that youth should be engaged in other programs or avenues. He also spoke briefly regarding the results of the sale tax survey that was conducted on May 2016.

RESULT:	DEFEATED [0 TO 5]
MOVER:	Martin F. Hernandez, Councilmember
SECONDER:	Ginger Gherardi, Vice Mayor
NAYS:	Garman, Gherardi, Procter, Crosswhite, Hernandez

13. REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Councilmember Procter, seconded by Councilmember Hernandez to request an item to discuss the City's website and possible improvements. All were in favor and the motion carried.

It was moved by Councilmember Hernandez, seconded by Councilmember Procter to propose an item to discuss a policy for emergency shelter set up at the City for any disasters. All were in favor and the motion carried.

14. ADJOURNMENT

Mayor adjourned meeting at 10:35 p.m.

ATTEST:

Lucy Blanco City Clerk