

City of Santa Paula

City Council

MAYOR LESLIE CORNEJO
VICE MAYOR PEDRO A. CHAVEZ
COUNCILMEMBER JENNY CROSSWHITE
COUNCILMEMBER CARLOS JUAREZ
COUNCILMEMBER ANDY SOBEL



CITY COUNCIL REGULAR MEETING OF THE SANTA PAULA CITY COUNCIL

WEDNESDAY, JUNE 19, 2024

6:30 PM - City Council Regular Meeting

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

JULIE LATSHAW, CITY CLERK
DAN SINGER, CITY MANAGER
MONICA CASTILLO, CITY ATTORNEY

CITY COUNCIL REGULAR MEETING

You are invited to participate in all Regular City Council meetings. Agendas are posted in the front of Santa Paula City Hall, 970 Ventura Street, Santa Paula, 72 hours in advance of the scheduled meetings. The City Council's regular meetings start at 6:30 p.m. the first and third Wednesday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula. Special and Closed Sessions vary by date and time.

HOW TO PARTICIPATE IN PERSON DURING THE MEETING: If you wish to speak at a City Council meeting, please fill out a **Public Comment Form** noting your name and address and submit the form to the City Clerk. Include the Agenda item number, when appropriate. **Public comments are limited to 3 minutes.**

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 may 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 Action Item, 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 Action Item, 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.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence on any agenda item by sending an email to cityclerk@spcity.org. All public correspondence received by 3:00 p.m. (PT) on the meeting date will be provided to the legislative body before the meeting. Public Comments received after 3:00 p.m. will be provided to the legislative body the next day.

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.*

HOW TO VIEW ON YOUR TELEVISION, COMPUTER, OR MOBILE DEVICE: Watch from home live on the local Channel 10, or view the live feed on the city website at the following link: <https://www.spcity.org/523/Public-Meeting-Agendas>

NOTE: Special and Closed Sessions are not recorded and not available on Channel 10 or live feed on the city website.

REGULAR MATTERS - COUNCIL CHAMBERS

1. CALL TO ORDER

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

2. INVOCATION

3. FLAG SALUTE

4. ROLL CALL

5. PUBLIC COMMENT

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.

6. PRESENTATIONS

6.A CHARRAS UNIDAS TEAM RECOGNITION

6.B VENTURA COUNTY TRANSPORTATION - PRESENTATION ON NEW SERVICES

Presented by: Matt Miller, Program Manager Regional Transit Services

6.C ISABELLA PROJECT PRESENTATION

Presented by: Vanessa Bechtel, President & CEO Ventura County Community Foundation (VCCF)
Dr. Gabino Aguirre, Co-Chair of Isabella Project
Matt Carroll, Isabella Project Consultant

RECOMMENDATION:

6.D **PARKS & RECREATION DEPARTMENT ACTIVITY REPORT**

RECOMMENDATION:

Staff recommends that the City Council:

1. Receive and file the Parks & Recreation Department's Activity Report for the period of January 1, 2024, to April 30, 2024.

Presented by: Gregory Barnes, Parks & Recreation Director

7. **CITY COUNCIL REPORTS**

8. **CITY MANAGER REPORTS**

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.

9.A **MAY 2024 WARRANTS AND CERTIFICATIONS**

RECOMMENDATION:

Staff recommends that the City Council:

1. Review and accept the "Certification of Accounts Payable" for the accounts payable payment cycles for May 2024, starting check number 337251 and ending check number 337493.
2. Review and accept the "Certification of Salaries" for the pay period ending dates May 3rd, 2024, through May 17th, 2024.

9.B **CONFLICT OF INTEREST CODE - BIENNIAL REVIEW**

RECOMMENDATION:

Staff recommends that the City Council:

1. Direct the review of the City's Conflict of Interest Code and the filing of a Biennial Notice with the City Clerk regarding such review, as required by the Political Reform Act.

9.C **SECOND READING AND ADOPTION OF ORDINANCE NO. 1337 TO GRANT A FRANCHISE TO BLACK WALNUT ENERGY STORAGE, LLC FOR UNDERGROUND INTERCONNECTION AND TRANSMISSION**

**EQUIPMENT IN, ALONG, ACROSS, UPON, AND UNDER CERTAIN
PUBLIC STREETS AND RIGHT-OF-WAY WITHIN THE CITY OF SANTA
PAULA**

RECOMMENDATION:

Staff recommends that the City Council conduct the second reading of and adopt Ordinance No. 1337 to grant a franchise to Black Walnut Energy Storage, LLC.

Presented by: James Mason, Community & Economic Development Director

9.D **FIRST AMENDMENT TO 2023 PROFESSIONAL SERVICES AGREEMENT
WITH MIKE ARANDA FOR POLICE DEPARTMENT PROJECT
MANAGEMENT SERVICES**

RECOMMENDATION:

Staff recommends that the City Council:

(1) Authorize the City Manager to execute the First Amendment to the 2023 Professional Services Agreement with Mike Aranda for Police Department Project Management Services.

PRESENTED BY: POLICE CHIEF DON AGUILAR

9.E **DISASTER RECOVERY AND EMERGENCY FUNDING REIMBURSEMENT
UPDATE**

RECOMMENDATION:

Staff recommends that the City Council:

1. Receive and file the Disaster Recovery and Emergency Funding Reimbursement Update.

9.F **VCTC VCSAFE GRANT BUDGET APPROPRIATION AND VEHICLE
PURCHASE APPROVAL**

RECOMMENDATION:

Staff recommends City Council:

1. Approve a budget allocation of \$85,000.00 in new revenue and matching expenditures from the Ventura County Transportation Commission (VCTC), as noted in the Fiscal Impact section of this report; and

2. Waive formal bidding and authorize the City Manager to purchase (1) New 2024 Ford Interceptor Utility AWD vehicle, in the amount of \$54,876.19 plus tax from Folsom Lake Ford. This purchase is fully funded through the VCSAFE Grant.

9.G **MILL STREET WATERLINE REPLACEMENT PROJECT BID
AUTHORIZATION**

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 7519 approving the plans and specifications for the Mill Street Waterline Replacement Project; and
2. Authorize Staff to advertise for bids.

9.H **EAST AREA 1 TRACTS 5854, 5985-5992, 6074 - RESOLUTION NO. 7509 ACCEPTING PUBLIC WATER AND SEWER IMPROVEMENTS, ACCEPTING WARRANTY SECURITY AND REDUCING PERFORMANCE SECURITY**
RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 7509 accepting the public improvements and warranty securities and exonerating performance securities for Tracts 5854, 5986-5992 public sewer improvements and Tracts 5985 and 6074 water and sewer improvements.

10. 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
- Public comments
- Close public hearing
- Discussion and action

10.A **HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT ASSESSMENT**
RECOMMENDATION:

Staff recommends that the City Council acting in its capacity as the Hillsborough Open Space Maintenance District Board:

1. Conduct a public hearing on the proposed assessment for the Hillsborough Open Space Maintenance District.
2. Adopt Resolution No. 7524 placing a \$150 per parcel special assessment onto the December 2024 tax roll for the Hillsborough Open Space Maintenance District.

Presented by: Robert P. Woodward, m6 Consulting, Contract City Engineer

11. ACTION ITEMS

11.A **CONSIDER ADOPTION OF RESOLUTIONS PLACING A GENERAL TAX MEASURE ON THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION BALLOT TO ESTABLISH A 1 PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX**
RECOMMENDATION:

Staff recommends City Council adopt the following Resolutions:

1. Resolution No. 7527 calling for the placement of a 1 percent general transactions and use (sales) tax measure on the November 5, 2024 General Municipal Election ballot; and
2. Resolution No. 7528 setting deadlines and rules for the submission of primary and rebuttal arguments for and against the proposed sales tax measure; and
3. Resolution No. 7529 requesting the County of Ventura to consolidate this election with the Statewide General Election also to be held on November 5, 2024.

Presented by: Jonathan Royas, Deputy City Manager

11.B **CALLING THE NOVEMBER MUNICIPAL ELECTION AND REQUESTING CONSOLIDATION WITH THE STATEWIDE ELECTION**
RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution 7525 calling a General Municipal Election on November 5, 2024, and requesting consolidation with other elections held on the same date; and
2. Adopt Resolution No. 7526 to establish requirements for Candidate Statements that will be included with voter information.

Presented By: Julie Latshaw, City Clerk

11.C **APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) SEEKING A PROHOUSING DESIGNATION BY THE STATE**
RECOMMENDATION:

Staff recommends the City Council:

Adopt Resolution No. 7521, authorizing the City Manager's designee to: 1) submit a Prohousing Designation Program application to the California Department of Housing and Community Development (HCD); and if the application is approved by HCD, 2) to execute all documents deemed necessary or appropriate to participate in the Prohousing Designation Program.

Presented By: Caesar Hernandez, Management Analyst

12. ITEMS FOR FUTURE AGENDAS

12.A **FUTURE AGENDA ITEMS**
RECOMMENDATION:

Staff recommends City Council review future agenda items and give

consideration to one Councilmember request for future discussion and action.

Presented by: Dan Singer, City Manager

13. ADJOURNMENT

State of California)-

County of Ventura)- ss

City of Santa Paula)-

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

On _____ at _____ Signed: _____

Julie Latshaw

City Clerk

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Greg Barnes, Parks and Recreation Director

Subject: PARKS & RECREATION DEPARTMENT ACTIVITY REPORT

Date: June 19, 2024

Agenda Item: 6.D

RECOMMENDATION:

Staff recommends that the City Council:

1. Receive and file the Parks & Recreation Department's Activity Report for the period of January 1, 2024, to April 30, 2024.

Presented by: Gregory Barnes, Parks & Recreation Director

BACKGROUND:

From the period of January 1st through April 30th, the Parks and Recreation Department worked on and executed the following:

RECREATION & COMMUNITY SERVICES

Youth Classes	Number of Participants
Piano	18
Folklorico Dance	31
Archery	73
Taekwondo	94
Gymnastics	258

Youth Sports	Number of Participants
Cheer Squad	148
Basketball	608

City Corps

City Corps Leader Trainees worked a total of 2,149 hours completing 457 projects across the city, some of these projects include:

- Event Logistics
- Town Keeping

- Assists with the Water Division
- Senior Nutrition (Meal Preparation and Delivery)
- Graffiti Abatement
- Tree Healthcare

California PAL Youth Apprenticeship Readiness Accelerator (YARA)

The California PAL Youth Apprenticeship Readiness Accelerator is a pre-apprenticeship program in collaboration with LiUNA who utilizes the Multi-Craft Core Curriculum of the NABTU (North America's Building Trades Unions) to help hands-on problem-solvers enter a new career path through accelerated training and introductions to local building trades and registered apprenticeships. This 12-week pre-apprenticeship is available to youth and young adults in Santa Paula from ages 16-24 and will cover:

- The Construction Industry
- Tools and Materials
- Construction Health & Safety
- Blueprint Reading
- Basic Math for Construction
- Heritage of the American Worker
- Diversity in the Construction Industry
- Green Construction
- Financial Literacy

An advisory council has been formed, comprised of City Staff, Santa Paula Unified School District Staff and various Community Organizations. These collaborators will actively develop and execute the implementation of YARA and share the roles of the Advisory Council, which include:

- Lending industry related expertise
 - Academic Tutoring for GED, Diploma or Advanced Learning/College
 - Financial Literacy
 - Resume Building/Interviewing Skills
- Assist with recruitment efforts
- Participate in YARA Program Volunteer Opportunities
 - CAL PAL Life After High School Conference
 - Building Projects
 - Graduation Week Activities

Recruitment has begun, those interested can submit an application online (<https://yara.californiapal.org/santapaula-santabarbara-application/>). Our first cohort begins on June 27th.

Adult Classes	Number of Participants
Archery	31

Adult Sports	Number of Participants
Pickleball	118
Kickball	6 Teams: 90 Participants

COMMUNITY EVENTS

Over the past four months the Department has hosted and collaborated on a number of

community events, these events include:

Easter Egg Hunt

On Saturday, March 23, Teague Park transformed into a hub of excitement during the city's annual Easter Egg Hunt. From 11:00 AM to 2:00 PM, families enjoyed wagon train rides, bouncing fun in inflatable houses, browsing through goods from local vendors, and pictures with the Easter Bunny. It was a successful event filled with laughter, exploration, and the spirit of togetherness. Over 550 residents came out to Teague Park and over 2,500 eggs were distributed.

Arbor Day

On April 6th, community members came together at 9:00 AM at Railroad Plaza Park for a brief ceremony and to plant nine trees. Thank you to everyone who participated in making our community greener and more vibrant.

Santa Paula Beautiful

The department hosted a volunteer cleanup and beautification event on April 20th. The focus was Railroad Plaza Park, the rose garden, the bike path and the Moreton Bay Fig Tree. Over a hundred volunteers participated in the beautification event, all of which were treated to lunch.

Union Oil Building Dedication & 122nd Anniversary

Thanks to the generous support of Chevron, the historic California Union Oil building now stands as a proud addition to our city's rich heritage. This remarkable contribution adds to the cultural and architectural significance of Santa Paula, further enriching our community. On April 27th, we commemorated the 122nd anniversary of Santa Paula's incorporation as a city. The special dedication event and anniversary brought together residents from all walks of life to honor our past, celebrate our present, and look forward to the future of Santa Paula.

Santa Paula Proud Volunteer Program

We currently have 242 volunteers, up 92 volunteers since the last department report. These 242 volunteers assist with everything from delivering a warm meal to seniors to coaching basketball. During this time period volunteers logged 1,363 hours, nearly double the number of hours when compared to the last department report, this is in part due to the utilization of the new volunteer tracking software. These 1,363 volunteer hours equate to a value of \$43,343.40 according to independentsector.org and givingcompass.org.

SENIOR SERVICES

There are over 250 seniors currently participating in various programs and classes at the Senior Center. These classes include:

- Enhanced Fitness
- Mat Yoga
- Chair Yoga
- Creative Writing Club
- Knitting Club
- Zumba

The Senior Center programming continues to include monthly movies and luncheons which are hosted in the auditorium. During this time the Senior Center hosted four luncheons all of which averaged over 100 attendees.

Senior Nutrition Program

From January 1st till April 30th of 2024 the Senior Nutrition Program served the following number of meals:

Congregate Meals	3,354
Homebound Delivery Meals	4,591
Meals Served FY to Date (April 30th)	18,314

Santa Paula Master Plan for Aging

The Santa Paula Master Plan for Aging is in its early stages, laying the groundwork for a future that prioritizes the well-being of our older residents. Initial steps include assessing the needs of seniors, identifying areas for improvement in accessibility, healthcare, and social services. The plan envisions a future where aging residents can thrive independently, and efforts are underway to establish the foundational framework necessary for achieving this goal. As the plan gains momentum, the focus remains on building a strong foundation that will support a vibrant and inclusive community for individuals as they age in Santa Paula. Since the last department report a workgroup has been formed and has met to draft a scope of work to solicit to consulting firms.

PARKS & FACILITIES

During this time period our Parks & Facilities staff have:

- Completed installation of baseball/softball bollards, involving the placement of 8 yards of concrete, footings, grading, rebar placement, and installation of new fencing at George Harding Park.
- Successfully installed the backsplash in the administration conference room, finalizing the project.
- Implemented re-seeding project at Las Piedras Park, which encompassed aerating, grading low spots, re-seeding, verti-cutting, and the application of topsoil to enhance the park's aesthetic appeal and functionality.
- Coordinated and completed weed abatement efforts with Cal Fire at the Barranca and Water Recycling facility, ensuring compliance with safety regulations and maintaining the integrity of our infrastructure.
- Undertook comprehensive maintenance of the Moreton Bay Fig Tree area, including roto-tilling the surrounding soil, installing new irrigation, and applying fresh mulch, enhancing the vitality and aesthetics of this iconic landmark.
- Conducted monthly "Lunch & Learns" with staff to enhance skills and knowledge, fostering a culture of continuous improvement and professionalism.
- Assisted with organizing and preparing for the Arbor Day event, which included the planting of 9 trees and 2 shrubs, contributing to the beautification of our city.
- Prepared community center for mural installation.

Work Orders Issued	2,198
Work Orders Completed	2,190

Tree Maintenance Report

Planted	10
Removed/Fallen	1
Pruned	91

Fagan Barranca Park Master Plan

Staff is working alongside a local landscape architect to create a Barranca Park Master Plan. A conceptual design has been completed. Staff anticipates holding a number of community events over the next 6-8 months to garner input and support.

ADMINISTRATION

- Continued to work with RWC (Project Management) on various CIP projects. These projects include:
 - City Hall Campus Security Fencing
 - Phase I Police Department Remodel
 - Teague Park Restrooms
 - Mill Park Restrooms
 - Community Center Emergency Generator
 - SPPD Generator
 - 10th Street Beautification Project
 - Community Center Storage Facility
 - Recreation Park
 - Youth Center Feasibility Study
 - After meeting with current youth center participants, a conceptual design has been completed. City and RWC staff have begun meeting with youth center participants to review designs and gather input.
 - Received Tree City USA designation for the third year in a row.
 - Submitted the CAL Fire Greenhouse Gas Reduction Grant reimbursement for \$278,272 for Eucalyptus fuel removal at both Teague and Barranca Park.
 - Welcomed Kassidy Straetz as a new youth commissioner to the Recreation Commission.
 - Staff attended the 2024 California Parks and Recreation Society Connections Conference in Palm Springs in March.
 - Finalized the Community Center Mural project in partnership with the Santa Paula Chamber of Commerce.
 - Worked alongside the Rotary Club Fireworks Committee to secure a vendor for the 4th of July event.
 - Along with the Union Oil Building RFP Committee, reviewed submitted RFPs and conducted in person interviews with potential future users.

Facility Rentals

Cultural Arts Building	7
Train Depot	15
Community Center	25

Park Rentals & Reservations

Recreation Park	3
McKevett Park	17
Las Piedras Park	24
Teague Park	93
Harding Park	245

Permits, Banners & Other Transactions

Film Permits	0
Main Street Banner	1
Teague Park Banner	2
Special Event Permits	4

ANALYSIS:

None.

STRATEGIC PLAN:

None.

FISCAL IMPACTS:

No fiscal impact.

OPTIONS:

None.

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Beatriz Jimenez, Assistant Finance Director

Subject: MAY 2024 WARRANTS AND CERTIFICATIONS

Date: June 19, 2024

Agenda Item: 9.A

RECOMMENDATION:

Staff recommends that the City Council:

1. Review and accept the "Certification of Accounts Payable" for the accounts payable payment cycles for May 2024, starting check number 337251 and ending check number 337493.
2. Review and accept the "Certification of Salaries" for the pay period ending dates May 3rd, 2024, through May 17th, 2024.

BACKGROUND:

This staff report certifies the separation of duties between the Preparer (Accounting and Payroll Specialist) and the Reviewer (Finance Director and Assistant Finance Director).

Presented in the attached documents:

- a) CERTIFICATION OF ACCOUNTS PAYABLE CHECKS by check number range and dates. It also discloses any voided checks.
- b) EXPENSE REPORTS showing the amount and funds accounts payable came from.

The "Check Report" depicts the following columns:

- c) AP-ACCOUNTS PAYABLE for the vendors (non-City staff) by the vendor number, vendor name, payment date, payment amount and check number (entitled 'number').
- d) PY-PAYROLL for benefit payments, insurance, retirement, etc. Benefits payable on behalf of City staff.
- e) Bank Code Summary by payment type.
- f) Fund Summary by fund the accounts payables utilized.

CERTIFICATION OF SALARIES

This is the certification (separation of duties between "preparer" and the "reviewer") of salaries and benefits (payroll checks) by fund. It lists salary (payroll) issued checks by beginning and ending check number, payroll ending dates May 3rd, 2024, through May 17th, 2024.

ANALYSIS:

See the attachments for expense breakdown by respective fund.

STRATEGIC PLAN:

None.

FISCAL IMPACTS:

None.

OPTIONS:

1. Receive and file May 2024 Certifications of Accounts Payable Checks and Certifications of Salaries.

ATTACHMENTS:

[May 2024 AP and PR Certifications.pdf](#)

EXHIBIT A:
CERTIFICATION OF SALARIES

CERTIFICATION OF SALARIES

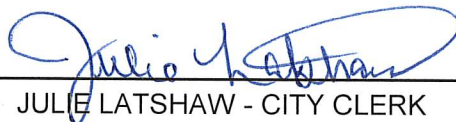
BEG. CHK #: 148453
ENDING CHK #: 148464

PAYROLL ENDING: 05/03/2024
PAY DATE: 05/10/2024

100	GENERAL FUND	\$	338,539.22
104	GENERAL FUND-MEASURE T	\$	73,700.02
206	STORMWATER PROGRAM	\$	551.49
280	STATE GAS TAX FUND	\$	18,275.95
405	AAA-AREA AGCY ON AG	\$	1,739.21
504	HARVEST CFD EA1	\$	480.64
610	SEWER ENTERPRISE FUND	\$	7,815.99
620	WATER ENTERPRISE FUND	\$	64,486.35
702	EQUIP. MAINT. FUND	\$	11,681.09
		\$	517,269.96

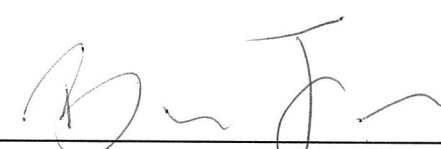


CERTIFICATION
ALLOWED BY THE CITY COUNCIL


JULIE LATSHAW - CITY CLERK 6/10/24
DATED

PREPARED BY:

MARIA RENTERIA - PAYROLL SPECIALIST 6/10/24
DATED


BEATRIZ JIMENEZ - ASSISTANT FINANCE DIRECTOR 6/11/24
DATED

Fund Summary

Fund	Units	Amount
100-GENERAL	6,547.46	338,539.22
104-GENERAL FUND-MEASURE T	1,700.42	73,700.02
206-STORMWATER PROGRAM	8.21	551.49
280-STATE GAS TAX	449.84	18,275.95
405-AAA (AREA AGCY ON AGING)	72.24	1,739.21
504-HARVEST CFD EA1	21.50	480.64
610-SEWER	141.09	7,815.99
620-WATER	1,376.58	64,486.35
702-EQUIPMENT MAINTENANCE	247.00	11,681.09
Grand Total:	10,564.34	517,269.96

CERTIFICATION OF SALARIES

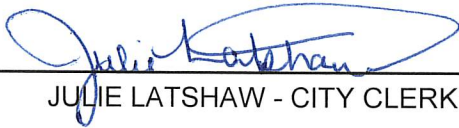
BEG. CHK #: 148465
ENDING CHK #: 148480

PAYROLL ENDING: 05/17/2024
PAY DATE: 05/24/2024

100	GENERAL FUND	\$	345,008.71
104	GENERAL FUND-MEASURE T	\$	72,339.06
206	STORMWATER PROGRAM	\$	550.66
280	STATE GAS TAX FUND	\$	17,367.51
405	AAA-AREA AGCY ON AG	\$	1,806.02
504	HARVEST CFD EA1	\$	424.76
610	SEWER ENTERPRISE FUND	\$	8,928.52
620	WATER ENTERPRISE FUND	\$	71,059.70
702	EQUIP. MAINT. FUND	\$	12,413.84
		\$	529,898.78

CERTIFICATION
ALLOWED BY THE CITY COUNCIL




JULIE LATSHAW - CITY CLERK

6/10/24
DATED

PREPARED BY:


MARIA RENTERIA - PAYROLL SPECIALIST

6/10/24
DATED


BEATRIZ JIMENEZ - ASSISTANT FINANCE DIRECTOR

6/11/24
DATED

Fund Summary

Fund	Units	Amount
100-GENERAL	11,126.54	345,008.71
104-GENERAL FUND-MEASURE T	1,630.09	72,339.06
206-STORMWATER PROGRAM	8.21	550.66
280-STATE GAS TAX	411.97	17,367.51
405-AAA (AREA AGCY ON AGING)	75.25	1,806.02
504-HARVEST CFD EA1	19.00	424.76
610-SEWER	178.10	8,928.52
620-WATER	3,611.79	71,059.70
702-EQUIPMENT MAINTENANCE	496.00	12,413.84
Grand Total:	17,556.95	529,898.78

EXHIBIT B:
CERTIFICATION OF ACCOUNTS
PAYABLES

CERTIFICATION OF ACCOUNTS PAYABLE CHECKS

CHECK NO.:	337251	THRU:	337280	DATED:	May 2, 2024
CHECK NO.:	337282	THRU:	337345	DATED:	May 2, 2024
CHECK NO.:	337346	THRU:	337347	DATED:	May 6, 2024
CHECK NO.:	337348	THRU:	337348	DATED:	May 8, 2024
CHECK NO.:	337361	THRU:	337368	DATED:	May 14, 2024
CHECK NO.:	337375	THRU:	337395	DATED:	May 16, 2024
CHECK NO.:	337396	THRU:	337418	DATED:	May 16, 2024
CHECK NO.:	337419	THRU:	337487	DATED:	May 16, 2024
CHECK NO.:	337494	THRU:	337608	DATED:	May 30, 2024
CHECK NO.:	337349	THRU:	337360	DATED:	May 10, 2024
CHECK NO.:	337488	THRU:	337493	DATED:	May 24, 2024

DRAFT:	992224	THRU:	992229	DATED:	May 1, 2024
DRAFT:	992230	THRU:	992230	DATED:	May 3, 2024
DRAFT:	992231	THRU:	992231	DATED:	May 8, 2024
DRAFT:	992232	THRU:	992232	DATED:	May 10, 2024
DRAFT:	992237	THRU:	992237	DATED:	May 15, 2024
DRAFT:	992238	THRU:	992238	DATED:	May 22, 2024
DRAFT:	992239	THRU:	992242	DATED:	May 29, 2024
DRAFT:	992243	THRU:	992243	DATED:	May 30, 2024

VOIDED CHECK NO.:	337217	THRU:	337217	DATED:	May 1, 2024
VOIDED CHECK NO.:	337281	THRU:	337281	DATED:	May 2, 2024
VOIDED CHECK NO.:	337395	THRU:	337395	DATED:	May 16, 2024
VOIDED CHECK NO.:	337418	THRU:	337418	DATED:	May 16, 2024

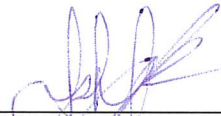
COUNCIL MEETING DATE:

AMOUNT OF CERTIFICATION: \$ 4,183,817.53

DISTRIBUTION BY FUND

100 GENERAL FUND	\$626,485.44
103 CABLE TELEVISION FUND	\$9,030.00
104 PROF/CONTR SVCS-OTHER	\$317,430.81
115 RECREATION PROGRAM	\$4,360.60
205 NPDES STORMWATER QUALITY	\$19,629.93
206 STORMWATER PROGRAM	\$5,826.94
219 INCLUSIONARY HOUSING ORG	\$377,033.01
280 STATE GAS TAX	\$111,002.47
281 LOCAL TRANSPORTATION TAX/LTF/TDA	\$925.00
405 AAA (AREA AGENCY ON AGING	\$4,359.38
412 AMERICAN RESCUE PLAN	\$259,793.72
500 HILLSBOROUGH OPEN SPACE MAINT	\$455.00
503 GHAD-GEO HAZ ABATEMENT	\$2,288.75
504 HARVEST CFD EA1	\$6,213.07
505 PBID	\$350.70
610 SEWER ENTERPRISE	\$1,169,648.62
620 WATER ENTERPRISE	\$1,152,917.16
702 EQUIPMENT MAINTENANCE FUND	\$34,661.84
800 CASH DEPOSIT TRUST FUND	\$59,549.05
803 HARDING PARK TRUST	\$25,517.10
	\$4,187,478.59

Variance of \$3,661.06 due to reversals from previous month re-issues in May.

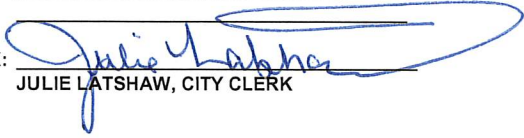
PREPARED BY: 
ASHLEY FIGUEROA
ACCOUNTING SPECIALIST

REVIEWED BY: 
BEATRIZ JIMENEZ
ASSISTANT FINANCE DIRECTOR

ALLOWED BY CITY COUNCIL

DATE: June 11, 2024

EXCEPT: _____

CITY CLERK: 
JULIE LATSHAW, CITY CLERK



Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL	626,485.44
103 - CABLE TELEVISION	9,030.00
104 - GENERAL FUND-MEASURE T	317,430.81
115 - GENERAL RECREATION PRO	4,360.60
205 - NPDES STORMWATER QUALITY	19,629.93
206 - STORMWATER PROGRAM	5,826.94
219 - INCLUSIONARY HOUSING ORD	377,033.01
280 - STATE GAS TAX	111,002.47
281 - LOCAL TRANSPORTATION TDA	925.00
405 - AAA (AREA AGCY ON AGING)	4,359.38
412 - AMERICAN RESCUE PLAN	259,793.72
500 - HILLSBOROUGH OPEN SPACE	455.00
503 - GHAD-GEO HAZ ABATE DIST	2,288.75
504 - HARVEST CFD EA1	6,213.07
505 - PROPERTY BUSINESS IMPROVEMENT DISTRICT	350.70
610 - SEWER	1,169,648.62
620 - WATER	1,152,917.16
702 - EQUIPMENT MAINTENANCE	34,661.84
800 - MISC DEPOSITS	59,549.05
803 - HARDING PARK TRUST	25,517.10
Grand Total:	4,187,478.59



City of Santa Paula, CA

Check Report

By Check Number

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-ACCOUNTS PAYABLE						
010804	SPENCER, PAUL F	05/01/2024	Regular	0.00	-3,661.06	337217
016461	ACI ENTERPRISES, INC.	05/02/2024	Regular	0.00	350.00	337251
015498	AMAZON CAPITAL SERVICES	05/02/2024	Regular	0.00	755.63	337252
011522	AQUA-TECH SERVICES	05/02/2024	Regular	0.00	700.00	337253
011297	ASSOCIATION OF WATER AGENCIES OF VENTU	05/02/2024	Regular	0.00	900.00	337254
011354	AT&T MOBILITY	05/02/2024	Regular	0.00	1,275.15	337255
016062	BANNER BANK	05/02/2024	Regular	0.00	62,043.97	337256
015218	BARAJAS, DAVID	05/02/2024	Regular	0.00	3,990.00	337257
011253	BAY ALARM COMPANY	05/02/2024	Regular	0.00	250.50	337258
011317	CALIFORNIA BUILDING OFFICIALS	05/02/2024	Regular	0.00	210.00	337259
011158	CALIFORNIA POLICE CHIEFS ASSOCIATION	05/02/2024	Regular	0.00	875.00	337260
016120	CANYON SPRINGS ENTERPRISES	05/02/2024	Regular	0.00	331,120.19	337261
011336	CDCE INC.	05/02/2024	Regular	0.00	470.00	337262
016462	CENTENO CORPORATION	05/02/2024	Regular	0.00	1,164.25	337263
015999	CHARTER COMMUNICATIONS HOLDING, LLC	05/02/2024	Regular	0.00	758.77	337264
011137	COPQUEST, INC.	05/02/2024	Regular	0.00	4,231.18	337265
011149	COSTCO WHOLESALE	05/02/2024	Regular	0.00	259.44	337266
011164	CRANE PRINTING	05/02/2024	Regular	0.00	43.30	337267
016459	DAVISON LEIGH STIVERS	05/02/2024	Regular	0.00	800.00	337268
015645	DEPARTMENT OF FORESTRY AND FIRE PROTEC	05/02/2024	Regular	0.00	458.77	337269
011210	DEPARTMENT OF JUSTICE	05/02/2024	Regular	0.00	66.00	337270
012948	DIAL SECURITY 2021	05/02/2024	Regular	0.00	44.40	337271
016434	DIAZ, ROBERTO	05/02/2024	Regular	0.00	300.00	337272
010094	DOUGLASS TRUCK BODIES INC	05/02/2024	Regular	0.00	385.73	337273
016156	EFUEL LLC	05/02/2024	Regular	0.00	1,487.34	337274
013360	ENGEO INCORPORATED	05/02/2024	Regular	0.00	1,810.75	337275
010187	F M PEARCE Company	05/02/2024	Regular	0.00	1,877.00	337276
010395	FAMCON PIPE & SUPPLY, INC.	05/02/2024	Regular	0.00	3,818.10	337277
010404	FENCE FACTORY SATICOY	05/02/2024	Regular	0.00	90.61	337278
014348	FERRIS, SABRINA ZAN	05/02/2024	Regular	0.00	400.40	337279
010440	FGL ENVIRONMENTAL, INC	05/02/2024	Regular	0.00	3,966.00	337280
	Void	05/02/2024	Regular	0.00	0.00	337281
015835	FLORES, ELIXEO	05/02/2024	Regular	0.00	87.75	337282
010432	FRANK'S PAINT & HARDWARE	05/02/2024	Regular	0.00	1,294.60	337283
010441	FRUIT GROWERS SUPPLY CO	05/02/2024	Regular	0.00	71.92	337284
010481	GRAINGER	05/02/2024	Regular	0.00	363.00	337285
012800	GRANITE CONSTRUCTION COMPANY	05/02/2024	Regular	0.00	582.09	337286
010484	GREEN THUMB OF VENTURA	05/02/2024	Regular	0.00	264.19	337287
014369	GSI WATER SOLUTIONS, INC.	05/02/2024	Regular	0.00	11,962.01	337288
014686	HASA, INC.	05/02/2024	Regular	0.00	7,231.50	337289
013017	HERITAGE VALLEY EYE CARE	05/02/2024	Regular	0.00	225.00	337290
014826	HERNANDEZ, LIZ	05/02/2024	Regular	0.00	113.75	337291
010532	HOMB, KARL D	05/02/2024	Regular	0.00	5,280.00	337292
011485	HOUSING TRUST FUND VENTURA COUNTY	05/02/2024	Regular	0.00	1,000.00	337293
014475	HUBER TECHNOLOGY	05/02/2024	Regular	0.00	4,422.89	337294
015640	HUITT-ZOLLARS, INC.	05/02/2024	Regular	0.00	1,175.00	337295
010551	ICMA INTERNATIONAL CIT/COUNTY MANAGEN	05/02/2024	Regular	0.00	200.00	337296
012750	JORDANO'S INC. AND SUBSIDIARIES	05/02/2024	Regular	0.00	534.57	337297
015633	M6 CONSULTING, INC.	05/02/2024	Regular	0.00	26,825.92	337298
010079	MADISON, CODY	05/02/2024	Regular	0.00	198.32	337299
014436	MINER'S ACE HARDWARE	05/02/2024	Regular	0.00	1,470.90	337300
013911	MKN ASSOCIATES INC	05/02/2024	Regular	0.00	64,106.54	337301
012895	MNS ENGINEERS, INC.	05/02/2024	Regular	0.00	815.00	337302
011981	NBS	05/02/2024	Regular	0.00	762.50	337303

Check Report

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
014375	NORRIS, ROBERT	05/02/2024	Regular	0.00	556.95	337304
016223	NORTHSTAR FAMILY CORPORATION	05/02/2024	Regular	0.00	551.03	337305
016464	OCHOA, KRISTINA	05/02/2024	Regular	0.00	521.80	337306
010246	ON DUTY UNIFORMS & EQUIPMENT	05/02/2024	Regular	0.00	495.59	337307
012691	O'REILLY AUTOMOTIVE STORES, INC.	05/02/2024	Regular	0.00	11.90	337308
016382	PAIGE, JEFFREY	05/02/2024	Regular	0.00	300.00	337309
013815	PATRIOT ENVIRONMENTAL SERVICES	05/02/2024	Regular	0.00	2,327.60	337310
015335	PAVEMENT COATING CO.	05/02/2024	Regular	0.00	838.79	337311
016460	PEACE OFFICERS RESEARCH ASSOCIATION OF C	05/02/2024	Regular	0.00	430.00	337312
014663	PHOENIX CIVIL ENGINEERING, INC.	05/02/2024	Regular	0.00	27,460.00	337313
016129	QUEST DIAGNOSTICS CLINIC LABORATORIES, IN	05/02/2024	Regular	0.00	134.00	337314
014934	RAMIREZ, JOSHUA	05/02/2024	Regular	0.00	1,482.00	337315
014869	READYREFRESH BY NESTLE	05/02/2024	Regular	0.00	266.33	337316
010047	ROBERT HALF	05/02/2024	Regular	0.00	6,343.59	337317
015859	ROGERS, ANDERSON, MALODY & SCOTT, LLP	05/02/2024	Regular	0.00	10,000.00	337318
010689	SANTA PAULA CHAMBER OF COMMERCE	05/02/2024	Regular	0.00	825.00	337319
011263	SANTA PAULA SELF STORAGE	05/02/2024	Regular	0.00	900.00	337320
010711	SANTA PAULA TIMES	05/02/2024	Regular	0.00	50.00	337321
013909	SITEONE LANDSCAPE SUPPLY, LLC	05/02/2024	Regular	0.00	785.27	337322
010785	SMART & FINAL	05/02/2024	Regular	0.00	324.30	337323
011524	SOLID WASTE SOLUTIONS	05/02/2024	Regular	0.00	2,400.25	337324
010795	SOUTHERN CALIFORNIA EDISON	05/02/2024	Regular	0.00	36,664.50	337325
016094	SOUTHERN CALIFORNIA PERMANENTE MEDICA	05/02/2024	Regular	0.00	2,534.00	337326
010804	SPENCER, PAUL F	05/02/2024	Regular	0.00	7,322.12	337327
015016	SPL LANDSCAPE INC.	05/02/2024	Regular	0.00	8,275.00	337328
015809	STANDARD SITE RENTALS INC.	05/02/2024	Regular	0.00	127.48	337329
011144	STAPLES, INC.	05/02/2024	Regular	0.00	426.71	337330
016315	STARNA, ERIC	05/02/2024	Regular	0.00	1,073.00	337331
010814	STATE READY MIX	05/02/2024	Regular	0.00	1,699.15	337332
016177	STEIGER, JEFFREY S.	05/02/2024	Regular	0.00	4,000.00	337333
011871	SUNBELT RENTALS, INC.	05/02/2024	Regular	0.00	2,104.23	337334
015001	SYNAGRO-WWT, INC.	05/02/2024	Regular	0.00	25,033.19	337335
016389	TINY MOBILE ROBOTS US LLC	05/02/2024	Regular	0.00	1,052.11	337336
012696	TORO ENTERPRISES, INC.	05/02/2024	Regular	0.00	847,715.30	337337
012070	TRAFFIC TECHNOLOGIES	05/02/2024	Regular	0.00	393.30	337338
011389	TYLER TECHNOLOGIES, INC	05/02/2024	Regular	0.00	9,853.84	337339
016438	UNION OIL COMPANY OF CALIFORNIA	05/02/2024	Regular	0.00	10.00	337340
015375	VENTURA LOCKSMITHS	05/02/2024	Regular	0.00	250.00	337341
010975	VENTURA REGIONAL SANITATION DISTRICT	05/02/2024	Regular	0.00	149,838.63	337342
010952	VENTURA TROPHY COMPANY	05/02/2024	Regular	0.00	10.78	337343
013843	YOUNG, DUNCAN JAMES	05/02/2024	Regular	0.00	1,638.00	337344
016027	YUNEX LLC	05/02/2024	Regular	0.00	15,722.17	337345
015480	CNL FOOD PROS LLC	05/06/2024	Regular	0.00	517.65	337346
016156	EFUEL LLC	05/06/2024	Regular	0.00	30,051.68	337347
010920	VENTURA COUNTY AIR POLLUTION CONTROL C	05/08/2024	Regular	0.00	705.00	337348
011464	BUSINESS CARD	05/14/2024	Regular	0.00	105.59	337361
011464	BUSINESS CARD	05/14/2024	Regular	0.00	1,938.30	337362
011464	BUSINESS CARD	05/14/2024	Regular	0.00	9,871.59	337363
011464	BUSINESS CARD	05/14/2024	Regular	0.00	1,382.74	337364
011464	BUSINESS CARD	05/14/2024	Regular	0.00	1,886.46	337365
011464	BUSINESS CARD	05/14/2024	Regular	0.00	2,330.41	337366
011464	BUSINESS CARD	05/14/2024	Regular	0.00	3,902.87	337367
011464	BUSINESS CARD	05/14/2024	Regular	0.00	3,713.52	337368
015244	ACCURATE FIRST AID SERVICES	05/16/2024	Regular	0.00	121.11	337375
016170	AGUILAR, DON	05/16/2024	Regular	0.00	59.20	337376
015448	ALL CITY MANAGEMENT SERVICES, INC.	05/16/2024	Regular	0.00	20,572.44	337377
015498	AMAZON CAPITAL SERVICES	05/16/2024	Regular	0.00	5,484.85	337378
016471	ANDRADE, MARIA	05/16/2024	Regular	0.00	428.00	337379
016125	ARANDA, MIKE	05/16/2024	Regular	0.00	1,800.00	337380
011368	ASWELL TROPHY	05/16/2024	Regular	0.00	26.77	337381
011738	AT&T CALNET 3	05/16/2024	Regular	0.00	505.22	337382

Check Report

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
011354	AT&T MOBILITY	05/16/2024	Regular	0.00	1,725.92	337383
015318	BADGER METER	05/16/2024	Regular	0.00	6,616.40	337384
011237	BTE COMMUNICATIONS, LLC	05/16/2024	Regular	0.00	125.14	337385
016339	CALIFORNIA POLICE ACTIVITIES LEAGUE	05/16/2024	Regular	0.00	25,600.00	337386
015898	CALIFORNIA SURVEYING AND DRAFTING SUPPL	05/16/2024	Regular	0.00	5,442.50	337387
012679	CAL-STATE AUTO PARTS	05/16/2024	Regular	0.00	1,006.67	337388
014849	CCAC	05/16/2024	Regular	0.00	250.00	337389
014856	CCI OFFICE TECHNOLOGIES	05/16/2024	Regular	0.00	79.82	337390
015874	CHANDLER ASSET MANAGEMENT, INC.	05/16/2024	Regular	0.00	2,514.66	337391
015999	CHARTER COMMUNICATIONS HOLDING, LLC	05/16/2024	Regular	0.00	1,565.76	337392
015914	CITY ELECTRIC SUPPLY	05/16/2024	Regular	0.00	4,653.80	337393
015480	CNL FOOD PROS LLC	05/16/2024	Regular	0.00	1,399.67	337394
011088	CALIFORNIA NARCOTIC OFFICERS ASSOCIATION	05/16/2024	Regular	0.00	125.00	337395
011088	CALIFORNIA NARCOTIC OFFICERS ASSOCIATION	05/16/2024	Regular	0.00	-125.00	337395
011133	CONSTRUCTION & RIGGING SUPPLY	05/16/2024	Regular	0.00	20.54	337396
011148	COUNTY OF VENTURA	05/16/2024	Regular	0.00	174.83	337397
010932	COUNTY OF VENTURA IT SERVICES	05/16/2024	Regular	0.00	4,318.16	337398
011161	CRAGOE PEST SERVICES INC	05/16/2024	Regular	0.00	1,110.00	337399
014331	CULLIGAN WATER	05/16/2024	Regular	0.00	65.00	337400
012191	DATAPROSE, LLC	05/16/2024	Regular	0.00	5,069.51	337401
015645	DEPARTMENT OF FORESTRY AND FIRE PROTEC	05/16/2024	Regular	0.00	1,362.48	337402
013267	DIAMOND A EQUIPMENT, LLC.	05/16/2024	Regular	0.00	153.01	337403
016470	DIAZ, ENRIQUE	05/16/2024	Regular	0.00	428.00	337404
013724	DIRECT TV	05/16/2024	Regular	0.00	115.24	337405
016468	DURAN, JOSE	05/16/2024	Regular	0.00	400.00	337406
014937	ELEGANT RENTAL	05/16/2024	Regular	0.00	260.00	337407
016441	EMC GENERAL CONSTRUCTION, INC.	05/16/2024	Regular	0.00	5,565.00	337408
016126	ENVISION VTA FD AUTO LLC	05/16/2024	Regular	0.00	39.52	337409
015739	EWING IRRIGATION PRODUCTS INC.	05/16/2024	Regular	0.00	266.65	337410
010395	FAMCON PIPE & SUPPLY, INC.	05/16/2024	Regular	0.00	4,139.86	337411
010404	FENCE FACTORY SATICOY	05/16/2024	Regular	0.00	1,445.35	337412
010440	FGL ENVIRONMENTAL, INC	05/16/2024	Regular	0.00	595.00	337413
010432	FRANK'S PAINT & HARDWARE	05/16/2024	Regular	0.00	723.16	337414
014061	FRONTIER COMMUNICATIONS	05/16/2024	Regular	0.00	3,301.81	337415
010441	FRUIT GROWERS SUPPLY CO	05/16/2024	Regular	0.00	128.27	337416
010797	GAS COMPANY, THE	05/16/2024	Regular	0.00	1,983.23	337417
016449	GAYTAN, CARLOS	05/16/2024	Regular	0.00	3,983.39	337418
016449	GAYTAN, CARLOS	05/16/2024	Regular	0.00	-3,983.39	337418
015222	GOODSUITE	05/16/2024	Regular	0.00	1,171.56	337419
010481	GRAINGER	05/16/2024	Regular	0.00	52.26	337420
012800	GRANITE CONSTRUCTION COMPANY	05/16/2024	Regular	0.00	1,398.39	337421
015765	GRAPHIX, LLC.	05/16/2024	Regular	0.00	60.62	337422
010486	GRIMES ROCK, INC	05/16/2024	Regular	0.00	1,059.49	337423
014369	GSI WATER SOLUTIONS, INC.	05/16/2024	Regular	0.00	12,570.12	337424
015747	HACH COMPANY	05/16/2024	Regular	0.00	14,512.00	337425
016127	HOMELAND LANGUAGE SERVICES LLC	05/16/2024	Regular	0.00	1,618.25	337426
010537	HOUSE SANITARY SUPPLY	05/16/2024	Regular	0.00	720.57	337427
016467	HOUSING AUTHORITY OF THE CITY OF SANTA F	05/16/2024	Regular	0.00	377,033.01	337428
015640	HUITT-ZOLLARS, INC.	05/16/2024	Regular	0.00	1,797.50	337429
016254	HUNT DESIGN ASSOCIATES, INC.	05/16/2024	Regular	0.00	17,307.50	337430
010557	IIMC	05/16/2024	Regular	0.00	250.00	337431
013711	INDEPENDENT ORDER OF ODD FELLOWS	05/16/2024	Regular	0.00	2,951.22	337432
014988	INFRASCALE INC.	05/16/2024	Regular	0.00	1,590.91	337433
013872	JOSE N. HERNANDEZ	05/16/2024	Regular	0.00	521.34	337434
010629	KIMBALL MIDWEST	05/16/2024	Regular	0.00	309.47	337435
015633	M6 CONSULTING, INC.	05/16/2024	Regular	0.00	22,602.37	337436
015989	MERCHANT MCINTYRE & ASSOCIATES, LLC	05/16/2024	Regular	0.00	6,500.00	337437
014436	MINER'S ACE HARDWARE	05/16/2024	Regular	0.00	1,310.40	337438
012895	MNS ENGINEERS, INC.	05/16/2024	Regular	0.00	1,745.00	337439
016052	NATURAL GREEN LANDSCAPE, INC.	05/16/2024	Regular	0.00	10,750.00	337440
010218	NEW IMAGE AUTO BODY	05/16/2024	Regular	0.00	272.00	337441

Check Report

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
014375	NORRIS, ROBERT	05/16/2024	Regular	0.00	258.60	337442
012691	O'REILLY AUTOMOTIVE STORES, INC.	05/16/2024	Regular	0.00	1,687.64	337443
016305	PEREZ, JOSE LUIS	05/16/2024	Regular	0.00	682.00	337444
010774	PROFESSIONAL POLICE SUPPLY	05/16/2024	Regular	0.00	610.06	337445
010289	PROUSYS, INC	05/16/2024	Regular	0.00	13,525.00	337446
010289	PROUSYS, INC	05/16/2024	Regular	0.00	-13,525.00	337446
013730	QUADIENT LEASING USA, INC.	05/16/2024	Regular	0.00	1,256.69	337447
014869	READYREFRESH BY NESTLE	05/16/2024	Regular	0.00	64.97	337448
010326	RED WING SHOE STORE	05/16/2024	Regular	0.00	500.00	337449
010047	ROBERT HALF	05/16/2024	Regular	0.00	2,804.18	337450
016469	RUIZ, MARIA	05/16/2024	Regular	0.00	428.00	337451
010376	SAFETY-KLEEN-SYSTEMS, INC.	05/16/2024	Regular	0.00	899.55	337452
014129	SAM HILL & SONS, INC	05/16/2024	Regular	0.00	12,619.07	337453
015917	SANTA PAULA MATERIALS, INC.	05/16/2024	Regular	0.00	100.00	337454
011263	SANTA PAULA SELF STORAGE	05/16/2024	Regular	0.00	755.00	337455
012332	SANTA PAULA SUPER STORE	05/16/2024	Regular	0.00	294.53	337456
010711	SANTA PAULA-TIMES	05/16/2024	Regular	0.00	563.90	337457
013467	SATICOY UPHOLSTERY - ZUNIGA, RUTILIO	05/16/2024	Regular	0.00	2,695.60	337458
015368	SINGER, DAN	05/16/2024	Regular	0.00	39.96	337459
013909	SITEONE LANDSCAPE SUPPLY, LLC	05/16/2024	Regular	0.00	1,525.49	337460
010785	SMART & FINAL	05/16/2024	Regular	0.00	872.16	337461
010790	SOAP MAN	05/16/2024	Regular	0.00	162.81	337462
012665	SOLAR XPERTZ WINDOW TINTING	05/16/2024	Regular	0.00	400.00	337463
015819	SOLIS, YVETTE	05/16/2024	Regular	0.00	370.00	337464
010795	SOUTHERN CALIFORNIA EDISON	05/16/2024	Regular	0.00	46,772.13	337465
015016	SPL LANDSCAPE INC.	05/16/2024	Regular	0.00	1,050.00	337466
015809	STANDARD SITE RENTALS INC.	05/16/2024	Regular	0.00	539.61	337467
011144	STAPLES, INC.	05/16/2024	Regular	0.00	1,282.90	337468
016177	STEIGER, JEFFREY S.	05/16/2024	Regular	0.00	4,000.00	337469
015285	SUPERIOR PRINTING & GRAPHICS	05/16/2024	Regular	0.00	54.63	337470
016378	THE LEW EDWARDS GROUP	05/16/2024	Regular	0.00	6,500.00	337471
012070	TRAFFIC TECHNOLOGIES	05/16/2024	Regular	0.00	589.62	337472
014853	TRI-COUNTY RHINO	05/16/2024	Regular	0.00	2,319.78	337473
015505	TRIEPI, SMITH AND ASSOCIATES, INC.	05/16/2024	Regular	0.00	1,836.66	337474
010885	UNDERGROUND SERVICE ALERT OF SOUTHERN	05/16/2024	Regular	0.00	42.90	337475
010883	U-RENT INC	05/16/2024	Regular	0.00	134.81	337476
013736	V.C.T.C.	05/16/2024	Regular	0.00	280.00	337477
015439	VALU GROUP ENTERPRISES, INC.	05/16/2024	Regular	0.00	800.00	337478
015186	VENTURA COUNTY AUTO SUPPLY, INC.	05/16/2024	Regular	0.00	410.06	337479
010975	VENTURA REGIONAL SANITATION DISTRICT	05/16/2024	Regular	0.00	5,648.50	337480
011539	VERIZON WIRELESS	05/16/2024	Regular	0.00	3,464.72	337481
016334	VIRAMONTES, SANDRA	05/16/2024	Regular	0.00	428.00	337482
016021	VISTA PAINT	05/16/2024	Regular	0.00	334.96	337483
010995	WEST COAST ARBORISTS, INC	05/16/2024	Regular	0.00	900.00	337484
015847	WHITE RABBIT MAGIC LLC	05/16/2024	Regular	0.00	3,750.00	337485
014968	WILLDAN FINANCIAL SERVICES	05/16/2024	Regular	0.00	2,760.80	337486
016463	WMFY WE MAIL FOR YOU INC	05/16/2024	Regular	0.00	4,049.10	337487
016128	4IMPRINT	05/30/2024	Regular	0.00	742.62	337494
015244	ACCURATE FIRST AID SERVICES	05/30/2024	Regular	0.00	300.82	337495
010378	ALBERTSON'S/SAFEWAY	05/30/2024	Regular	0.00	1,067.96	337496
015428	ALL STAR ELITE SPORTS	05/30/2024	Regular	0.00	4,567.20	337497
015896	ALONSO TOOLS, LLC	05/30/2024	Regular	0.00	33.02	337498
015498	AMAZON CAPITAL SERVICES	05/30/2024	Regular	0.00	3,576.40	337499
010725	AMERIGAS PROPANE LP	05/30/2024	Regular	0.00	154.54	337500
016125	ARANDA, MIKE	05/30/2024	Regular	0.00	3,600.00	337501
011738	AT&T CALNET 3	05/30/2024	Regular	0.00	508.24	337502
012425	ATCO INTERNATIONAL	05/30/2024	Regular	0.00	175.41	337503
016062	BANNER BANK	05/30/2024	Regular	0.00	36,969.47	337504
016443	BUDGET TREE WORKS SERVICES INC	05/30/2024	Regular	0.00	8,600.00	337505
016120	CANYON SPRINGS ENTERPRISES	05/30/2024	Regular	0.00	202,178.28	337506
011336	CDCE INC.	05/30/2024	Regular	0.00	180.00	337507

Check Report

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
015874	CHANDLER ASSET MANAGEMENT, INC.	05/30/2024	Regular	0.00	2,516.03	337508
015999	CHARTER COMMUNICATIONS HOLDING, LLC	05/30/2024	Regular	0.00	1,249.82	337509
015914	CITY ELECTRIC SUPPLY	05/30/2024	Regular	0.00	518.00	337510
015480	CNL FOOD PROS LLC	05/30/2024	Regular	0.00	799.97	337511
011088	CALIFORNIA NARCOTIC OFFICERS ASSOCIATION	05/30/2024	Regular	0.00	125.00	337512
014038	COASTAL BYPRODUCTS	05/30/2024	Regular	0.00	610.00	337513
011133	CONSTRUCTION & RIGGING SUPPLY	05/30/2024	Regular	0.00	5.44	337514
016032	COPPERFASTEN TECHNOLOGIES LTD	05/30/2024	Regular	0.00	3,490.00	337515
011137	COPQUEST, INC.	05/30/2024	Regular	0.00	2,115.59	337516
011149	COSTCO WHOLESALE	05/30/2024	Regular	0.00	260.73	337517
011161	CRAGOE PEST SERVICES INC	05/30/2024	Regular	0.00	390.00	337518
014331	CULLIGAN WATER	05/30/2024	Regular	0.00	6.00	337519
012191	DATAPROSE, LLC	05/30/2024	Regular	0.00	1,208.22	337520
011811	DE LAGE LANDEN	05/30/2024	Regular	0.00	1,441.42	337521
011210	DEPARTMENT OF JUSTICE	05/30/2024	Regular	0.00	258.00	337522
013975	DODOS DESIGN - GARCIA, DAVID	05/30/2024	Regular	0.00	675.00	337523
016132	DXP ENTERPRISES, INC.	05/30/2024	Regular	0.00	17.95	337524
016156	EFUEL LLC	05/30/2024	Regular	0.00	16,922.57	337525
016441	EMC GENERAL CONSTRUCTION, INC.	05/30/2024	Regular	0.00	9,176.00	337526
013360	ENGEO INCORPORATED	05/30/2024	Regular	0.00	478.00	337527
010385	ENVIRONMENTAL HEALTH DIVISION	05/30/2024	Regular	0.00	4,958.43	337528
016126	ENVISION VTA FD AUTO LLC	05/30/2024	Regular	0.00	45.17	337529
010395	FAMCON PIPE & SUPPLY, INC.	05/30/2024	Regular	0.00	17,828.05	337530
014176	FAUSSET PRINTING	05/30/2024	Regular	0.00	2,885.73	337531
016412	FEDERAL CONTRACT CORP	05/30/2024	Regular	0.00	25,847.67	337532
010440	FGL ENVIRONMENTAL, INC	05/30/2024	Regular	0.00	1,505.00	337533
010417	FIREMASTER	05/30/2024	Regular	0.00	163.82	337534
012437	FMP UNIFORM CO.	05/30/2024	Regular	0.00	174.02	337535
010432	FRANK'S PAINT & HARDWARE	05/30/2024	Regular	0.00	1,432.74	337536
010441	FRUIT GROWERS SUPPLY CO	05/30/2024	Regular	0.00	291.40	337537
016449	GAYTAN, CARLOS	05/30/2024	Regular	0.00	3,983.39	337538
016449	GAYTAN, CARLOS	05/30/2024	Regular	0.00	4,069.72	337539
010481	GRAINGER	05/30/2024	Regular	0.00	143.79	337540
012800	GRANITE CONSTRUCTION COMPANY	05/30/2024	Regular	0.00	954.62	337541
015765	GRAPHIX, LLC.	05/30/2024	Regular	0.00	60.62	337542
014369	GSI WATER SOLUTIONS, INC.	05/30/2024	Regular	0.00	14,585.65	337543
010537	HOUSE SANITARY SUPPLY	05/30/2024	Regular	0.00	2,438.24	337544
015640	HUITT-ZOLLARS, INC.	05/30/2024	Regular	0.00	677.50	337545
016474	III-INTERACTIVE, LLC	05/30/2024	Regular	0.00	4,750.00	337546
014735	JOHNSON CONTROLS SECURITY SOLUTIONS	05/30/2024	Regular	0.00	811.71	337547
012750	JORDANO'S INC. AND SUBSIDIARIES	05/30/2024	Regular	0.00	908.10	337548
016379	KAY PARK REC CORPORATION	05/30/2024	Regular	0.00	15,930.96	337549
010629	KIMBALL MIDWEST	05/30/2024	Regular	0.00	557.37	337550
011796	LANDS' END BUSINESS OUTFITTERS	05/30/2024	Regular	0.00	86.94	337551
014388	LANE, NICK	05/30/2024	Regular	0.00	90.00	337552
013544	LARRY WALKER ASSOCIATES, INC.	05/30/2024	Regular	0.00	1,830.00	337553
011807	LIVESCAN EXPRESS, INC.	05/30/2024	Regular	0.00	286.00	337554
015334	MICHL, FRANK	05/30/2024	Regular	0.00	624.98	337555
014436	MINER'S ACE HARDWARE	05/30/2024	Regular	0.00	1,182.21	337556
013911	MKN ASSOCIATES INC	05/30/2024	Regular	0.00	23,213.02	337557
010180	MUNICIPAL MANAGEMENT ASSISTANTS OF SO	05/30/2024	Regular	0.00	150.00	337558
011981	NBS	05/30/2024	Regular	0.00	350.00	337559
015450	NORTHERN DIGITAL, INC.	05/30/2024	Regular	0.00	39,005.00	337560
012691	O'REILLY AUTOMOTIVE STORES, INC.	05/30/2024	Regular	0.00	1,209.36	337561
013145	PARRISH, PATRICK	05/30/2024	Regular	0.00	105.00	337562
015443	PASSPORT LABS, INC.	05/30/2024	Regular	0.00	1,191.80	337563
015335	PAVEMENT COATING CO.	05/30/2024	Regular	0.00	559.20	337564
015506	PAYMENTUS GROUP, INC.	05/30/2024	Regular	0.00	23,293.15	337565
010289	PROUSYS, INC	05/30/2024	Regular	0.00	600.00	337566
010289	PROUSYS, INC	05/30/2024	Regular	0.00	13,525.00	337567
010960	PUBLIC WORKS AGENCY	05/30/2024	Regular	0.00	71.70	337568

Check Report

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
014869	READYREFRESH BY NESTLE	05/30/2024	Regular	0.00	182.99	337569
015580	RECDESK LLC	05/30/2024	Regular	0.00	5,200.00	337570
010326	RED WING SHOE STORE	05/30/2024	Regular	0.00	250.00	337571
016299	RICO APPAREL	05/30/2024	Regular	0.00	317.46	337572
010047	ROBERT HALF	05/30/2024	Regular	0.00	9,186.94	337573
015859	ROGERS, ANDERSON, MALODY & SCOTT, LLP	05/30/2024	Regular	0.00	5,800.00	337574
010520	RP RENTALS	05/30/2024	Regular	0.00	417.87	337575
010376	SAFETY-KLEEN SYSTEMS, INC.	05/30/2024	Regular	0.00	80.00	337576
013292	SANTA PAULA ANIMAL RESCUE CENTER (SPARC)	05/30/2024	Regular	0.00	12,500.00	337577
011263	SANTA PAULA SELF STORAGE	05/30/2024	Regular	0.00	346.24	337578
016000	SCHMIDT, KENNETH L.	05/30/2024	Regular	0.00	46.90	337579
013909	SITEONE LANDSCAPE SUPPLY, LLC	05/30/2024	Regular	0.00	2,191.72	337580
010785	SMART & FINAL	05/30/2024	Regular	0.00	124.96	337581
011524	SOLID WASTE SOLUTIONS	05/30/2024	Regular	0.00	2,113.75	337582
010795	SOUTHERN CALIFORNIA EDISON	05/30/2024	Regular	0.00	37,298.86	337583
016094	SOUTHERN CALIFORNIA PERMANENTE MEDICAL	05/30/2024	Regular	0.00	3,143.00	337584
016480	SPEED, JOHNNY	05/30/2024	Regular	0.00	800.00	337585
015016	SPL LANDSCAPE INC.	05/30/2024	Regular	0.00	1,575.00	337586
013043	STAFFORD, STEVE	05/30/2024	Regular	0.00	350.00	337587
015809	STANDARD SITE RENTALS INC.	05/30/2024	Regular	0.00	2,702.23	337588
011144	STAPLES, INC.	05/30/2024	Regular	0.00	259.15	337589
010823	SUN BADGE CO, INC	05/30/2024	Regular	0.00	2,744.02	337590
011871	SUNBELT RENTALS, INC.	05/30/2024	Regular	0.00	1,017.41	337591
015285	SUPERIOR PRINTING & GRAPHICS	05/30/2024	Regular	0.00	216.93	337592
012696	TORO ENTERPRISES, INC.	05/30/2024	Regular	0.00	500,241.58	337593
015505	TRIEPEI, SMITH AND ASSOCIATES, INC.	05/30/2024	Regular	0.00	1,551.66	337594
011389	TYLER TECHNOLOGIES, INC	05/30/2024	Regular	0.00	20,515.32	337595
010883	U-RENT INC	05/30/2024	Regular	0.00	151.93	337596
015818	URM TECHNOLOGIES, INC.	05/30/2024	Regular	0.00	165.00	337597
010278	US POSTAL SERVICE	05/30/2024	Regular	0.00	232.00	337598
016206	VALENZUELA, ULI	05/30/2024	Regular	0.00	98.51	337599
010910	VARNER, SCOTT	05/30/2024	Regular	0.00	5,889.37	337600
010920	VENTURA COUNTY AIR POLLUTION CONTROL D	05/30/2024	Regular	0.00	211.50	337601
015186	VENTURA COUNTY AUTO SUPPLY, INC.	05/30/2024	Regular	0.00	481.96	337602
010938	VENTURA COUNTY SHERIFF'S OFFICE	05/30/2024	Regular	0.00	9,827.75	337603
013539	WAGE WORKS, INC.	05/30/2024	Regular	0.00	200.00	337604
011963	WHARF, THE	05/30/2024	Regular	0.00	495.99	337605
013550	WHITE CAP, L.P.	05/30/2024	Regular	0.00	6,496.40	337606
014968	WILLDAN FINANCIAL SERVICES	05/30/2024	Regular	0.00	7,722.00	337607
016027	YUNEX LLC	05/30/2024	Regular	0.00	8,204.54	337608

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	803	333	0.00	3,676,608.66
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-21,294.45
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	803	338	0.00	3,655,314.21

Check Report

Date Range: 05/01/2024 - 05/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: PY-PAYROLL						
010331	RELIANCE STANDARD LIFE INSURANCE	05/10/2024	Regular	0.00	5,139.71	337349
011103	COLONIAL LIFE & ACCIDENT	05/10/2024	Regular	0.00	2,070.17	337350
016111	FIDELITY SECURITY LIFE INSURANCE COMPANY	05/10/2024	Regular	0.00	629.92	337351
010371	METLIFE SBC	05/10/2024	Regular	0.00	266.14	337352
014422	RELIANCE STANDARD LIFE INSURANCE	05/10/2024	Regular	0.00	4,324.00	337353
010331	RELIANCE STANDARD LIFE INSURANCE	05/10/2024	Regular	0.00	557.23	337354
011688	CALIFORNIA STATE DISBURSEMENT UNIT	05/10/2024	Regular	0.00	499.60	337355
010553	ICMA RETIREMENT TRUST-457	05/10/2024	Regular	0.00	13,352.28	337356
010554	ICMA RETIREMENT TRUST-457 (PT)	05/10/2024	Regular	0.00	1,164.18	337357
010708	SANTA PAULA POLICE OFFICERS ASSOCIATION	05/10/2024	Regular	0.00	1,020.00	337358
010291	SEIU LOCAL 721	05/10/2024	Regular	0.00	469.60	337359
010898	UNITED WAY OF VENTURA COUNTY	05/10/2024	Regular	0.00	11.00	337360
011688	CALIFORNIA STATE DISBURSEMENT UNIT	05/24/2024	Regular	0.00	499.60	337488
010553	ICMA RETIREMENT TRUST-457	05/24/2024	Regular	0.00	15,475.25	337489
010554	ICMA RETIREMENT TRUST-457 (PT)	05/24/2024	Regular	0.00	1,342.06	337490
010708	SANTA PAULA POLICE OFFICERS ASSOCIATION	05/24/2024	Regular	0.00	1,020.00	337491
010291	SEIU LOCAL 721	05/24/2024	Regular	0.00	469.60	337492
010898	UNITED WAY OF VENTURA COUNTY	05/24/2024	Regular	0.00	11.00	337493
010420	INTERNAL REVENUE SERVICE	05/01/2024	Bank Draft	0.00	46,831.58	992224
011044	STATE OF CALIFORNIA - EDD EMPLOYMENT DE	05/01/2024	Bank Draft	0.00	14,393.78	992225
014872	STATE OF CALIFORNIA EDD - SDI	05/01/2024	Bank Draft	0.00	1,475.81	992226
013539	WAGE WORKS, INC.	05/01/2024	Bank Draft	0.00	854.99	992227
010420	INTERNAL REVENUE SERVICE	05/01/2024	Bank Draft	0.00	6.96	992228
010292	CALIF. PUBLIC EMPLOYEES' RETIREMENT SYSTE	05/01/2024	Bank Draft	0.00	67,099.23	992229
010292	CALIF. PUBLIC EMPLOYEES' RETIREMENT SYSTE	05/03/2024	Bank Draft	0.00	342.18	992230
013539	WAGE WORKS, INC.	05/08/2024	Bank Draft	0.00	243.10	992231
011024	CALIFORNIA PUBLIC EMPLOYEE RETIREMENT S'	05/10/2024	Bank Draft	0.00	79,738.27	992232
010420	INTERNAL REVENUE SERVICE	05/15/2024	Bank Draft	0.00	46,386.75	992233
011044	STATE OF CALIFORNIA - EDD EMPLOYMENT DE	05/15/2024	Bank Draft	0.00	13,970.56	992234
014872	STATE OF CALIFORNIA EDD - SDI	05/15/2024	Bank Draft	0.00	1,478.48	992235
010292	CALIF. PUBLIC EMPLOYEES' RETIREMENT SYSTE	05/15/2024	Bank Draft	0.00	67,084.03	992236
013539	WAGE WORKS, INC.	05/15/2024	Bank Draft	0.00	377.05	992237
013539	WAGE WORKS, INC.	05/22/2024	Bank Draft	0.00	1,485.58	992238
010420	INTERNAL REVENUE SERVICE	05/29/2024	Bank Draft	0.00	51,167.96	992239
011044	STATE OF CALIFORNIA - EDD EMPLOYMENT DE	05/29/2024	Bank Draft	0.00	15,443.00	992240
014872	STATE OF CALIFORNIA EDD - SDI	05/29/2024	Bank Draft	0.00	1,544.37	992241
010292	CALIF. PUBLIC EMPLOYEES' RETIREMENT SYSTE	05/29/2024	Bank Draft	0.00	69,483.01	992242
013539	WAGE WORKS, INC.	05/30/2024	Bank Draft	0.00	775.29	992243

Bank Code PY Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	113	18	0.00	48,321.34
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	178	20	0.00	480,181.98
EFT's	0	0	0.00	0.00
	291	38	0.00	528,503.32

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	916	351	0.00	3,724,930.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-21,294.45
Bank Drafts	178	20	0.00	480,181.98
EFT's	0	0	0.00	0.00
	1094	376	0.00	4,183,817.53

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH	5/2024	4,183,817.53
			4,183,817.53

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Julie Latshaw, City Clerk

Subject: CONFLICT OF INTEREST CODE - BIENNIAL REVIEW

Date: June 19, 2024

Agenda Item: 9.B

RECOMMENDATION:

Staff recommends that the City Council:

1. Direct the review of the City's Conflict of Interest Code and the filing of a Biennial Notice with the City Clerk regarding such review, as required by the Political Reform Act.

BACKGROUND:

The Political Reform Act (Government §§81000 et seq. (the "Act")), requires all public agencies to adopt and maintain a Conflict of Interest Code. The primary effect of the code is to establish disclosure requirements for various government positions involved in the requisite level of decision-making as set forth in the Act. Disclosure is made on the "Statement of Economic Interests" form ("SEI form") and those forms are public documents that must be made available to anyone who requests them.

ANALYSIS:

The Act requires that agencies, including cities, regularly review and update their codes as necessary or when change is necessitated by changed circumstances. The Act provides that no later than July 1 of each even-numbered year, code-reviewing bodies shall direct the review of all agency codes under their jurisdiction and requires that the agency head, no later than October 1, file a statement regarding the results of that review. The City Council is the code-reviewing body for the City's Conflict of Interest Code and on or before July 1 it must direct the City Clerk to conduct the biennial review of the Conflict of Interest Code.

The City Clerk must file a statement regarding the results of the review no later than October 1 of the same year. If it is determined that no changes are needed, a report from the City Clerk to this effect will be provided to Council. If modifications to the code are necessary, the City Clerk will return to the City Council with a modified Conflict of Interest Code for the Council's consideration.

STRATEGIC PLAN:

This item is not a goal or objective in the City Council's two-year Strategic Plan, however the

Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially.

FISCAL IMPACTS:

Minimal staff time is required to perform the review of the City's Conflict of Interest Code. There are no fiscal impacts associated with this item.

OPTIONS:

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: James Mason, Community & Economic Development Director

Subject: SECOND READING AND ADOPTION OF ORDINANCE NO. 1337 TO GRANT A FRANCHISE TO BLACK WALNUT ENERGY STORAGE, LLC FOR UNDERGROUND INTERCONNECTION AND TRANSMISSION EQUIPMENT IN, ALONG, ACROSS, UPON, AND UNDER CERTAIN PUBLIC STREETS AND RIGHT-OF-WAY WITHIN THE CITY OF SANTA PAULA

Date: June 19, 2024

Agenda Item: 9.C

RECOMMENDATION:

Staff recommends that the City Council conduct the second reading of and adopt Ordinance No. 1337 to grant a franchise to Black Walnut Energy Storage, LLC.

Presented by: James Mason, Community & Economic Development Director

BACKGROUND:

At its May 15, 2024 meeting, the City Council, upon the application of esVolta, a manager/member of Black Walnut Energy Storage, LLC, a Delaware limited liability company registered to do business in California, adopted a Resolution of Intent (No. 7515) to grant a franchise to Black Walnut Energy Storage, LLC ("Black Walnut"), as set forth therein, and a public hearing was set and noticed for June 5, 2024, as required by the applicable statutory authority under Section 6201 et seq. of the Public Utilities Code (the "Act").

At its June 5, 2024 meeting, the City Council conducted a public hearing as to whether to grant the franchise set forth in the draft Ordinance No. 1337, and, after receiving confirmation from the City Clerk that no written protests were filed up to the hour set for the public hearing, proceeded with waiving the first reading and introduced by title only Ordinance No. 1337 entitled "*Ordinance to Grant Franchise to Black Walnut Energy Storage, LLC to Use or Lay and Use Interconnection and Transmission Wiring and Appurtenances for the Purpose of Transmitting and Distributing Electricity In, Along, Across, Upon, and Under Certain Public Streets and Right-of-Way Within the City of Santa Paula.*"

ANALYSIS:

Pursuant to the Act, the City Council may "grant a franchise to any person, firm, or corporation...to use, or to construct and use, poles, wires, conduits, and appurtenances for

transmitting and distributing electricity for all purposes...upon the public streets, ways, alleys, and places" within the City.

The City negotiated a franchise with Black Walnut pursuant to the provisions of the Act, which provides a statutory scheme for setting franchise fees and establishes procedures for granting franchises. The law requires that this type of franchise must be granted by an ordinance (functionally, a franchise agreement) at a duly noticed public hearing.

As required by the Act, the June 5, 2024 hearing was convened for the following purposes:

- At any time not later than the hour set for the hearing of objections, any person interested may make written protest stating objections against the granting of the franchise. The protest shall be signed by the protestant and be delivered to the clerk of the legislative body.
- At the time set for hearing objections the legislative body shall proceed to hear and pass upon all protests so made and its decision shall be final and conclusive, subject to the right of referendum of the people. The legislative body may adjourn the hearing from time to time.
- If no protest in writing is delivered to the clerk up to the hour set for hearing, or such protests as are filed have been heard and determined by the legislative body to be insufficient, or have been overruled or denied, the legislative body may grant the franchise.
- The franchise shall be granted by ordinance adopted in the manner prescribed by law for the enactment of ordinances by the granting body.

Government Code Section 36934 further describes the process to enact ordinances and provides:

- Ordinances shall not be passed within five (5) days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting. However, an urgency ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this section.

As presented at the June 5, 2024, City Council meeting, and as set forth in the accompanying ordinance, material terms of the proposed franchise include the following:

Term: Black Walnut is proposing a term of 20 years.

Fee: During the life of the franchise, Black Walnut would pay the City an annual sum of \$750.00, subject to annual adjustment in accordance with the same percentage of increase as reflected in the "Consumer Price Index for All Urban Consumers All Items - United States (1967 = 100)" compiled by the Bureau of Labor Statistics of the United States Department of Labor (Price Index). In no event, however, shall the annual fee be less than the annual fee payable as of the effective date of the Ordinance.

Relocation of Facilities: The franchise would require Black Walnut to relocate, at its own expense, any of its facilities in the public right-of-way when necessary to accommodate a

public project such as widening of a street or construction of storm drains or sewers.

Work within the Public Streets: The franchise would require Black Walnut to coordinate with the City Engineer when work will be performed within the public streets, including a requirement that the streets be restored to the City's reasonable satisfaction following the completion of the work.

These terms were reviewed and discussed by the City Council, City Engineer, CED staff, and project representatives at both the May 15, 2024 and June 5, 2024 City Council meetings, after which, on both dates, the Council voted unanimously to proceed with the requested franchise ordinance.

Public Notification

Notice of Public Hearing for introduction of this ordinance at the June 5, 2024 City Council meeting was published in the *Santa Paula Times* on May 24, 2024, pursuant to the public noticing requirements for franchise agreements as provided in Gov. Code Section 6062.

As a Consent item, no further public notice for this item was required for the June 19, 2024 City Council meeting.

Environmental/CEQA

The project was previously determined to be Categorically Exempt from the California Environmental Quality Act based on §15304 and §15332 of Title 14 of the California Code of Regulations.

STRATEGIC PLAN:

The proposed franchise agreement is a critical component in the successful operation of two new battery energy storage facilities within the City of Santa Paula, thereby aligning with the following 2023-2025 City Council Strategic Plan goals:

- *C3: Infrastructure, Transportation & Mobility - Green Initiatives.* BESS installations are at the cutting edge of new power options and reduce overall consumption by retaining excess power.
- *E7: Public Safety & Emergency Preparedness - Emergency Response.* While not a direct power backup to the City, BESS installations do contribute to overall grid stability by providing power to the entire electrical system in times of emergency.

FISCAL IMPACTS:

As noted above, the franchisee proposes to pay during the life of the franchise an annual fee presently computed at \$750.00 per year, subject to annual adjustment in accordance with the same percentage of increase as reflected in the "Consumer Price Index for All Urban Consumers All Items - United States (1967 = 100)" compiled by the Bureau of Labor Statistics of the United States Department of Labor (Price Index). In no event, however, shall the annual fee be less than the annual fee payable as of the effective date of the Ordinance.

OPTIONS:

As an alternative to staff's recommendation, the City Council may:

1. Decline to adopt Ordinance No. 1337; and/or
2. Give further direction to staff.

ATTACHMENTS:

[A - Ordinance No. 1337 inc. Ex. A Franchise Location and Ex. B Reso 3857 COA's.pdf](#)

ATTACHMENT A

ORDINANCE NO. 1337
INC.

EXHIBIT A: FRANCHISE LOCATION
EXHIBIT B: RESOLUTION NO. 3857 COA'S

ORDINANCE NO. 1337

AN ORDINANCE OF THE CITY OF SANTA PAULA GRANTING BLACK WALNUT ENERGY STORAGE, LLC, A FRANCHISE TO USE OR TO LAY AND USE, INTERCONNECTION AND TRANSMISSION WIRING AND APPURTENANCES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, ALONG, ACROSS, UPON AND UNDER CERTAIN PUBLIC STREETS AND RIGHTS-OF-WAY WITHIN THE CITY OF SANTA PAULA.

The City Council of the city of Santa Paula does ordain as follows:

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

- A. On January 23, 2024, the Planning Commission approved an application submitted by esVolta, LP, a Delaware limited partnership registered to do business in California (“esVolta”), for a modification to the existing Conditional Use Permit (Project No. 2020-CUP-05) to construct and operate a battery energy storage system at 211 N. 12th Street (“Project”). Pursuant to Condition of Approval No. 32, esVolta on behalf of itself, its heirs and assigns, agreed to enter into a franchise agreement with the City of Santa Paula (“City”) for the installation of a private underground distribution line located in the public right-of-way on 13th Street connecting two parcels (APNs 101-0-183-435 and 101-0-241-185). A copy of the executed conditions of approval for the Project are attached to this Ordinance as Exhibit B.
- B. Pursuant to this Planning Commission approval, esVolta, a manager/member of Black Walnut Energy Storage, LLC, a Delaware limited liability company registered to do business in California, submitted an application to the City requesting that it be granted an electric franchise pursuant to the Franchise Act of 1937 (Chapter 2 of Division 3 of the California Public Utilities Code) (“Franchise”).
- C. The City of Santa Paula (“City”) is a “General law City” of the State of California, as defined in California Government Code Section 34102, and thus may exercise those powers granted to it under state law.
- D. Pursuant to California Public Utilities Code Section 6202, the City Council, as the legislative body for the City, may “grant a franchise to any person, firm, or corporation...to use, or to construct and use, poles, wires, conduits, and appurtenances for transmitting and distributing electricity for all purposes...upon the public streets, ways, alleys, and places” within the City.
- E. In accordance with state and municipal law, the City Council, at a regular meeting held on May 15, 2024, declared its intention to approve the grant of the Franchise by adopting Resolution No. 7515.

- F. The City Council, not less than twenty (20) nor more than sixty (60) days after the passage of the resolution, conducted a duly noticed public hearing on June 5, 2024, and after considering all oral and written testimony at said hearing, approved the granting of this franchise agreement to Black Walnut in accordance with the terms and conditions of this Ordinance.
- G. Pursuant to this Ordinance, Grantee may construct and operate its electric interconnection and transmission facilities and related appurtenances within the alignment described in Exhibit A, which is attached hereto and incorporated by this reference, subject to the terms and conditions of this Ordinance.
- H. The City is the lead agency under the California Environmental Quality Act of 1970 ("CEQA"), and the City Council is the decision-making body for this Ordinance.
- I. The Project described herein has been determined to be exempt from CEQA pursuant to Sections 15304 (Class 4 – Minor Alterations to Land) and 15332 (Class 32 – In-Fill Development Projects) of Title 14 of the California Code of Regulations.

SECTION 2: Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this Ordinance.

- A. "Black Walnut" or "Grantee" means Black Walnut Energy Storage, LLC, a Delaware limited liability company, registered and authorized to conduct business in the State of California, and its lawful successors or assigns.
- B. "City" or "Grantor" means the City of Santa Paula, a general law city and municipal corporation of the State of California, in its present incorporated form or in any later reorganized, consolidated, enlarged or reincorporated form. "City" or "Grantor" includes the City's elected and appointed officials, agents, employees, and contractors, as the context so indicates.
- C. "Director" means the Director of Public Works of the City, the Director's designee, or another person designated by the City Manager.
- D. "Engineer" means the City Engineer of the City, the Engineer's designee, or another person designated by the City Manager.
- E. "Facility" or "Facilities" means all property owned, controlled, or used by the Grantee in connection with the Franchise, including, but not limited to, electric interconnection and transmission lines, inverters, transformers, integrators, all electrical lines and conduits required to collect and transmit electrical energy and such additional utility lines, cables, conduits, transformers, wires, meters, monitoring equipment and other necessary and convenient equipment and appurtenances common in the

interconnection of electric battery storage systems to public utility facilities, whether installed by the Grantee or not, erected, constructed, laid, operated or maintained in, upon, over, under, along or across any Street pursuant to any right or privilege granted by the Franchise.

- F. “Franchise” means this Ordinance, including its terms and conditions, and includes the authorization by the City to transmit and distribute electricity and related energy products for any and all purposes under, along, across or upon the public streets, ways, alleys and places in the City by means of Facilities.
- G. “Hazardous Materials” means any flammable, explosive, or radioactive materials or hazardous, toxic or dangerous wastes, substances or related materials or any other chemicals, materials or substances, exposure to which is prohibited, limited or regulated by any federal, state, local law or regulation or which, even if not so regulated, may or could pose a hazard to public health and safety, including, without limitation, asbestos, PCBs, petroleum products and byproducts, substances defined or listed as “hazardous substances” or “toxic substances” or similarly identified in, pursuant to, or for purposes of, the California Solid Waste Management, Resource Recovery and Recycling Act (Gov’t. Code §§ 66700 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§ 9601 *et seq.*); the Hazardous Materials Transportation Act (49 U.S.C. §§ 1801 *et seq.*); the Resource Conservation and Recovery Act (42 U.S.C. §§ 6901 *et seq.*); California Health & Safety Code §§ 25117 or 25316, including the regulations promulgated thereto (see 22 Cal. Code of Regs. § 66261.3); any substances or mixture regulated under the Toxic Substance Control Act of 1976 (15 U.S.C. §§ 2601 *et seq.*); any “toxic pollutant” under the Clean Water Act (33 U.S.C. §§ 1251 *et seq.*); and any hazardous air pollutant under the Clean Air Act (42 U.S.C. §§ 7901 *et seq.*).
- H. “Lay and Use” means to lay, construct, erect, install, operate, maintain, use, repair, replace, or remove, from time to time.
- I. “SPMC” means the Santa Paula Municipal Code, as amended.
- J. “Streets” means the public streets, ways, alleys and places within the City as the same now or may hereafter exist, and in which the City has the authority to grant a Franchise.

SECTION 3: Granting clause/Rights to Grantee; Term of Franchise.

- A. Pursuant to, and subject to, the Franchise Act of 1937 (California Public Utilities Code §§ 6201-6302; “Act”), City grants to Grantee a franchise to Lay and Use the Facilities for transmitting and distributing electric energy for any and all purposes, under, along, across or upon the streets described in Exhibit A and incorporated by reference. This franchise is not exclusive,

and the City may grant a franchise to another utility for purposes of electric energy transmission, provided that such grant does not interfere with the franchise rights of Grantee provided herein.

- B. As part of this Franchise, Grantee may install, operate, maintain, replace, repair, abandon in place and/or remove the Facilities and other appurtenances as may be necessary or convenient for the proper maintenance and operation of the Facilities; provided, however, that Grantee must first secure the requisite permits and/or approvals from City for construction or excavation.
- C. Acceptance of this Franchise constitutes Grantee's abandonment of all such franchises within the City's present or future jurisdictional limits in lieu of which this Franchise is granted, and as Grantee's agreement to comply with all of the Franchise's terms and conditions.
- D. This Franchise has a term of twenty (20) years from and after the effective date of this Ordinance ("Initial Term"), unless the following occurs:
 - 1. Grantee voluntarily surrenders or abandons the Franchise;
 - 2. The Project served by this Franchise is no longer operable, or has ceased operations for a continuous 180-day period;
 - 3. The property affected by this Franchise is purchased, condemned, or otherwise taken by a public entity rendering the Franchise useless; or
 - 4. The Grantee forfeits the Franchise by violating its terms and conditions or that of the Act.
- E. Grantee has an option to extend this Franchise for an additional ten (10) year period by providing written notice to the Director no later than one (1) year prior to the expiration of the Initial Term.

SECTION 4: Compensation. In consideration of City's granting this Franchise, in addition to complying with the Franchise's terms and conditions, Grantee must pay to the City the following:

- A. Annual Fee.
 - 1. The Grantee, as consideration for the Franchise, shall pay annually to the City in lawful money of the United States, a fee in the following amount: Seven Hundred Fifty Dollars (\$750.00), subject to annual adjustment in accordance with the same percentage of increase as reflected in the "Consumer Price Index for All Urban Consumers All Items - United States (1967 = 100)" compiled by the Bureau of Labor Statistics of the United States Department of Labor (Price Index). In

no event, however, shall the annual fee be less than the annual fee payable as of the effective date of this Ordinance.

2. The annual fee shall be submitted by Grantee without the City submitting an invoice.
3. The annual fee is due and payable within sixty (60) days of the end of each calendar year, during the term of the Franchise. Any fees or expenses charged to Grantee by City pursuant to this Section, or any other provision of this Franchise, unless disputed in good faith, must be paid when due. Any undisputed delinquent amounts will accrue interest commencing thirty (30) days after the due date therefor, at the rate of one and one-half percent (1.5%) per month (based upon a 30-day calendar month) or any lesser amount if required by law.
4. Payments must be made to the Department of Finance, City of Santa Paula, or at such place as the City may, from time to time, designate in writing.

SECTION 5: Rights of the City.

- A. This Franchise does not impair or affect any right of the City to acquire the property of the Grantee, through the exercise of the right of eminent domain, subject to Grantee's rights, remedies and defenses, and nothing in this Franchise may be construed to contract away, or to modify or to abridge, either for a term or in perpetuity, the City's right of eminent domain in respect to the Grantee, nor will this Franchise be given any value before any court or other public authority in any proceeding of any character in excess of the necessary publication costs and any other sums paid by Grantee to the City at the time this Franchise was acquired.
- B. In connection with any change in grade, alignment or width of any Streets, or the construction of any subway or viaduct, or any other Street improvement of any kind by the City, where Grantee's rights to occupy the Streets do not supersede the City's rights, Grantee must, at the City's direction and at Grantee's sole cost and expense, comply with all of the following provisions, as applicable:
 1. The City Engineer shall have the right to require relocation or removal of the Facilities to accommodate any Public Project including but not limited to the construction, repair, relocation or new installation of any aboveground or underground City facility, utility, storm drain, sewer, waterline or roadway improvement (such as any lawful change of grade, alignment or width of any Street). "Public Project" means projects initiated by the City. If relocation is required, the Grantee shall relocate its Facilities, or portion thereof, to the reasonably nearest alternative location or other location in the Street

mutually agreeable to the City and the Grantee, either permanently or temporarily, as is determined by the City Engineer and within the reasonable timeline proposed by the City Engineer. The City Engineer shall exercise City's right to require relocation or removal of the Facilities by delivery of a written notice to Grantee that sets forth the proposed timeline ("City Engineer's Notice"). Said relocation/removal shall be accomplished at the Grantee's sole expense, including any additional expense of paying prevailing wages as required by law. Notwithstanding the foregoing, Grantee shall in no event be required to relocate the Facilities if such relocation would have a materially adverse impact on the use thereof for the purposes set forth in this Franchise. Grantee and City shall work in good faith to select a new location that does not frustrate the purposes in this Franchise.

2. If the Grantee fails to relocate its Facilities and complete construction and/or site restoration within the reasonable timeline proposed in the City Engineer's Notice, the City may, provided that it complies with applicable law, cause the work to be done and the Grantee shall reimburse the City for such cost within sixty (60) days after presentation to Grantee of an itemized account of such costs. The Grantee shall hold harmless the City, its officials, contractors, agents and employees from any liability which may arise or be claimed to arise from the moving, cutting, or alteration of any of the Facilities, or the turning on or off of utilities including water, oil, or other liquid, gas, or electricity required to be accomplished by City as a result of the Grantee's failure to relocate said Facility by the date established by the City. Provided that the City has provided Grantee with a reasonable period to complete its work, the Grantee shall also be liable for any consequential damages incurred by the City arising from the Grantee's failure to timely complete the work required by this Section unless such failure results from actions or omissions to act on the part of the City.
3. In the decision process necessary to determine if Grantee's Facilities are required to be relocated, the City will also consider all known future projects that, if done separately, may cause multiple relocations of the Facilities. If such known future projects can be identified, full consideration of concurrent projects will be given by City. If the City requires the relocation within the public street, way, alley or place more than once within a period of ten (10) years, the City will pay the cost of the second and all subsequent relocations within such ten (10) year period. In the event, however, that the second or subsequent relocation is required due to an emergency, Grantee shall pay the relocation costs.

4. In the event that the City changes the planned rearrangement of the Facilities after giving Grantee the City Engineer's Notice, the Grantee will be given an additional period of not less than sixty (60) days to accomplish such work.
5. Except as otherwise provided above, when City requires a rearrangement of Facilities and such rearrangement is done for the accommodation of any person, firm, corporation or public agency other than the City, the cost of such rearrangement will be borne by the accommodated party. Such accommodated party, in advance of such rearrangement, must (a) deposit with the Grantee either cash or a corporate surety bond in an amount, as in the reasonable discretion of the Grantee, to pay the costs of such rearrangement, and (b) execute an instrument agreeing to indemnify, defend and hold harmless Grantee from any and all damages or claims caused by such rearrangement. This provision will not be construed to require Grantee to rearrange its Facilities. Except when a rearrangement of Facilities is done for the City pursuant to this Section, any accommodation for rearrangement of Grantee's Facilities will be made at the Grantee's sole discretion.
6. Nothing in this Ordinance may be construed to require the City to move, alter, or relocate any of Grantee's Facilities upon Streets at its own expense, for the convenience, accommodation or necessity of any other public utility, person, firm or corporation, now or hereafter owning a public utility system of any type or nature, or to move, alter, or relocate any part of the Facilities upon said Streets for the convenience, accommodation or necessity of the Grantee.

SECTION 6: Other obligations of Grantee; Indemnification. The Grantee must comply with all of the following provisions:

- A. Within sixty (60) days after the City Council adopts this Ordinance, Grantee must file with the Director improvement plans relating to all of Grantee's Facilities located within the City, and a map or maps showing the location, length and size of all such facilities which have been installed, relocated, removed or abandoned by Grantee.
- B. Within six (6) months after the installation of any new Facility under this Franchise, Grantee must file with the Director an "as built" map or maps showing the approximate location, length and size of all of Grantee's Facilities so installed.
- C. Grantee must construct, install and maintain all Facilities in a good and workmanlike manner, and of good materials, and operate in conformity with all applicable federal, state, and local laws including, without limitation, the SPMC. In case of public utilities subject to the jurisdiction of the Public

Utilities Commission of the State of California, the rules, regulations and orders of the Public Utilities Commission will govern whenever any conflict may exist between them and the applicable ordinances, codes, rules and regulations adopted or prescribed by the City.

- D. Grantee must pay the City, on demand, the cost of all repairs to public property made necessary by any operations of the Grantee under this Franchise, provided Grantee fails to make such repairs after notice and reasonable opportunity to complete such repairs.
- E. Grantee agrees to indemnify, defend and hold harmless the City, its elected and appointed officials, officers, and employees, from and against any and all claims, losses, liabilities, damages to persons or property, demands, actions, judgments, causes of action, assessments, penalties, costs and expenses (including, without limitation, reasonable fees of legal counsel, expert witnesses and accountants) arising out of or resulting from Grantee's operations under this franchise, except to the extent caused by City's sole active negligence, and for all damages proximately resulting from the failure of Grantee to faithfully observe and perform each and every provision of this Franchise and of the Act. Grantee is solely responsible for complying with all laws, regulations, and other orders which are applicable to the installation, repair, relocation or removal of its facilities, whether federal, state or local. City's approval of such installation, repair, relocation or removal will not relieve Grantee of any liability Grantee may have for contaminated soils or other environmental liability attributable to or arising from Grantee's Facilities. Any fee paid by Grantee pursuant to this Franchise will in no way limit Grantee's obligation to compensate City for any damage, claim, expense or loss whatsoever, as set forth in this paragraph.
- F. In addition, Grantee indemnifies and holds the City harmless from and against any claim, action, damages, costs (including, without limitation, reasonable attorney's fees and penalties), injuries, or liability, arising out of this Franchise, or its performance including, without limitation, damages or penalties arising from Grantee's removal, remediation, response or other plan concerning any Hazardous Materials resulting in the release of any hazardous substance into the environment. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Franchise, or its performance, Grantee will defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. The foregoing indemnity is intended to operate as an agreement pursuant to 42 USC § 9607(e) (the Comprehensive Environmental Response, Compensation and Liability Act; "CERCLA") and Health and Safety Code § 25364 to defend, protect, hold harmless, and indemnify the City from all

forms of liability under CERCLA, or other applicable law, for any and all matters addressed in this Franchise.

- G. In no event will Grantee's indemnity obligation under this Franchise include indemnification for the City's gross negligence or willful misconduct.
- H. Nothing in this Ordinance shall be construed to permit the Grantee to construct poles or other Facilities above ground, unless approval is obtained pursuant to applicable law. Visible markings will be set and maintained by Grantee sufficient to identify the location and depth of its underground Facilities.

SECTION 7: Insurance.

- A. Before commencing performance under this Franchise, and at all other times this Agreement is effective, Grantee must procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits (combined single)</u>
Commercial general liability:	\$2,000,000
Workers compensation	Statutory requirement.

- B. Commercial general liability insurance must meet or exceed the requirements of ISO-CGL 0001. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name the City, its officials, and employees as "additional insureds" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by City will be excess thereto. Such insurance must be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to the City.
- C. Grantee will furnish to the City duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by the City from time to time. Insurance must be placed with admitted insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage. Grantee will require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.

- D. Should Grantee, for any reason, fail to obtain and maintain the insurance required by this Agreement, the City may obtain such coverage at Grantee's expense or terminate this Franchise.
- E. Grantee must deliver to City, in the manner provided for notices, copies or endorsements of all insurance certificates and endorsements required by this Ordinance, within the following time limits:
 - 1. For insurance required at commencement of this Ordinance, within thirty (30) days after this Ordinance becomes effective;
 - 2. For insurance becoming required at a later date, at least ten (10) days before the requirement becomes effective, or as soon thereafter the requirement, if new, becomes effective; and
 - 3. For any renewal or replacement of a policy already in existence, at least twenty (20) days after expiration or other termination of the existing policy.
- F. Notwithstanding anything to the contrary, Grantee may provide a program of self-insurance provided it can demonstrate that it has a net worth of \$10,000,000.00 within the preceding year. The City, at its sole discretion, may allow Grantee to self-insure provided the self-insurance program complies with the provisions and specified limits contained herein, and is approved by the City Manager and City Attorney. If such approval for self-insurance is granted, the City will be precluded from exercising the remedies afforded to it pursuant to subsection D of this Section 7.

SECTION 8: Presence of Hazardous Materials. Except as otherwise provided below, Grantee may not permit any Hazardous Materials to be discharged or released in, under, or about the streets or adjacent properties at any time. Grantee must, at its expense, procure, maintain in effect and comply with all conditions of any and all applicable permits, licenses, and other governmental and regulatory approvals required of Grantee for Grantee's use of the streets or adjacent properties. Upon expiration or earlier termination of the Franchise, Grantee must cause all Hazardous Materials released by Grantee in or under the Streets or adjacent properties, if any, to be removed from the streets or adjacent properties in accordance with and in compliance with all applicable laws. Grantee may not take any remedial action in response to the presence of any Hazardous Materials in or about the streets or adjacent properties, nor enter into any settlement agreement, consent decree or other compromise in respect to any claims relating to any Hazardous Materials in any way connected with the streets or adjacent properties, without first notifying City of Grantee's intention to do so and affording City ample opportunity to appear, intervene or otherwise appropriately assess and protect City's interests.

SECTION 9: Notice to Grantor. Grantee must immediately notify City in writing of (i) any enforcement, cleanup, removal or other governmental or regulatory action instituted, completed or threatened pursuant to any applicable laws relative to the streets or adjacent

properties; (ii) any claim made or threatened by any person against Grantee or the streets or adjacent properties relating to damage, contribution, cost recovery compensation, loss or injury resulting from or claimed to result from any Hazardous Materials; and (iii) any reports made to any governmental agency arising out of or in connection with any Hazardous Materials in or removed from the streets or adjacent properties, including any complaints, warnings or asserted violations in connection therewith. Grantee must also supply to City as promptly as possible copies of all claims, reports, complaints, notices, warnings or asserted violations, relating in any way to the streets or adjacent properties, or Grantee's use of the streets. Grantee must promptly deliver to City copies of manifests reflecting the legal and proper disposal of all Hazardous Materials removed by the Grantee from the streets or adjacent properties.

SECTION 10: **Assignability.** Grantee may sell, transfer or assign this Franchise or any interest therein directly or indirectly, or any of the rights or privileges hereby granted, with the City's prior written consent, which will not be unreasonably withheld. City further agrees that Grantee may offer its interest in this Franchise as collateral to a secure a loan from a lender, provided that the lender is experienced in financing the same type of Project described herein. Should said lender mail a Notice of Default to Grantee in the exercise of its right to foreclose on a loan for the Project, lender shall mail the Notice to City at the same time. Should the lender exercise any other default remedy that results in the transfer of Grantee's Franchise to the lender, lender shall mail notice to the City that it is exercising said remedy at the same time it mails notice to Grantee. Notwithstanding anything contrary in this Section, Grantee may transfer or assign this Franchise to any parent, subsidiary or affiliate without obtaining the consent of City, provided Grantee provides written notification within thirty (30) days of said transfer or assignment and submits written evidence of the same, including a certification executed by a duly authorized officer of the Grantee.

SECTION 11: **Grading.**

- A. Grantee must obtain a grading permit in accordance with the SPMC, and pay the applicable fee therefor, before commencing any grading in any Street, or before disturbing the earth beneath the surface of the Street, unless exempted from the permit requirement. Before any grading permit is issued for the construction or installation of any Facility permitted under this Franchise, Grantee must obtain any applicable permits from the City that are required before the grading permit can be issued. The City Engineer or Building Official will issue the appropriate permit(s) if all required findings and conditions set forth in the SPMC are met.
- B. All work is subject to the City's inspection pursuant to SPMC Sections 16.96.080 and 16.96.090. The authorized work shall be satisfactorily completed in accordance with the applicable requirements of Title 16 (Development Code) of the SPMC.
- C. Grantee acknowledges that the City's records may not be complete and that pipes and appurtenances previously unknown to City are frequently

discovered. Consequently, by granting this Franchise or by approving any grading permit requested by Grantee, the City does not warrant the accuracy of information supplied to the Grantee by the City regarding the location or existence of other facilities. Nothing herein will make the City, or any officer, agent or employee of the City, responsible or liable to the Grantee or to any other person by virtue of the City's approval of grading permit plans, regardless of whether any information is supplied by the City to the Grantee pertaining to the location of existing pipes, facilities or other improvements on, in or under any street or other public property.

SECTION 12: Grantee's Emergency Response Plan; Facility Accidents

- A. Prior to commencement of and for the term of the Franchise, the Grantee must develop and maintain an emergency response plan, reasonably satisfactory to the City, which covers all Franchise operations within the City. An emergency response plan meeting the requirements of federal and state law and containing the information contained in this section is acceptable. The emergency response plan must include: (i) a 24-hour notification program and (ii) proof of arrangements capable of providing emergency response services, including without limitation for traffic control, street excavation Facility repair, and supplies and services as necessary, within two (2) hours of notification of any problem, and such other information as the City may reasonably require for the emergency response plan. Repairs to a public street, alley or parkway must be completed within 72 hours of Grantee completing repairs to its facilities and cleanup of any materials released from its facilities, if reasonably possible, unless the time to complete them is extended in writing by the City. The City must be notified ten (10) days in advance of any proposed change in such arrangements for emergency response services. Grantee's emergency response plan must be resubmitted to the City on the first working day of each calendar year while this Franchise is in effect for regular review and approval by the City.
- B. If any portion of any Street is damaged by reason of defects or breaks in any Facility maintained or constructed by Grantee, or by reason of any other cause attributable to or arising from the operation of any such Facility, the Grantee must, at its sole cost and expense, immediately repair all damage and restore the Street to the condition existing before such damage occurred. All such work must be done under the City's direction, and to the City's reasonable satisfaction. Grantee must repair such damage and restore the street within three (3) business days after receiving a written demand from the City or such other reasonable period as the Director may authorize when required for the protection of the public health and safety.
- C. Should Grantee, after reasonable notice, fail or refuse to pave, surface, grade, repave, resurface or regrade any damaged Street as required by the provisions of this Franchise, the City may cause the work to be done after written notice is given to Grantee and will keep an itemized account of all

costs incurred. The Grantee agrees to, and must, reimburse the City for all such costs, including reasonable administrative overhead expenses, within thirty (30) days after presentation to Grantee of an itemized account of such costs.

SECTION 13: **Abandonment.** Should Grantee abandon all or any part of the Facilities authorized by this Franchise, such abandonment must be accomplished by Grantee as required by applicable state or federal laws or statutes.

SECTION 14: **Default.**

- A. Effect of Default. Should Grantee default in the performance of any of the terms, covenants and conditions herein, and such default is curable, the City shall give written notice to Grantee of such default. Should Grantee not commence the work necessary to cure such default within sixty (60) days after such notice is received by Grantee, or prosecute such work diligently to completion, the City may declare this Franchise forfeited. Upon giving written notice of forfeiture to Grantee, this Franchise will terminate. Should the Franchise be forfeited, Grantee must execute an instrument of surrender and deliver the same to the City. In the event of noncompliance by the Grantee with any of these conditions, the City may, in addition to all other remedies, bring suit for the forfeiture or termination of this Franchise.
- B. Force Majeure. Should Grantee's performance of this Franchise be prevented due to pandemics, epidemics, fire, flood, explosion, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the control of the parties hereto, then Grantee will not be deemed to be in default or forfeit its Franchise rights if it commences and prosecutes performance with all due diligence and promptness upon being able to do so.
- C. Cumulative Remedies. No provision of this Franchise for enforcing the terms and conditions of this Franchise is an exclusive remedy or procedure for enforcement. These remedies and procedures are in addition to those provided by law and are cumulative.

SECTION 15: **Dispute Resolution.** If a dispute arises between the parties relating to this Franchise, the parties agree to use the following procedure before either party pursues other available legal remedies, except when doing so would cause the expiration of an applicable statute of limitations. A meeting will be held promptly between the parties, attended by individuals with decision-making authority regarding the dispute, to attempt in good faith to negotiate a resolution of the dispute. If, within thirty (30) days after such meeting the parties have not succeeded in negotiating a resolution of the dispute, the parties shall submit the dispute to mediation. City and Grantee will each advance an equal share of the costs of mediation. The parties will jointly appoint a mutually acceptable mediator within thirty (30) days from the conclusion of the negotiation period. The parties agree to participate in good faith in the mediation and related negotiations for a period of

sixty (60) days. Any decision of the mediator must be supported by written findings of facts and conclusions of law. If the parties are not successful in resolving the dispute through the mediation, the matter may be submitted to a court of law.

SECTION 16: **Notice.** Any and all notices, demands or communications submitted by any Party to another Party pursuant to or as required by this Franchise shall be proper, if in writing and dispatched by messenger for immediate personal delivery, by a nationally recognized overnight courier service or by registered or certified United States Mail, postage prepaid, return receipt requested, to the addressees indicated below. Such written notices, demands or communications may be sent in the same manner to such other addresses as either Party may from time to time designate. Any such notice, demand or communication shall be deemed to be received by the addressee, regardless of whether or when any return receipt is received by the sender or the date set forth on such return receipt, on the day that it is delivered by personal delivery or refused by the recipient, on the date of delivery by a nationally recognized overnight courier service or refusal by the recipient or three (3) calendar days after it is placed in the United States Mail.:

Upon City:	City of Santa Paula Public Works Department Attn: Director of Public Works 970 Ventura Street/P.O. Box 569 Santa Paula, CA 93060
Upon Grantee:	Black Walnut Energy Storage, LLC c/o esVolta, LP Attn: General Counsel 100 Bayview Circle, Suite 340 Newport Beach, CA 92660

SECTION 17: **Grantee's Acceptance of Franchise.** Except as otherwise stated herein, Grantee must within thirty (30) days after this Franchise is adopted, file with the officers of the City designated herein the following instruments or documents:

- A. File with the City Clerk Grantee's written acceptance of the terms and conditions of this Ordinance.
- B. File with the City Clerk certified copies of the policies of liability insurance and workers' compensation insurance, or, in lieu thereof, certificates evidencing such insurance, which policies must be in accordance with the terms and conditions of this ordinance.
- C. File with the City Clerk, within ten (10) business days after the City Council adopts and passes the ordinance granting this Franchise and thereafter at all times during the life of the Franchise keep on file with the City Clerk, a

corporate surety bond in a form approved by the City Attorney running to the City in the penal sum of one hundred thousand dollars (\$100,000.00), with a surety licensed to do business in California. The bond shall provide that Grantee shall well and truly observe, fulfill and perform each condition of the Franchise and that in case of any breach of condition of the bond the damages arising from such breach shall be recoverable from the principal and sureties of the bond. If said bond is not filed prior to the effective date of this Ordinance, the award of the Franchise may be set aside, and this Ordinance may be repealed at any time prior to the filing of said bond and any money paid in consideration for the award of the Franchise shall be deemed forfeited. In the event that said bond, after it has been so filed, shall at any time during the life of the Franchise become insufficient, in the sole opinion of the City Engineer, the Grantee agrees to renew said bond within ten (10) days after written notice to do so from the City Engineer.

SECTION 18: **Reimbursement for City's posting and publication expenses.** The Grantee will pay the City a sum of money sufficient to reimburse the City for all posting and publication expenses incurred in connection with the granting of this Franchise. Such payment must be made by Grantee within thirty (30) days after the City provides to the Grantee a written statement of such expenses.

SECTION 19: **Venue.** The Parties agree that all actions or proceedings arising in connection with the ordinance will be tried and litigated in the State courts located in the County of Ventura, State of California. The Parties intend that this choice of venue be mandatory and not permissive in nature, thereby precluding the possibility of litigation between the parties with respect to or arising out of this Ordinance in any jurisdiction other than that specified in this Section. Each party waives any right it may have to assert the doctrine of forum non conveniens or similar doctrine or to object to venue with respect to any proceeding brought in accordance with this Section and stipulates that the State courts located in the County of Ventura, State of California have personal jurisdiction and venue over each of them for the purpose of litigating any dispute, controversy, or proceeding arising out of or related to this Franchise.

SECTION 20: **No Waiver.** Grantee is not excused from complying with any of the terms and conditions of this Ordinance by any failure of the City upon any one (1) or more occasions to insist upon or to seek compliance with any such terms or conditions. No City waiver of any provision or consent to any action constitutes a waiver of any other provision or consent to any other action, whether or not similar. No waiver or consent constitutes a continuing waiver or consent or commit a party to provide a waiver in the future except to the extent specifically set forth in writing. Any waiver given by a party will be null and void

if the party requesting such waiver has not provided full and complete disclosure of all material facts relevant to the waiver requested.

SECTION 21: **Binding Effect.** Each and all of the provisions hereof are binding on and inure to the benefit of the Parties and their respective heirs, successors, and permitted transferees and assigns.

SECTION 22: **Amendment.** No amendment, modification, or supplement to this ordinance is binding on any of the parties unless it is in writing, signed by the parties, and approved through legislative action.

SECTION 23: **Entire Agreement.** This ordinance, including its exhibits which are incorporated by reference, constitutes the entire agreement between the parties with regard to this subject matter. This ordinance supersedes all previous agreements between or among the parties. There are no agreements, representations, or warranties between or among the parties other than those set forth in this ordinance or the documents and agreements referred to in this ordinance.

SECTION 24: **Construction.** Each party has been represented by counsel in the negotiation and execution of this ordinance. The terms of this ordinance were negotiated by the Parties and the language used in this Franchise is deemed to be the language chosen by the Parties to express their mutual intent. This Franchise will be construed without regard to any presumption or rule requiring construction against the party causing such instrument or any portion thereof to be drafted, or in the favor of the party receiving a particular benefit under this Ordinance.

SECTION 25: **Miscellaneous Provisions.**

- A. **Governing Law.** This Franchise has been made and will be construed and interpreted in accordance with the laws of the State of California.
- B. **Execution.** The Mayor of the City will approve and sign and the City Clerk will attest to the passage of this Ordinance. This Ordinance will take effect thirty (30) days from the date of its adoption.

SECTION 26: Repeal of any provision of the Santa Paula Municipal Code will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action of prosecuting violations occurring before the effective date of this Ordinance.

SECTION 27: **Severability.** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 28: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Santa Paula's book of original

ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 29: This Ordinance becomes effective thirty (30) days after adoption.

[SIGNATURES ON NEXT PAGE]

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

CITY:

Leslie Cornejo, Mayor

Black Walnut Energy Storage, LLC,
a Delaware limited liability company

By: esVolta, LP,
a Delaware limited partnership
Its: Sole Member

By: _____

Name: _____

Its: Authorized Signatory

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

EXHIBIT A
Franchise Location

EXHIBIT "A"

SHEET 1 OF 1

LEGAL DESCRIPTION
FOR
FRANCHISE AGREEMENT
(CONTAINING 1,467 SQUARE FEET)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SANTA PAULA, COUNTY OF VENTURA, STATE OF CALIFORNIA.

THAT PORTION OF 13TH STREET LAYING ADJACENT TO PARCEL MAP CDP NO. 90-14 FILED IN BOOK 51, PAGES 72 AND 73 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, RECORDS OF SAID COUNTY; DESCRIBED IN PARCELS AS FOLLOWS:

PARCEL "A"

A STRIP OF LAND 18.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF OF PARCEL B, AS SHOWN ON A SAID PARCEL MAP CDP NO. 90-14; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL B ALSO BEING THE SOUTHWESTERLY LINE OF 13TH STREET BEING 60 FEET WIDE, SOUTH 21° 01' 11" 9.00 FEET TO THE TRUE POINT OF BEGINNING OF PARCEL A; THENCE NORTH 69° 01' 04" E 46.22 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT "A" SAID POINT ALSO BEING THE END OF PARCEL "A".

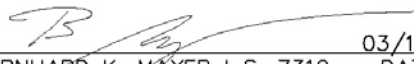
PARCEL "B"

A STRIP OF LAND 3.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A", THENCE NORTH 21° 14' 09" WEST 211.66 FEET TO THE SOUTHERLY LINE OF THE SOUTHERN PACIFIC RAILROAD AS SHOW ON SAID PARCEL MAP CDP NO. 90-14.

CONTAINING 1,467 SQUARE FEET.

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION:


BERNHARD K. MAYER L.S. 7319 03/12/24
BY SITETECH, INC. DATE





SCALE: 1"=40'

EXHIBIT "A"

FRANCHISE AGREEMENT
LOCATION
(CONTAINING 1,467 SQUARE FEET)

SHEET 1 OF 1

DATE SIGNED: 03/12/24



PREPARED BY:

SITETECH, INC.
PO BOX 592
HIGHLAND, CA 92346
PH: (909)864-3180

VENTURA COUNTY
TRANSPORTATION COMMISSION

PARCEL "A"
P.M. CDP NO. 90-14
P.M.B. 51/72-73

POINT OF COMMENCEMENT
NORTHEASTERLY COR PARCEL "B"
P.M.B. 51/72-73

EXISTING "SHARED PREMISES" EASEMENT
INST. NO. 2023000079282 O.R.

TRUE POINT OF
BEGINNING

PARCEL "B"
P.M. CDP NO. 90-14
P.M.B. 51/72-73

FRANCHISE AGREEMENT
PARCEL "B"

POINT A

FRANCHISE AGREEMENT
PARCEL "A"

13TH STREET

EXHIBIT B

RESOLUTION 3857 CONDITIONS OF APPROVAL

Project No. 2020-CUP-05
“BESS Black Walnut”
211 N. 12th Street - APN: 101-0-183-435

In addition to all applicable provisions of the Santa Paula Municipal Code (“SPMC”), esVolta, LP, a Delaware limited partnership registered to do business in California (“Applicant”), agrees for itself, its heirs and assigns that it will comply with the following provisions as Conditions for the City of Santa Paula’s Approval of the modified Project No. 20-CUP-05 (each a “Project Condition”; and together, “Conditions of Approval”).

I. GENERAL CONDITIONS

1. Awareness: The Resolution and these associated Conditions of Approval have been adopted with the knowledge, understanding and consent of the Property Owner and Applicant. Applicant represents that it is an authorized agent of Ted and Pamela Sakaida Trust (“Property Owner”) and that accepting these Conditions of Approval will bind the Property Owner.
2. Compliance: The Property Owner/Applicant must comply with all applicable ordinances, codes, regulations, policies, and conditions (including those herein) and pay all applicable fees and assessments to the City.
3. Violation: The Property Owner/Applicant’s failure to comply with, or breach of, any Project Conditions may result in the amendment or revocation of this Conditional Use Permit (“Permit”), or any related permits, or other enforcement action, as may be appropriate in the case. The City may undertake such acts and incur such expenses as it may consider necessary to effect compliance, the cost thereof including without limitation, administration costs and recoverable attorney’s fees, to be reimbursed by the Applicant or current property owners, as may be appropriate in the case.
4. Scrutiny: This Permit is subject to an ongoing review. If at any time valid, substantiated complaints are received, a public hearing may be held before the Planning Commission, at the sole discretion of the City, to determine if any condition or the permit should be modified, amended or revoked.
5. Assignment: The Permit is granted for the subject Property (APN 101-0-183-435) only and is not transferable to another location.
6. Conditions of Approval (“CoAs”) Supersede: The Conditions of this resolution prevail or supersede over all previous CoAs and omissions, conflicting notions,

specifications, dimensions, typical sections, and the like, which may not be shown on the improvement plans.

II. BUILDING AND SAFETY

Standard Requirements:

7. Building Codes: The project must comply with all applicable International, Administrative, and California codes as adopted by the City, including without limitation Fire, Building, Plumbing, Mechanical, Electrical, Energy, Green; and Accessibility codes.
8. Conformity: Plans submitted for building permits must conform to all the Conditions of Approval as approved by the Planning Commission.

III. FIRE (VCFPD)

Standard Requirements:

9. Road Surface, Construction and Grade Limitations: Fire apparatus access roads serving commercial and industrial occupancies shall have a structural cross section and surface complying with the public road standards for the jurisdiction in which the project is located and grades shall not exceed 10%. Where one-way traffic and off-street parking occurs, a 20-foot driveway width shall be provided. 90-degree turns shall comply with VCFD Standards.
10. Parking Prohibited: The Applicant and Property Owner(s) are hereby advised that parking on access roads / driveways and fire department turnarounds is prohibited.
11. Fire Lanes: Prior to construction, the Applicant shall submit two (2) site plans to the Fire District for approval of the location of fire lanes. Prior to occupancy, all fire lanes shall be posted "NO PARKING-FIRE LANE-TOW AWAY" in accordance with the California Vehicle Code, the International Fire Code and current VCFPD Fire Lane Standards. All signs and / or Fire Lane markings shall be within recorded access easements.
12. Access Road Gates: Any gates to control vehicle access are to be located so as to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15-feet in each direction shall be provided for separate entry / exit gates and a minimum 20-feet for combined entry / exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

13. Address Numbers (Commercial, Industrial, Multi-family buildings): Building address numbers, a minimum of ten inches (10") high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold plated numbers shall not be used. Where structures are set back more than 150-feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4-inches in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.
14. Accessory Room Door Labeling: All accessory room doors shall be labeled on the doors indicating use of the room (i.e., Electrical Room, Riser Room, Fire Alarm Panel Inside, Storage Room, Janitor, Roof Access, etc.).
15. Water System Plans: Plans for water systems supplying fire hydrants and / or fire sprinkler systems and not located within a water purveyor's easement, shall be submitted to the Fire District for review and approval prior to issuance of grading and/or building permits or signing of Mylar plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances. Plan shall be design and submitted with the appropriate fees in accordance with VCFPD Standard 14.7.2.
16. Fire Sprinklers: All structures shall be provided with an automatic fire sprinkler system in accordance with the current VCFPD Ordinance at the time of building permit application.
17. Fire Protection System Plans: Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.
18. Fire Alarm System: A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
19. Fire Sprinkler System Maintenance: The building fire sprinkler system shall be serviced and maintained in a proper working order at all times. Required maintenance inspections and service personnel shall be in accordance with CCR Title 19, and VCFPD Ordinance. Service and maintenance records shall be maintained on-site and available for review by the Fire Department upon request.
20. Five-Year Fire Sprinkler Report: A current Five-Year Fire Sprinkler System certification shall be maintained at all times in accordance with CCR Title-19 and VCFPD requirements. The required Five-Year Report shall be submitted to the Fire Department prior to expiration of the previous Five-Year certification.

21. Fire Alarm Certification: The building fire alarm system shall be serviced and maintained in a proper working order at all times. Required maintenance inspections and service personnel shall be in accordance with NFPA 72. Service records shall be maintained on-site and available for review by the Fire Department upon request.
22. Fire Code Permits: Applicant and / or tenant shall obtain all applicable International Fire Code (IFC) permits prior to occupancy or use of any system or item requiring an IFC permit.

IV. PLANNING

Standard Requirements:

23. Inactivity. If the Conditional Use Permit fails to be actively exercised for a continuous 365-day period, the permit shall lapse and become void. The permit may be administratively extended for up to an additional 24 months upon application and approval by the Planning Director.
24. Signage: Ongoing. All business and advertising signage for the project shall be in conformity with the Planning Commission approved plans and the most current SPMC policies and provisions for the regulation of business and advertising signage. For any proposed business or other advertising signage, the Applicant, Property Owner, or business owner must obtain a Sign Permit from the Planning Division before sign installation.
25. Illumination – General: All exterior lighting must be shown on the final construction plans and is subject to review and approval by the Planning Division to ensure that the exterior lighting is directed and/or shielded down or away from adjoining properties. Appropriate exterior lighting should be provided at entryways, along walkways, between buildings and, within parking areas possess adaptive control sensors. Any exterior lighting must be of a style that is reasonably compatible and harmonious with the architectural style and detail of the building. Future modifications to the installed outdoor lighting, including signage, shall require Planning review and approval.
26. Photometric study: Before submitting plans to the Building and Safety Division for Plan Check, a photometric lighting plan must be shown on the final construction plans submitted to Building & Safety Division. This plan is required and is subject to review and approval by the Planning Division prior to going to Plan Check. The plan must specify the type of lighting fixtures to be used, height of the fixtures, lumen levels, legible specifications for each type of fixture, and the point-by-point foot-candle reading, as described below.

- a) An accurate photometric plan will incorporate all sources of light illuminating the subject property, including nearby street lamps, and other existing lamps casting light onto the lot.
- b) If an existing luminaire (off-site on private and/or public property) is within 5 mounting heights of the subject property boundaries, it is considered to contribute to the existing site illumination and must be included in the photometric study.
- c) A Calculation Summary table indicating footcandle levels on the lighting plan, noting the maximum, average and minimum, as well as the uniformity ratio of maximum to minimum, and average to minimum levels.
- d) Footcandle distribution - plotting the light levels in footcandles on the ground, at the designated mounting heights for the proposed fixtures. Maximum illuminance levels should be expressed in footcandle measurements on a grid of the site showing footcandle readings in every five or ten-foot square. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and street lights.) Show footcandle renderings fifteen feet beyond the property lines.
- e) Provide lighting manufacturer-supplied specifications ("cut sheets") that include photographs of the fixtures, indicating the certified "cut off characteristics" of the fixture.

27. Illumination – Technical: Outdoor illumination technical specifications must include the following:

- a) All outdoor lighting design shall be governed by California Energy Commission *Outdoor Lighting Zone* requirements for Lighting Zone-Three (3).
- b) Maximum luminaire mounting height shall be no more than 20-feet, measured from grade at the base. Poles, concrete bases, and fixtures should be appropriate in scale for the buildings and lot.
- c) Pole lamps installed near the perimeter shall be equipped with baffles and / or shields to minimize backlight, glint and glare to adjacent properties.
- d) Lamps shall conform with SPMC Development Code standards for outdoor commercial lighting, shall meet the target of 2.0 foot-candles or lower, shall have a uniformity ratio (max to min 4:1), and an S/P ratio < 1.2.
- e) Photocells shall prevent day burners (lamps on during daytime).
- f) Motion sensors shall dim the lamps to 10% or less during evening hours when the business is open, and ramp up when motion-activated. Be sure to restrict the motion sensor within the parking and drive aisle only. Sensors shall not be triggered by motion on nearby public streets and sidewalks.

- g) Automatic timer override shall turn off the lamps at the close of business, and turn on at the open of business. All parking lot lights shall be either fully turned off (0% illumination) or automatically reduced (10% illumination) during all non-business hours including closed days. Motion sensors (per 'e.' above) may be used for security purposes during all non-business hours including closed days.
28. Illumination – Signs: All outdoor signs that are on during the day and night must be equipped with a control that can automatically reduce lighting power by at least 65% at night.
29. Landscaping: The Property and all landscaping must be maintained in a neat and healthy condition and in a manner that prevents adverse public health, safety, and welfare effects.
- a) *Before the final inspection and/or occupancy*, all graded & disturbed areas on the subject site shall be planted and maintained for both landscaping and erosion control purposes. Inasmuch as possible, plantings should be of native native/drought resistant plant species indigenous to the Santa Clara Valley. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society <<http://www.CNPS.org>>, the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) <<http://www.cal-ipc.org>>, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property.
 - b) All trees planted within the public right-of-way, and all trees planted within 5-feet of the property line shall be installed with a root barrier, 24-inch depth minimum, fabricated from high-density high-impact plastic, minimum of 2.0 mm thick, et. al, as referenced in “Green Book” SPPWC Standard Plan 520 (2012 ed.).
 - c) Plantings will be maintained in good growing condition throughout the life of the Project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
 - d) Tree topping, stubbing, coppicing, heading back or pollarding is prohibited per City policies and California State Government Code § 53067.
 - e) Tree pruning shall comply with the Tree Care Industry Associations’ ANSI A300 Standards.
 - f) Shrubs shall not be pruned into hedges.

- g) The irrigation system must be located, installed, and maintained as specified per the approved plans and operated to facilitate sound water conservation practices.
- h) Mulch applied to the site must be organic, pest-, and weed-free. Synthetic (i.e., rubber crumb) mulch is prohibited.
- i) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
- j) The exterior of the Property/Business must be maintained clear of trash, litter, and debris at all times.

Requirements Specific to This Project:

- 30. Perimeter security fence: The entirety of the project site perimeter shall be enclosed by a continuous security fence and/or gate.
 - a) Side and Rear Fencing. A 6-foot high security perimeter fence shall be expanded where necessary to fully surround the property side and rear portions. Barbed wire, razor-edged, and similar fencing materials will be permitted only in the rear and side yards of the subject properties (Commercial / Light Industrial zone; per SPMC § 16.44.030 *Electric, Barbed Wire, And Razor-Edged Fences.*)
 - b) Front Gate & Fencing. A non-chain link security perimeter fence and rolling gate shall be maintained along the lot's front portion. Spiked or pointed metal fencing (palisade) may be installed at the front entry and rolling gate, provided such spikes or points are at least 6-feet above ground level.
 - c) Fence & Gate Height. Included within the Conditional Use Permit for Project No. 20-CUP-05 is an allowance for up to an 8-foot high perimeter security fence and gate, which is 2-feet above the maximum fence allowed per SPMC § 16.44.020 *Maximum Height.*
 - d) The security perimeter fence and gates shall be serviced and maintained in a proper working order at all times.

Street Paving. Post-construction street paving shall conform with all City Public Works requirements and reflect the intent to pave in front of the whole length of the Pepper Tree mobile home community on 13th Street, ending at the south end of the Santa Paula project property line (esVolta's other BESS project).

- 31. Soil Management Plan: A soil management plan shall be prepared to ensure the proper removal and handling of petroleum-contaminated soils on the site.

V. PUBLIC WORKS

Special Conditions

32. The Property Owner/Applicant must enter into a Franchise Agreement with the City of Santa Paula for the installation of the private underground distribution line located in the Public Right-of-Way on 13th Street, connecting two Parcels with APN Numbers 101018343 and 101024118. The agreement must be executed and submitted to the City prior to Issuance of Building Permits and Public Works Encroachment Permit to install the distribution line. As part of the Franchise Agreement, the Property Owner/Applicant must provide proof of a permit from the Ventura County Department of Transportation, for installation of the distribution line in the County's right-of-way.
33. As determined by the City Engineer, the Property Owner/Applicant must improve the public street roadway and sidewalk pavement along that section of 13th Street where the proposed private underground distribution line is to be placed.
34. Prior to Public Works Encroachment Permit issuance for installation of the private underground distribution line, the Applicant/Property Owner's California licensed Civil Engineer must submit improvement plans to Public Works for review and approval, showing the proposed alignment of the private underground distribution line in the Public Right-of-Way on 13th Street, connecting the two parcels (APN Numbers 101018343 and 101024118). The plans must include all City standards required to trench and install the underground distribution line and restore all existing street surface improvements impacted by the work.
35. The Property Owner/Applicant's engineer must investigate the structural section of the existing streets fronting the development. If the structural section is not adequate for anticipated traffic demand, the structural section of the roadway must be increased, as determined by the City Engineer. If the street section is adequate, the entire street frontage shall be slurry sealed, unless otherwise determined by the City Engineer.
36. Reactive organic compounds, nitrogen oxides (ozone/smog precursor), and particulate matter (aerosols/dust) generated during construction operations must be minimized in accordance with the City of Santa Paula standards and the standards of the Ventura County Air Pollution Control District (APCD). When an air pollution Health Advisory has been issued, construction equipment operations (including but not limited to grading, excavating, earthmoving, trenching, material hauling, and roadway construction) and related activities must cease in order to minimize associated air pollutant emissions.

Standard Conditions

37. Related Permits: The Property Owner/Applicant must obtain all applicable Public Works permits. All requirements of any other law or agency of the State of California and any other governmental entity applicable to the Project must be met.
38. Documents: Copies of all Public Works construction related documents shall be forwarded to the Public Works Inspector including, but not limited to, public improvement material submittals and concrete batch tickets
39. Licensed Contractor: All Public Works infrastructure must be constructed by a competent Class A licensed contractor, approved by the City Engineer.
40. Inspections Funds: The Applicant must submit and maintain sufficient funds on deposit for Public Works construction observation services. Cost of the inspections related to on-site and off-site improvements as it applies to Public Works must be borne by the Applicant/Property Owner. The Public Works Land Development Services will determine the deposit amount and provide Applicant/Property Owner the status of account usage upon request.
41. Grading & Drainage: All grading must conform to City of Santa Paula Municipal Code and the latest edition of the California Building Code. Refer to SPMC Chapter 16.96: Grading Permits and Chapter 16.97: Grading Regulation, et al.
 - a) *Before issuance of a grading permit*, the Applicant/Property Owner shall submit an erosion control plan to the Public Works Department for approval. The plan shall show best management practices to control dust and prevent construction related discharges to the public right of way and neighboring properties. The Applicant/Property Owner shall provide a copy of a state-approved SWPPP for all earthwork disturbances equal to or greater than 1-acre of soil.
 - b) All improvement plans, construction cost estimates, soils reports, geology reports, and all other pertinent engineering design calculations must be submitted to the City concurrently with Grading/improvement Plans.
 - c) The Applicant/Property Owner must submit to the City Engineer a soils and geologic study and comply with the recommendations of the soils and geologic study.
 - d) The geotechnical engineer shall certify all soils and earthwork construction activities.
 - e) Appropriate facilities for proper drainage within the development must be provided and constructed as directed and approved by the City Engineer.
 - f) All storm drain facilities must be designed to convey the Q100 storm runoff.

- g) The Applicant/Property Owner must provide a hydraulic analysis with water surface elevation and hydraulic grade line for each pipe 12-inches and larger.
 - h) The Project must be protected from offsite drainage, and any water concentration and/or increase as a result of the construction of the Project must be conveyed by means of adequate facilities to the natural water courses of the area, and/or existing storm drain system designed to convey the development's runoff. The Applicant/Property Owner shall construct detention facilities to capture and store the excess runoff due to the Project and limit the flow to pre-development levels acceptable to the City Engineer.
 - i) Each lot must drain to an approved drainage facility. Cross lot drainage must be minimized.
42. Stormwater Management: The Project must be undertaken in accordance with conditions and requirements of the Ventura Countywide Stormwater Quality Management Program.
- a) Landscape areas must be designed with efficient irrigation to reduce runoff and promote surface filtration and minimize the use of fertilizers and pesticides which can contribute to urban runoff pollution. Landscaping must be properly maintained with efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides that can contribute to urban runoff pollution.
 - b) If applicable, all onsite storm drains must be cleaned at least twice a year; once immediately before October 1st (beginning of the wet season) and once in January. Additional cleaning may be required by the City Engineer in their reasonable judgement.
 - c) All onsite storm drain inlets, whether newly constructed or existing, must be labeled "Don't Dump - Drains to Creek" before occupancy.
 - d) Certified, full capture trash devices must be installed to address the trash total maximum daily load (TMDL) requirements imposed under Los Angeles Regional Water Quality Control Board Resolution Statewide Trash Amendments. These are filtering devices that capture trash and debris before they enter into the storm drain.
 - e) The Applicant/Property Owner is responsible for maintaining and operating all on-site private improvements. The owner is responsible for submitting a stormwater quality mitigation device Maintenance Plan and is responsible for providing a Stormwater Treatment Device Access and Maintenance Agreement on a form approved by the City for all post construction stormwater treatment devices, as required by the Ventura County Municipal Stormwater Permit. The agreement will be subject to the review and approval of the City Engineer and City Attorney. Before final acceptance of project improvements, the Applicant/Property Owner or his/her designated representative must certify that the treatment device was

constructed and installed in accordance with the approved plans.

- f) Air conditioning condensate flows must be segregated per the California Building Code to prevent introduction of pollutants and must be directed to pervious areas for percolation where possible.
 - g) Grading operations involving the hauling of dirt shall be controlled and reasonable efforts to avoid the spillage of dirt onto public streets shall be enforced. The grading contractor shall maintain on site at all times a means of preventing blowing dust within the project site and onto adjacent sites.
43. Water Systems: All water system facilities and/or appurtenances will be approved by the City of Santa Paula Water Division and the City Engineer.
- a) Water meters shall be sized per the latest California Plumbing Code.
 - b) A separate irrigation meter is required. The landscaping and irrigation design shall meet the Mandatory Water Conservation guidelines.
44. Any deviations from the approved grading plan must be reviewed and approved in advance by the Public Works Department. The City Engineer may issue a Stop Work Order if field conditions deviate from the approved plans without obtaining prior approval from all appropriate City Departments.

VI. BEFORE GRADING PERMITS

45. Responsibility: The Applicant/Property Owner is responsible for all actions of its contractors and subcontractors until such time as City has accepted the improvements.
46. Before issuance of grading/improvement plans permits, the Applicant/Property Owner must submit to the city an improvement plan, grading plan, and erosion control plan for the development. These plans must include proposed street and site improvements, proposed drainage facilities and structures as required by the city, sewer system and a plan of the water supply system. The project agreements, securities, and documents may not be approved by the City Council unless said improvement plans, grading plans, and erosion control plan have been approved by the City Engineer.
47. The applicant shall submit a Project Drainage Report, prepared by a California Registered Civil Engineer, to address existing and proposed hydrology, including offsite flow patterns which currently influence the project site. Report shall address developed hydrology associated with the site development, based on the provisions of the Ventura County Hydrology Manual and associated methodology, addressing both 10-year and 100-year existing and proposed drainage conditions, including provisions for the interception and conveyance of the 10-year design storm and flood hazards associated with the 100-year storm. Calculations for the mitigation of

increased stormwater runoff shall be provided to support on-site detention facility sizing. Calculations shall address the detailing and sizing of area drains, catch basins and storm drain laterals on site, and shall be coordinated with the project Storm Drain Plans. The Project Drainage Report shall be submitted to the City of Santa Paula Public Works Department for review and approval prior to the issuance of a Grading Permit.

48. Hydrology calculations must be per current Ventura County Standards, utilizing the site-specific design parameters, and to the satisfaction of the City Engineer and Public Works Director prior to the issuance of a Grading Permit.
49. Prior to the issuance of a Grading Permit, the applicant shall post sufficient surety with the City, in a form acceptable to the City Engineer and Public Works Director, guaranteeing completion of all onsite and offsite improvements required by these Conditions of Approval and/or the Municipal Code including, but not limited to grading, street improvements, storm drain improvements, temporary and permanent Best Management Practice (BMP) for the control of non-point water discharges, landscaping, fencing, and bridges. Grading and improvements must be designed, bonded, and constructed as a single project.
50. Technical Specifications: All Public Works construction must be in accordance with the following technical specifications, and must be used for all public improvements on the approved improvement plans including, but not limited to, water, sewer, and storm drain utility systems:
 - a) City Standard Specifications;
 - b) All applicable City Standard Plates and any modification thereto by the City;
 - c) City of Santa Paula Standard Land Development Specifications;
 - d) Standard Specifications for Public Works Construction, "Green book", latest edition;
 - e) American Water Works Association Standards;
 - f) California State Department of Health Standards;
 - g) Ventura County Watershed Protection District Standards.
51. Construction Schedule: Applicant/Property Owner must enter into contract with the City to install and construct all improvements as required by the conditions of approval of the development provisions of the SPMC, and must post security satisfactory to the City Attorney, guaranteeing the installation and construction of all required improvements within the time period specified, herein or an approved time extension.

Security may be in form of performance bonds, labor and materials, and maintenance.

52. 12-Month Warning: The City reserves the right to upgrade, add to, or revise technical specifications and plates and all other City ordinances, policies, and standards. If the improvements required for this Project are not completed within 12-months from the approval date of improvement plans, the Applicant/Property Owner must comply with and conform to any and all upgraded, additional or revised specifications, plates, ordinances, policies, and standards.
53. Concurrent Submittal Required #1: All improvement plans and related documents must be submitted concurrently and include plans for, without limitation, grading, streets, drainage, sewer, water and other appurtenant improvements. In addition, a master utility plan must be submitted showing the layout and location of all the on-site and off-site utility facility improvements of the Project. The plan submittal must also include construction cost estimates and all pertinent engineering design calculations.
54. Engineer of Record: The Applicant/Property Owner must retain a Civil Engineer licensed in the State of California and registered in accordance with the appropriate provisions of the Business and Professional Code. Said Civil Engineer shall be recognized as the Engineer of Record for this Project, to help ensure that the construction work conforms to the approved improvement plans (public improvements, rough grading and fine grading) and specifications, and to provide certified "as-built" plans prior to occupancy. Submittal of the certified "as-built" plans will be required before and as a condition of final acceptance of any public improvements by the City. The Engineer of Record shall be the primary contact on behalf of the Applicant/Property Owner, for any design changes, deviations, and alternative solutions to unforeseen circumstances.
55. Safe Excavations: All excavations must conform to OSHA standards.
56. Flood Protection: For any equipment pads, the Applicant/Property Owner must protect the equipment pads of all structures from the effect of a 100-year storm runoff. Based on the Flood Zone, the Applicant/Property Owner must comply with the City's Flood Damage Prevention Ordinance, including without limitation, flood prevention and flood proofing requirements for new construction. The proposed non-residential project must be elevated, flood proofed, plus freeboard. Any plans submitted to implement flood protection requirements (e.g. grading plans) shall ensure that the Project will not adversely affect the neighboring properties and structures.
57. Model Water Efficient Landscape Ordinance: The Applicant/Property Owner must comply with the current Model Water Efficient Landscape Ordinance per CCR Title 23, Chapter 2.7.

< <https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Model-Water-Efficient-Landscape-Ordinance> >

58. Material: All import material must be new and/or clean and certified fill, and material submittals shall be submitted to the City Engineer for review and approval prior to construction.
59. Soils: Before issuance of grading/improvements plan permits, a soils report must be reviewed by the City of Santa Paula before the City will approve the Project. Applicant/Property Owner shall submit this report with the building plans.
60. All river rock gravel pavement structural sections subject to vehicular loading shall be designed by the project Geotechnical Engineer and Engineering Geologist and submitted in conjunction with the final geotechnical report for review and approval by the Public Works Department prior to the issuance of a Grading Permit.
61. Prior to Grading Permit issuance, site access and fire hydrant locations shall be reviewed and approved by the Ventura County Fire Department.
62. All other requirements, notes and regulations arising from plan review as determined necessary by the City and their reviewers shall be incorporated into the design as required by the City prior to Grading Permit issuance.
63. Prior to issuance of a Grading Permit, existing utility points of connection shall be potholed to verify location and elevation. An encroachment permit shall be obtained from Public Works prior to related work being performed in Public Right of Way or easements. Utility plans shall be updated as necessary prior to final approval.
64. Prior to issuance of a Grading Permit the applicant shall be responsible for identifying all easements and related encumbrances on the project plans and related documents and ensuring that all such easements and encumbrances are not impeded, burdened, and are adequately maintained in accordance with the terms and language of the original easement. Determination of such compliance shall be subject to the City of Santa Paula Public Works approval.
65. Prior to the issuance of a Grading Permit the applicant shall perform additional tests within all proposed onsite infiltration areas in conformance with the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures. Test results and related infiltration recommendations shall be incorporated in the project Geotechnical Report and the design of proposed drainage facilities.
66. Prior to the issuance of a Grading Permit the applicant shall provide recommendations for foundation design for the proposed equipment pads to address anticipated accumulative seismic and static settlements. Such recommendations shall be included in the profile geotechnical report and incorporated in the plans.

67. The applicant shall provide for the interception of tributary areas of offsite drainage to maintain existing drainage patterns for adjacent properties. Onsite storm drain systems shall be designed to accommodate the interception and associated conveyance of such tributary offsite drainage to the satisfaction of the City Engineer and Public Works Director prior to the issuance of a Grading Permit.
68. The applicant's engineer shall provide for detention of on-site storm drainage, based on either offsite storm drain capacity limitations or a 'no net increase' approach, whichever yields the greater volume or required detention. Such calculations shall be included in the Project Drainage Report to the satisfaction of the City Engineer and Public Works Director prior to the issuance of a Grading Permit.
69. Runoff coefficient values shall be reflective of final design conditions. Storm drain infiltration devices shall be sized accordingly to final runoff coefficient values. Such calculations shall be included in the Project Drainage Report to the satisfaction of the City Engineer and Public Works Director prior to the issuance of a Grading Permit.

VII. BEFORE BUILDING PERMITS

70. Applicant/Property Owner must obtain all necessary encroachment permits. This shall include, without limitation, permits from the City of Santa Paula, Southern California Edison Company, and all other utilities and communication providers. An encroachment permit is required for any work in the public right of way.
71. Signatory: Before submitting plans to the Building and Safety Division for Plan Check, the Applicant/Property Owner must sign the Conditions of Approval and return the wet signature to the Planning Division.
72. CoAs on Plans: Before the issuance of building permits, plans submitted to the Building & Safety Division for building permits must have the Conditions of Approval printed directly onto the building plans and the Project number, "2020-CUP-05," in the title blocks of the blueprints for this Project.
73. Site Improvement Plans: Before the issuance of building permits, the Public Works Department must approve the final grading and site improvement plans.
 - a) Site Utilities Plan: The utilities plan shall accurately show all existing and proposed utilities, including but not limited to sewer, water, storm drainage, gas, electric and applicable upgrades and reconstruction required to serve the proposed Project.
74. Utilities on Plans: Before the issuance of building permits, the plans provided to the Building & Safety Division for plan check must show all utilities to serve the proposed Project. The meter point of responsibility must be shown on the improvement plans. Improvement plans will need to show proposed abandonment of services not needed.

75. Trash Enclosure: Before the issuance of building permits, Public Works and Planning must review and approve the design for the revised trash enclosure. The solid waste enclosure shall be constructed in accordance with City of Santa Paula Standard Plan revised Plate 428, have a metal roof, and be sized to accommodate three containers (3-cy bins) each; for solid waste, recyclables and organics.

< <https://www.spcity.org/DocumentCenter/View/1356> >

- a) The Applicant/Property Owner may submit an alternate trash enclosure design for review and approval as long as the design can accommodate the three containers to the satisfaction of Public Works, Planning, and the city's franchise waste hauler (currently, Athens Environmental Services).
- b) The trash enclosure shall incorporate steel mesh between the block wall and roof opening to prevent unauthorized access.
- c) The revised PW Plate 428 Refuse Enclosure (July 2019) includes a requirement for a 4-inch sanitary sewer drain, located within the refuse enclosure.
- d) Per the Building Official, there are additional plumbing elements that must be included, such as a trap primer and a grease interceptor / clarifier to mitigate any fats, oils, and greases or other solids before entering the municipal sewer system.
 - d.1) CA Plumbing Code Section 1009.1 *Interceptors (Clarifiers) and Separators/ Where Required*¹
 - d.2) Plumbing Code Section 1007.1 *Trap Seal Protection*²
- e) SPMC § 16.40.110 *Solid Waste/Recycling Receptacles and Enclosures*. (2) The exterior architectural treatment and color of waste storage areas must be compatible with the main building treatment.
- f) The Applicant/Property Owner must contact the current franchise waste hauler of the City of Santa Paula, to determine the frequency of pickup. "Athens Services" is located at 866 E. Main Street, Santa Paula. Phone: (805) 933-0100. Website: < athens-env.com >

Fire Department

76. Fire Alarm/Sprinkler Monitoring Plans: Plans for any fire alarm system or sprinkler monitoring system shall be submitted, with payment for Plan Check, to the Fire District for review and approval prior to installation.
77. Fire Department Clearance: Applicant/Property Owner shall obtain the following forms prior to obtaining a building permit for any new structures or additions to existing structures.

63.1) VCFD Form #610 "Fire Permit Application"

63.2) VCFD Form #625 "Fire-Flow Verification"

VIII. FEES DUE BEFORE BUILDING PERMITS

78. City Water Rights/In Lieu Fee: Before the issuance of building permits, the Applicant/Property Owner must convey to the City of Santa Paula sufficient water rights to support the needs of the Project in accordance with SPMC § 52.021 (provision of 125% of projected demand).

79. In absence of water rights, the Applicant/Property Owner shall pay in lieu fees, calculated at the current rate at the time of Building Permit submittal. An empirical study assaying the Project's water demand analysis for domestic, irrigation, and fire protection must be performed to calculate In-lieu fees. If a study is not performed, For FY 2020-21, the in lieu fee is \$26,016/AFY.

< http://santapaulaca.igm2.com/Citizens/Detail_LegiFile.aspx?ID=1345&highlightTerms=Ordinance%201270 >

80. County Traffic Fee: Before the issuance of building permits, the Applicant/Property Owner must convey to the City of Santa Paula the Ventura County Traffic Impact Mitigation Fee in accordance with the current rate sheet for District 2 - Incorporated Santa Paula.

< https://s29422.pcdn.co/wp-content/uploads/2019/12/TD_TIMIndexFees_2020.pdf >

81. County Watershed Protection District: Before the issuance of building permits, the Applicant/Property Owner must convey to the City of Santa Paula the Ventura County Watershed Protection District Flood Acreage Assessment Fee ("FAF") in accordance with the current rate sheet as approved by the Ventura County Board of Supervisors on June 25, 1991, or in accordance with the current rate sheet. As of September 2019, the FAF is \$2,400 per acre (rounded up to the nearest quarter- acre).

IX. BEFORE PUBLIC STREET IMPROVEMENTS

82. Supersedes. The Conditions of this resolution prevail over all omissions, conflicting notions, specifications, dimensions, typical sections, and the like, which may not be shown on the improvement plans.

83. Responsibility. The Applicant/Property Owner is responsible for all actions of its contractors and subcontractors until such time as City has accepted the improvements.

84. Technical Specifications. All Public Works construction must be in accordance with the following, and must be used for all public improvements on the approved improvement plans including, but not limited to, water, sewer, and storm drain utility systems:

- a) City Standard Specifications;
- b) All applicable City Standard Plates and any modification thereto by the City;
- c) City of Santa Paula Standard Land Development Specifications;
- d) Standard Specifications for Public Works Construction, "Greenbook", latest edition;
- e) American Water Works Association Standards;
- f) California State Department of Health Standards;
- g) Ventura County Watershed Protection District Standards.

X. DURING CONSTRUCTION ACTIVITIES

Fire Department

- 85. Construction Access: Prior to combustible construction, an all-weather access road / driveway suitable for use by a 20-ton Fire District vehicle shall be installed at locations approved by the Fire District.
- 86. Construction Access Utilities: Prior to combustible construction, all utilities located within the access road and the first lift of the access road pavement shall be installed. A minimum 20-foot clear width shall remain free of obstruction during any construction activities within the development once combustible construction starts.

Public Works

- 87. Survey Monuments: before Construction. Before the final inspection and/or occupancy, the developer must submit evidence to the city of existing corner lot monumentation before project approval and at the completion of the project to ensure that existing corner monumentation and witness markings are not disturbed by construction activities or were reset.
- 88. Prior to construction, the applicant shall comply with the City of Santa Paula standard requirements for dust control, including, but not be limited to, minimization of ground disturbance, application of water/chemicals, temporary/permanent ground cover/seeding, street sweeping, and covering loads of dirt for the review and approval of the City Engineer and Public Works Director. All clearing, grading, earth moving,

excavation, soil import and/or soil export operations must cease during periods of high winds (greater than 15 mph averaged over one hour).

89. Prior to construction, the applicant shall post, in a conspicuous location, the construction hour limitations and make each construction trade aware of the construction hour limitations to the satisfaction of the City.
90. At least one (1) week prior to commencement of grading or construction, the applicant shall prepare a notice that grading or construction work will commence. This notice shall be posted at the site and mailed to all owners and occupants of property within five-hundred feet (500') of the exterior boundary of the project site, as shown on the latest equalized assessment roll. The notice must include current contact information for the applicant, including all persons with authority to indicate and implement corrective action in their area of responsibility, including the name of the contact responsible for maintaining the list. The names of individuals responsible for noise and litter control, tree protection, construction traffic and vehicles, erosion control, and the twenty-four (24) hour emergency number, must be expressly identified in the notice. The notice must be re-issued with each phase of major grading and construction activity. A copy of all notices must be concurrently transmitted to the Community and Economic Development Department. The notice record for the City must be accompanied by a list of the names and addresses of the property owners notified and a map identifying the notification area.
91. Best Management Practices: During construction, the construction plans must incorporate Best Management Practices applicable to the Project for the review and approval by the City Engineer. The Applicant/Property Owner is responsible for BMP monitoring, performance, maintenance and replacement during construction and until they are not required. Inspection of all erosion and sediment control (ECS) devices and BMP's must be conducted every 14-days and within 24-hours of a half-inch rainfall event. Inspections must be recorded.
92. Prior to the start of grading or any ground disturbance, the applicant shall identify a responsible person experienced in NPDES compliance who is acceptable to the City Engineer and Public Works Director. The designated NPDES person (superintendent) shall be present, on the project site Monday through Friday and on all other days when the probability of rain is forty percent (40%) or greater and prior to the start of and during all grading or clearing operations until the release of grading bonds. The superintendent shall have full authority to rent equipment and purchase materials to the extent needed to effectuate Best Management Practices. The superintendent shall be required to assume NPDES compliance during the construction of streets, storm drainage systems, all utilities, equipment, and final landscaping of the site.
93. Development shall conform to the current requirements for the County's MS4 permit for new development.

94. All storm water facilities shall conform to the most current Ventura County Technical Guidance Manual for Storm Water Quality Control Measures.
95. A State Storm Water Pollution Prevention Plan (SWPPP) is required for all ground disturbing activities that are greater than one acre. Prior to Grading Permit issuance, a Notice of Intent (NOI) and the SWPPP shall be filed with the State Water Resources Control Board, and a Waste Discharger Identification (WDID) number must be obtained.
96. Work in the Public Right of Way: During construction, an Encroachment Permit must be obtained from the Public Works Department if any construction is performed within the public right of way and if any equipment and/or materials will be stored on a City street. An Encroachment Permit is needed to perform the work within the time and work specified in the permit. An additional or revised Encroachment Permit may be required depending on the nature of the work.
 - a) A Traffic Control Plan prepared by a Civil Engineer or Licensed Traffic Professional is required for all work in the public right of way.
 - b) An Encroachment Permit shall be required for any temporary parking of deliveries of or staging material on City right-of-way.
 - c) Traffic control plan shall include construction advisory speed limits, speed limit posting locations, and enforcement measures if needed.
97. Construction Vehicle Parking: All construction equipment and vehicles must be stored or parked on the subject site, and must not be stored or parked on City streets, except as may be permitted by the City Engineer for a specified temporary period through written authorization or as agreed upon as a result of the Construction Management Plan to be developed, reviewed and approved by the City. Deliveries of BESS modules and subsequent module replacements are prohibited from utilizing private driveways along Thirteenth Street and Twelfth Street.
98. During construction the applicant shall utilize all prudent and reasonable measures (including installation of a 6-foot-high chain link fence around the construction site(s) and/or provision of a full time licensed security guard) to prevent unauthorized persons from entering the work site at any time and to protect the public from accidents and injury.
99. During construction written weekly progress reports and a grading completion report must be submitted to the City Engineer by the project geotechnical engineers. These reports must include the results and locations of all compaction tests, as-built plans of all required fill removal, over excavation and remedial grading, including geologic mapping of the exposed geology of all excavations showing cut cross-sections and sub-drain depths and locations. The lists of excavations approved by the engineering geologist must also be submitted. Building permits will not be issued without

documentation that the grading and other pertinent work has been performed in accordance with the geotechnical report criteria and applicable Grading Ordinance provisions.

100. During construction, the applicant shall provide temporary irrigation, and erosion control measures, approved by the Community and Economic Development Director, City Engineer and Public Works Director. Temporary grading is defined to be any grading partially completed and any disturbance of existing natural conditions due to construction activity. These measures will apply to a temporary or permanent grading activity that remains or is anticipated to remain unfinished or undisturbed in its altered condition for a period of time greater than thirty (30) calendar days except that during the rainy season (October 1 to April 15), these measures will be implemented immediately.
101. Grading may occur during the rainy season from October 1 to April 15, subject to timely installation of erosion control facilities when approved in writing by the City Engineer, Public Works Director and the Community and Economic Development Director and when erosion control measures are in place. In order to start or continue grading operations between October 1 and April 15, project-specific erosion control plans that provide detailed Best Management Practices for erosion control during the rainy season must be submitted to the City Engineer and Public Works Director no later than September 1 of each year that grading is in progress. During site preparation and construction, the contractor shall minimize disturbance of natural groundcover on the project site until such activity is required for grading and construction purposes. During the rainy season, October 1 through April 15, all graded slopes must be covered with a woven artificial covering immediately after completion of each graded slope. Grading operations must cease if the applicant fails to place effective best management measures on graded slopes immediately after construction. No slopes may be graded or otherwise created when the National Weather Service local three-day forecast for rain is twenty percent (20%), or greater, unless the applicant is prepared to cover the permanent and temporary slopes before the rain event. The artificial covering and planting will be to the satisfaction of the Community and Economic Development Director, City Engineer, and Public Works Director.
102. Rough Grade Report. At the completion of rough grading, the project Geotechnical Engineer shall submit a comprehensive rough grade report summarizing the required observations, verifications, related tests, and other pertinent documentation to Public Works and Community and Economic Development Departments for review and approval prior to the issuance of a Building Permit. The report shall include the results of all compaction tests as well as a map depicting the limits of over excavation, observed geologic conditions, locations of all density tests, locations and elevations of all removal bottoms, and location and elevation of all retaining wall backdrains and outlets.

103. Rough Grade and Equipment Pad Certifications. Upon completion of rough grading, the applicant shall submit Rough Grade and Equipment Pad Certifications on the City's forms. The certifications shall be signed by the project Geotechnical Engineer and project Civil Engineer, as well as the Grading Contractor. The certification shall be accompanied by as-built survey where deemed necessary by the City Engineer to verify compliance with the limits and elevations required by the approved grading and drainage plans. The Rough Grade and Equipment Pad Certifications shall be reviewed in conjunction with the Rough Grade Report by the City of Santa Paula Public Works Department for approval prior to the issuance of a Building Permit.
104. Approval of Rough Grading. The project Rough Grade Report and Rough Grade and Equipment Pad Certifications shall be reviewed and approved by the City Engineer. Evidence of such approval shall be provided to the Community and Economic Development Department, Building and Safety Division, prior to the issuance of a Building Permit. No Building Permit shall be issued for the project without these approvals.
105. Prior to final inspection of improvements, the project Registered Civil Engineer shall submit certified original "record drawing" plans with three (3) sets of paper prints and the appropriate plan revision review fees to the City Engineer and Public Works Director along with electronic files in a format satisfactory to the City Engineer and Public Works Director. These "record drawing" plans must incorporate all plan revisions and all construction deviations from the approved plans and revisions thereto. The plans must be "record drawings" on 24" X 36" Mylar® sheets (made with proper overlaps) with a City title block on each sheet. In addition, the applicant shall provide an electronic file update of the City's Master Base Map electronic file, incorporating all streets, sidewalks, streetlights, traffic control facilities, street striping, signage and delineation, storm drainage facilities, water and sewer mains, lines and appurtenances and any other utility facility installed for this project.

XI. FEES DUE BEFORE THE FINAL INSPECTION AND/OR OCCUPANCY

Building & Safety

106. City Development Impact Mitigation Fees: Before the final inspection and/or occupancy, the Applicant/Property Owner must pay the total City Development Impact Mitigation Fees (all 10 categories) in accordance with SPMC Chapter 160: Development Impact Fees. For the City's current "Master Fee Schedule" refer to City Council hearing of May 02, 2016 and Resolution No. 6969.

Note: The Building & Safety Division will compute the exact DIFs as part of the Building Permit process.

<http://santapaulaca.igmm2.com/Citizens/Detail_LegiFile.aspx?ID=1324&highlightTerms=Citywide%20User%20Fee%20and%20Rate%20Public%20Hear >

<http://santapaulaca.igmm2.com/Citizens/Detail_LegiFile.aspx?ID=1138&highlightTerms=Development%20Impact%20Fee >

Finance:

107. City Fees & Charges: Before final inspection and/or occupancy, all applicable Department/Division (Building & Safety, Planning, Public Works, and Legal) Project Review & Plan Check fees and charges must be paid in full.

XII. BEFORE THE FINAL INSPECTION

Building & Safety

108. Waste Diversion: Before the final inspection and/or occupancy, the Applicant/Property Owner shall request weight tickets from “Athens Services”, the franchise waste hauler of the City of Santa Paula, for compliance with the 65% Construction & Demolition Program (or current diversion rate as established by CA Green Building Code § 4.408.1: Construction Waste Management).

Before the final inspection and/or occupancy the weight tickets and any diversion records shall be submitted to the Building Official.

“Athens Services” is currently located at 866 E. Main Street, Santa Paula.
Phone: (805) 933-0100. Website: < athens-env.com >

Planning

109. Hazardous Materials: Before the final inspection and/or occupancy, the Applicant/Property Owner shall receive final approval from the Ventura County Hazardous Materials Program for all on-site business activities and operations.

< <http://www.vcrma.org/envhealth/cupa/index.html> >

110. Air Quality: Before the final inspection and/or occupancy, the Applicant shall receive final approval of an Occupancy Permit from the Ventura County Air Pollution Control District (VCAPCD) for all on-site business activities and operations, per Government Code § 65850.2(c) and AB 3205.

< http://www.vcapcd.org/occup_prmt.htm >

111. As-Built: Before the final inspection and/or occupancy, the Applicant/Property Owner's Architect shall submit As-Built Plans to the Planning Division for review. The submitted As-Built Plans must be:

- a) One (1) full and complete digital set; and
- b) One (1) full-size paper set.

Fire Department

112. Hydrant Location Markers: Before the final inspection and/or occupancy, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.

113. Fire Code Permits: Before occupancy or use of any system or item requiring an International Fire Code (IFC) permit, the Applicant/Property Owner shall obtain all applicable IFC permits.

Public Works

114. Final Grade Certification. Prior to the final inspection, the applicant shall submit a Final Grade Certification on the City's form. The Final Grade Certification shall be reviewed and approved by the City Engineer prior to final inspection for the project.

115. Public Damage Replacement. Before the final inspection and/or occupancy, the Applicant/Property Owner must remove and replace any part of existing public improvements damaged during construction of the Project.

- a) All underground irrigation, water, and other pipes or openings which are encountered during construction of street and site improvements must be removed or replaced in a manner satisfactory to the City Engineer.

MAINTENANCE

116. All landscaping must be maintained in a healthy and thriving condition, free of weeds, litter and debris. All paved surfaces: including, but not limited to, the parking area and aisles must be maintained free of litter, debris and dirt. Parking areas and aisles must be swept, washed, or vacuumed regularly. When swept or washed, litter, debris and dirt must be trapped and collected to prevent entry to the storm drain system and infiltration basin in accordance with NPDES requirements.

117. The applicant and/or property owner shall provide verification to the City Engineer and Public Works Director that all proposed on-site storm drains have been cleaned

at least twice a year, once immediately prior to October 1st (the rainy season) and once in January. Additional cleaning may be required by the City Engineer and Public Works Director depending upon site and weather conditions.

118. All storm water detention, retention, and impoundment facilities shall provide access for maintenance purposes. This includes, but is not limited to, maintenance access roads, vehicle and/or man gates, and adequate space to maneuver equipment.

XIII. INDEMNIFICATION

119. Indemnification: The Applicant/Property Owner agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Project No. 2020-CUP-05. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Project No. 2020-CUP-05, the Applicant/Property Owner agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Santa Paula's elected officials, appointed officials, officers, and employees.

[SIGNATURES ON NEXT PAGE]

**Project No. 20-CUP-05
Resolution No. 3857
Conditions of Approval**

By signing this document, the Property Owner and Applicant certify that each has read, understood, and agrees to the Project Conditions listed in this document, and that the Applicant is authorized to sign on behalf of the Property Owner.



Philip Reeves
Black Walnut Energy Storage LLC
esVolta, LP

Jan 30, 2024
Date

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Donald Aguilar, Police Chief

Subject: FIRST AMENDMENT TO 2023 PROFESSIONAL SERVICES
AGREEMENT WITH MIKE ARANDA FOR POLICE DEPARTMENT
PROJECT MANAGEMENT SERVICES

Date: June 19, 2024

Agenda Item: 9.D

RECOMMENDATION:

Staff recommends that the City Council:

(1) Authorize the City Manager to execute the First Amendment to the 2023 Professional Services Agreement with Mike Aranda for Police Department Project Management Services.

PRESENTED BY: POLICE CHIEF DON AGUILAR

BACKGROUND:

On November 10, 2022, Mr. Mike Aranda entered into a 60-day Professional Services Agreement ("2022 Agreement") as an independent contractor to perform project management functions for the Santa Paula Police Department (the "Department"). The PSA provided for compensation not to exceed \$15,000 and expired on January 13, 2023. The 2022 Agreement was extended for a period of 10 months and ended November 10, 2023. A second and separate six-month Professional Services Agreement was entered December 11, 2023 ending June 10, 2024 ("2023 Agreement"). During the initial 60-day period of the 2022 Agreement, Mr. Aranda began oversight on several projects and multiple audits including the following:

1. Security fencing enclosing the police/city hall parking lot. Construction of fencing around the police station/city hall parking lot is currently moving forward with contractors.
2. Records Management System (RMS) / Mark43 Computer Assisted Dispatch (CAD) Merger Project. Consultant has begun to oversee the upgrading of existing CAD capabilities to include a robust RMS component to provide real-time information and support officer safety. The new RMS/CAD system will begin roll-out this month.
3. California Commission on Peace Officer Standards and Training (POST) Mandated Training Compliance Audit. Consultant has completed this audit and submitted recommendations for a training management software for purchase to close gaps for any officers or dispatchers who were out of mandated compliance. The software has been purchased and ensures an ongoing assessment and milestone timeline to complete training throughout this year and future years to come.

4. Personnel Training. Consultant has used his subject matter expertise to train sworn and civilian staff in areas of the daily functioning of the Police Department including Fleet Services, Professional Standards, Facility Maintenance, Property Room accountability, Animal Control enforcement, Public Records Act, employee timesheet reporting, and department cell phone use.

The Department currently lacks the capacity to complete much-needed work. It is staff's opinion that it would be most cost-effective for Mr. Aranda to continue oversight and complete projects he has started, and that further training would benefit Department personnel. Therefore, staff is requesting that the City Council approve the proposed First Amendment to the 2023 Agreement ("Amendment") (Attachment A) to continue using Mr. Aranda's services.

ANALYSIS:

The Amendment before you this evening for a final extension of an additional five months (resulting in a new term end date of November 1, 2024), increases the maximum compensation to \$36,900 and modifies the scope of services. This amount, together with prior agreements with Mr. Aranda for his project management services, cumulatively total \$106,500 in maximum compensation.

The scope of services has been amended by adding projects or extending the time to complete existing ones as follows:

1. Facilities Improvement Consultant shall manage and oversee the following police department facility improvements: Limited demolition of existing walls, re-build of partition walls, revised main entrance of public lobby, reconfiguration of patrol briefing room, property room, detective office, interview rooms, and records bureau. The first of four phases of this facility improvements will begin in June, 2024.
2. Records Management System (RMS) / Mark43 Computer Assisted Dispatch (CAD) Merger Consultant shall manage and oversee the upgrade of existing CAD capabilities to include an RMS component to provide real-time information and support officer safety. Upgraded CAD software will be licensed from Mark43, Inc. The project is continuing to progress. The next phase of implementation will begin in July, 2024.
3. 2024 Annual Police Department Consultant shall conduct the annual audits of police department policies and processes. Audits will be done of the following areas, policies, and standards:
 1. California Commission on Peace Officer Standards and Training (POST) Mandated Training Compliance, including an action plan to maintain compliance in good standing before the next mandated audit in July 2024
 2. Racial Identity Profile Act (RIPA) Reporting
4. Lexipol Policy Consultant shall continue to review and update all Lexipol policies for specific application to the police department. All recommended revisions to standard Lexipol policies shall be completed by October 2024, or as may be required to comply with any new applicable legislation.
5. Personnel Consultant shall provide training to sworn and non-sworn employees in areas in which deficiencies or noncompliance have been identified, including any existing practices that should be modified to comply with new laws. Consultant may determine the medium of training, including without limitation, verbal briefing, memorandum, and/or training bulletins. Areas in which employees will receive training are the City's work cell phone use policy, Public Records Act knowledge, internal affairs investigations, fleet

services ordering, and other areas for improvement identified in Consultant's audits. Training and related work product shall continue through October 2024 and will be completed by any earlier applicable state-mandated deadline.

STRATEGIC PLAN:

Approval of this item moves the City closer to completing City Council's two-year Strategic Plan, Section E (Public Safety), Objective #6 because the Consultant's services will help to implement a phased plan for Police Department Facility Upgrades. It also furthers Section E (Public Safety), Objective #4, Facility, Upgrades, because the Consultant is overseeing the upgrading and implementation of a new CAD System, station fencing project, and police station multi-phase construction project.

FISCAL IMPACTS:

The contract increase from \$30,400 to \$36,900 will be funded from salary savings stemming from the vacant Commander position. Staff will process a budget adjustment at the City Manager approval level for accounts 100-5-4501-001 and 100-5-4501-209.

OPTIONS:

As an alternative to Staff's recommendation, the City Council may:

1. Decline to approve the Amendment. Doing so, however, will halt critical Department projects already in progress.
2. Provide additional direction to staff.

ATTACHMENTS:

[EXHIBIT A Santa Paula_ 1st Amendment to Dec 2023 Professional Services Agreement - Aranda M.-c1 \(00000002\)A.docx](#)

**FIRST AMENDMENT TO
CITY OF SANTA PAULA
PROFESSIONAL SERVICES AGREEMENT WITH
MIKE ARANDA**

THIS FIRST AMENDMENT ("Amendment") to the City of Santa Paula Professional Services Agreement with Mike Aranda is made and entered into on June 19, 2024, by and between the City of Santa Paula, a municipal corporation organized under the laws of the State of California with its principal place of business at 970 Ventura Street, Santa Paula, CA 93060, County of Ventura, State of California ("City") and Mike Aranda, an individual ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

1. RECITALS. This First Amendment is made with reference to the following facts and objectives:

A. The Parties entered into that certain Professional Services Agreement ("2022 Agreement") with a term start date of November 10, 2022 and end date of January 13, 2023.

B. The 2022 Agreement required the Consultant to manage a number of projects for the Santa Paula Police Department (SPPD) for compensation not to exceed \$15,000 at a rate of \$60 per hour.

C. The Parties entered into that certain First Amended and Restated Professional Services Agreement ("First Amended and Restated Agreement") dated January 18, 2023, extending the term of the 2022 Agreement through November 10, 2023, the maximum compensation to \$69,600, revising the Scope of Services, and clarifying other terms. The 2022 Agreement and First Amendment and Restated Agreement are together referred to herein as "Agreement No. 1".

D. Agreement No. 1 expired November 10, 2023.

E. On December 11 2023, the Parties entered a new 6-month Professional Services Agreement ("2023 Agreement"), under which Consultant is required to manage ongoing and new projects for the SPPD ("Department Projects") for compensation not to exceed \$30,400 at a rate of \$60 per hour.

F. Without Consultant's services, the SPPD will have no personnel to manage the Department Projects and ensure minimal disruption to their progress.

G. The Parties now mutually desire to amend the 2023 Agreement, attached as Exhibit "D", by extending its term by less than five months through November 1, 2024, increasing the maximum compensation to \$ 36,900, and modifying the Scope of Services.

2. AMENDMENT. In consideration of the foregoing and pursuant to Section 2.7.12 of the

2023 Agreement, the Parties agree to the following amendments:

2.1 Section 2.1.2, entitled “Term,” is amended to read as follows:

“2.1.2 Term. The term of this Agreement shall commence December 11, 2023 and end November 1, 2024 (“Term”), unless earlier terminated as provided herein. Consultant shall complete the Services within the Term of this Agreement, and shall meet any other established schedules and deadlines. The Parties may, by mutual, written consent, extend the Term of this Agreement if necessary to complete the Services.

2.2 Section 2.2.1, entitled “Compensation,” is amended to read as follows:

“2.2.1 Compensation. Consultant shall receive compensation for all Services rendered under this Agreement at the rates set forth. The total compensation shall not exceed **thirty six thousand nine hundred Dollars (\$36,900)** without written approval of the City Council or City Manager, as applicable.

2.3 Exhibits A and B of the 2023 Agreement are respectively replaced with the new exhibits attached hereto as Exhibits A and B.

3. COUNTERPARTS. This Amendment may be executed in any number or counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date.

4. LIMITED AMENDMENT. Except as modified by this Amendment, all other terms and conditions of the 2023 Agreement remain in full force and effect. In the event of a conflict between this Amendment and the Agreement, the provisions of this Amendment shall control. From and after the date of this Amendment, whenever the term “Agreement” appears in the 2023 Agreement, it shall mean the Agreement as amended by the Amendment.

[SIGNATURES ON NEXT PAGE]

**SIGNATURE PAGE TO FIRST AMENDMENT TO PROFESSIONAL SERVICES
AGREEMENT WITH MIKE ARANDA**

IN WITNESS WHEREOF, each of the Parties has caused this Amendment to be executed on the day and year first above written.

CITY OF SANTA PAULA

MIKE ARANDA, an individual

Approved By:

Dan Singer
City Manager

Approved as to Form:

Monica Castillo
City Attorney

Attested By:

Julie Latshaw
CMC, City Clerk

EXHIBIT "A"

SCOPE OF SERVICES

Consultant shall be responsible for the following projects:

- **Facilities Improvement Project.** Consultant shall manage and oversee the following police department facility improvements: Limited demolition of existing walls, re-build of partition walls, revised main entrance of public lobby, reconfiguration of patrol briefing room, property room, detective office, interview rooms, and records bureau. The first of four phases of this facility improvements will begin in June, 2024.
- **Records Management System (RMS) / Mark43 Computer Assisted Dispatch (CAD) Merger Project.** Consultant shall manage and oversee the upgrade of existing CAD capabilities to include an RMS component to provide real-time information and support officer safety. Upgraded CAD software will be licensed from Mark43, Inc. The project is continuing to progress. The next phase of implementation will begin in July, 2024.
- **2024 Annual Police Department Audits.** Consultant shall conduct the annual audits of police department policies and processes. Audits will be done of the following areas, policies, and standards:
 - o California Commission on Peace Officer Standards and Training (POST) Mandated Training Compliance, including an action plan to maintain compliance in good standing before the next mandated audit in July 2024
 - o Racial Identity Profile Act (RIPA) Reporting
- **Lexipol Policy Customization.** Consultant shall continue to review and update all Lexipol policies for specific application to the police department. All recommended revisions to standard Lexipol policies shall be completed October 2024, or as may be required to comply with any new applicable legislation.
- **Personnel Training.** Consultant shall provide training to sworn and non-sworn employees in areas in which deficiencies or noncompliance have been identified, including any existing practices that should be modified to comply with new laws. Consultant may determine the medium of training, including without limitation, verbal briefing, memorandum, and/or training bulletins. Areas in which employees will receive training are the City's work cell phone use policy, Public Records Act knowledge, internal affairs investigations, fleet services ordering, and other areas for improvement identified in Consultant's audits. Training and related work product shall continue through October 2024, or by any earlier applicable state-mandated deadline.

EXHIBIT "B"
SCHEDULE OF SERVICES

Consultant has elected and agrees to perform the Services for a minimum of 8 hours and a maximum of 15 hours each week. The parties will develop a method to ensure that Consultant does not work more than 15 hours per week on average over the term of this Agreement. Consultant has elected to work on the following days:

Tuesday, Wednesday, and Thursday.

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: DISASTER RECOVERY AND EMERGENCY FUNDING
REIMBURSEMENT UPDATE

Date: June 19, 2024

Agenda Item: 9.E

RECOMMENDATION:

Staff recommends that the City Council:

1. Receive and file the Disaster Recovery and Emergency Funding Reimbursement Update.

BACKGROUND:

Severe winter storms, which commenced in January of 2023 and continued in subsequent months, have caused damage to City buildings, roads, drainage systems, and water distribution facilities. On January 4, 2023, the Governor of California declared a state of emergency as a result of the winter storms related to a series of atmospheric river systems that produced heavy rainfall and related flooding throughout the State.

On January 8, 2023, President Biden declared an emergency in California in response to the severe winter storms, flooding, and mudslides experienced in the State. This federal emergency declaration allows federal assistance to supplement the local response efforts and authorizes the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to coordinate all disaster relief efforts. On April 3, 2023, President Biden issued an additional emergency declaration based on subsequent winter storm, which occurred in February and March of 2023.

In conjunction with the federal disaster declaration, personnel from FEMA have been in contact with the City, coordinating disaster recovery efforts and clarifying program requirements. Initial FEMA requests of the City included the formal assessment of damaged City property and facilities, quantification of damage scope and estimated repair costs, and coordination debris removal and protective measures to mitigate further damage pending the approval of formal repairs. In some cases, areas of latent storm damage appeared in the weeks and months following initial storm events, but still required immediate response and related repair efforts to address hazards to citizens and property.

Following the initial winter storms in January 2023, City staff began assessing damage to City roads, drainage and water distribution facilities, and other City property. These initial

assessments were followed by debris removal operations where immediately necessary, as well the implementation of sandbags, slope protection and other measures to mitigate further damage to City property pending detailed review by FEMA. Since this time, City staff have been working with FEMA personnel to categorize and quantify specific areas of facility damage, as well as to coordinate approval of specific damage locations.

Natural disasters occur irregularly in the region, with unpredictable frequency and severity. Natural disasters can include fires, earthquakes, flooding and debris flows, as well as other damaging events. While these events are known to occur from historical experience, their irregular nature and severity make budgeting for natural disasters and related response, repair and recovery largely impractical in the City's 2-year budgeting process.

On July 19, 2023, City Council authorized the use of reserve funds for costs associated with disaster response and recovery associated with winter storms and related damages sustained by City facilities commencing January 4, 2023 under the provisions of the City's Reserves Policy. On the same day, City Council also authorized the payment of invoices for contracting and professional services associated with disaster recovery efforts performed from January 4, 2023 through a date approved by responsible agencies using monies from the General Fund Contingency Reserve, which amounted to \$441,323.71. This included costs related to City, State, FEMA and County coordination, field meetings, damage assessment, cost estimation, preliminary design of facility repairs, as well as road and utility repairs to 6th Street. Concurrent with this approval, staff agreed to return to Council at a subsequent meeting to provide a progress update on disaster recovery efforts and associated reimbursement of costs incurred by the City.

On December 6, 2023 City Council received a funding reimbursement update. Since December staff have continued to coordinate with FEMA staff, as well as staff associated with the State Office of Emergency Services (CalOES). As noted in the July 19, 2023 staff report, the damages associated with January storms have been addressed under the federal disaster number DR 4683 in association with President Biden's January 8, 2023 declaration, which covers storm related damage, which occurred between December 27, 2022 to January 31, 2023. Since the July meeting, staff received confirmation from FEMA that damage associated with February and March storms will be addressed under the federal disaster number DR 4699 in association with President Biden's April 3, 2023 declaration, which covers storm related damage which occurred between February 21, 2023 to July 10, 2023.

ANALYSIS:

On April 17, 2024 City Council received a funding reimbursement update and approved the following two alternatives to address reimbursement of expenditures and repayment of the City's General Fund Contingency Reserve:

Alternative 1. FEMA reimbursement for the 6th Street Sinkhole is received by the City within 60 days. Match amount of \$26,400.76 will be transferred to the General Fund Contingency Reserve from Measure T funds. The combined reimbursement and match amounts for the Fuchsia Tank Slope Failure will be transferred to the General Fund Contingency Reserve from Water Enterprise fund in the amount of \$21,197.57.

Alternative 2. FEMA reimbursement for the 6th Street Sinkhole is not received by the City within 60 days. Staff will present a repayment plan over a period not to exceed five years for

the combined reimbursement and match amounts for the 6th Street Sinkhole totaling \$422,412.22, which will be transferred to the General Fund Contingency Reserve from Measure T funds. Since April staff have continued to coordinate with FEMA and State Office of Emergency Services (CalOES) staff, however the anticipated reimbursement has not occurred within the 60-day period. With this understanding, staff proposes a 5-year repayment plan, presented in the Fiscal Impacts section of this report.

STRATEGIC PLAN:

This item is not a goal or objective in City Council's two-year Strategic Plan, however, recovery of general fund monies utilized to address expenditures related to a declared disaster from State and federal funds established for this purpose is fiscally prudent to Santa Paula taxpayers.

FISCAL IMPACTS:

The City has expended approximately \$37,520.42 on disaster related costs related to consultant efforts, and \$442,679.41 for projects as outlined below. These efforts are tracked separately pending reimbursement by FEMA.

Council previously approved the following expenditures and repayment of the City's General Fund Contingency Reserve:

- 6th Street Sinkhole - Match amount of \$26,400.76 paid for by Measure T funds (contingent upon Measure T Committee approval).
- Fuchsia Tank Slope Failure - Match amounts of \$1,324.85 paid for by Water Enterprise fund existing budget.

The chart below represents the repayment plan meant to replenish the General Fund Contingency Reserve assuming reimbursement does not materialize for each of these projects.

Table 1: 5-Year Fund Transfer (Reimbursement) Summary for General Fund Contingency Reserve Repayment

Fund	104-9285*	620-9108	620-9108	
Project	6th Street Sinkhole	Fuchsia Tank Slope Failure	Administrative	Total
Year 1 (FY24/25)	\$26,400.76	\$18,236.09	\$37,520.42	\$82,157.27
Year 2 (FY25/26)	\$96,717.71	\$0	\$0	\$96,717.71
Year 3 (FY26/27)	\$100,000	\$0	\$0	\$100,000
Year 4 (FY27/28)	\$100,000	\$0	\$0	\$100,000
Year 5 (FY28/29)	\$100,000	\$0	\$0	\$100,000
Total	\$423,118.47**	\$18,236.09	\$37,520.42	\$478,874.98

* Contingent upon Measure T Committee approval recommendation to Council. ** This amount includes the city match amount of \$26,400.76, as Measure T Committee has not yet recommended approval of it.

Staff will present this recommendation to the Measure T Committee requesting their support for Council approval and then return with an update at a future public meeting. At that time, staff will seek Council approval for repayment of emergency reserve funds per the five-year plan presented above.

OPTIONS:

No options are proposed at this time, as this item is informational in nature.

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Deputy City Manager

Subject: VCTC VCSAFE GRANT BUDGET APPROPRIATION AND VEHICLE PURCHASE APPROVAL

Date: June 19, 2024

Agenda Item: 9.F

RECOMMENDATION:

Staff recommends City Council:

1. Approve a budget allocation of \$85,000.00 in new revenue and matching expenditures from the Ventura County Transportation Commission (VCTC), as noted in the Fiscal Impact section of this report; and
2. Waive formal bidding and authorize the City Manager to purchase (1) New 2024 Ford Interceptor Utility AWD vehicle, in the amount of \$54,876.19 plus tax from Folsom Lake Ford. This purchase is fully funded through the VCSAFE Grant.

BACKGROUND:

On March 15, 2024, staff applied for \$85,000 from the Ventura County Service Authority Freeway Emergencies (SAFE) Incident Responder Grant Program ("Grant") through VCTC.

On May 23, 2024, the Police Chief was notified the Santa Paula Police Department (SPPD) was selected and awarded \$85,000 from VCTC on behalf of the Grant program.

ANALYSIS:

The purpose of this Grant is to allow Law Enforcement agencies to purchase assets and equipment that will assist with enhancing the safety of our motoring public and assist with the investigation of collisions that occur within our jurisdiction.

In previous award rounds, staff utilized awarded funds to purchase a FARO Focus Laser Scanner for accident and crime scene investigations as well as traffic warning and electronic road signs. This year, one of the specific items outlined and awarded in the City's grant proposal was the purchase of a vehicle.

Per the award letter (Exhibit A), VCTC agrees to provide funding to the City in the amount of eighty five thousand dollars (\$85,000). The City shall use the funds to purchase an Incident Response Vehicle (IRV) (Exhibit B) along with up to \$15,000 in lighting, markings, radio

equipment and additional amenities to put the vehicle into service. Currently, SPPD does not have the budget or the resources to purchase a dedicated IRV.

The vehicle will be utilized for crime scene/accident investigation by a certified field evidence technician. The response of the IRV vehicle is critical to enhancement for significant and, oftentimes, complex investigations to provide the necessary tools and equipment to process crime/accident scenes and collect/preserve various types of physical evidence, including blood evidence and DNA evidence.

Additionally, the purchase of an IRV for SPPD to respond to roadway incidents is important for several reasons:

1. It will allow SPPD to conduct efficient investigations safely and eliminate the dependency on Ventura County Fire Department to provide lighting at the scene. The IRV we seek to obtain will be equipped with the appropriate lighting equipment to safely illuminate the scene for investigators. If Ventura County Fire Department is unable to provide lighting, roadways remain closed until daybreak due to the lack of appropriate lighting needs.
2. The IRV will be equipped with high-visibility markings, lights, and reflective materials, making it easily identifiable to motorists, reducing the risk of additional accidents due to poor visibility or confusion.
3. The IRV will be equipped with specialized tools and equipment, such as the already purchased FARO scanner, to assist in investigations. The vehicle will also be able to transport traffic cones, flares, and various types of traffic control signage.
4. Lastly, the IRV will reduce impact on our regular patrols by providing a dedicated vehicle for specific roadway incidents. As such, regular patrol cars can remain available for routine policing duties. This ensures that the overall efficiency of law enforcement operations is maintained, even during significant incidents.

The County has already disbursed the funds to the City via check along with the award letter (Exhibit A).

Vehicle Purchase

A new 2024 Ford Interceptor Utility AWD vehicle, identified in the grant application, with a total purchase amount of \$54,876.19 plus tax (Exhibit B) from Folsom Lake Ford, would be purchased under a State of California Contract #1-22-23-14C which, as a cooperative purchasing program, does not require the normal competitive bidding process.

Santa Paula's Municipal Code allows for Cooperative Purchasing agreements to be utilized in place of the Formal Bid process:

Title IV: Contracts and Purchases, Chapter 41: Purchasing, § 41.11 Cooperative Purchasing

The procedures set forth above (Formal Bid process) need not be followed where the Purchasing Agent identifies a cooperative purchasing program administered by a government-oriented entity, or; a local, state, or federal governmental agency. When in the city's best overall interests, the Purchasing Agent may enter into a contract for the purchase of supplies

and general services awarded through such a cooperative purchasing program. City Council consent is required for such arrangements where the estimated value of the supplies or general services exceed \$50,000.

As allowed by the municipal code and verified by the City Attorney, this purchase would come from a State contract administered by the California Department of General Services (DGS), awarded to the supplier, Folsom Lake Ford. DGS works with the Folsom Lake Ford to administer the terms of its State contract with other public agencies, in this case the City, through the marketplace Cal E-Procure. Staff searched Sourcewell, a government cooperative purchasing service the City commonly uses, for the same vehicle but Sourcewell did not have this vehicle or its specifications in its bidding inventory.

Therefore, staff is requesting Council's consent to purchase the IRV vehicle through Cal E-Procure. The quote for this vehicle (Exhibit B) is from the same fleet dealer the City uses for the purchase of "police interceptor" vehicles and includes a state government contract number. This state government contract number (No. 1-22-23-14C) for this particular type of vehicle is known to provide the lowest possible price to California public safety agencies such as California Highway Patrol, CalFire, the California Department of Corrections, municipal police departments and county sheriff's departments.

STRATEGIC PLAN:

Approval of this item supports City Council's goal of creating an environment within the City in which our residents feel safe and which promotes the City as a location of choice for living, working, visiting and recreating under Section E. Public Safety & Emergency Preparedness of the two-year Strategic Plan.

FISCAL IMPACTS:

A new budget allocation of \$85,000.00 in revenue and matching expenditures is needed.

The following budget adjustment is recommended:

Account	Description	Debit (Increase Expense)	Credit (Increase Revenue)
100-5-4501-610	Grant Expenses	\$85,000.00	
100-4-4500-4279	Grant Revenue		\$85,000.00

The total cost of the 2024 Ford Interceptor Utility AWD vehicle is \$54,876.19 plus tax, which will be funded through the aforementioned Grant award funds.

OPTIONS:

As an alternative to staff's recommendation, the City Council has the following options:

1. Decline to approve staff's recommendation. If this item is not approved by Council, staff will forfeit the VCTC grant funds and not have the necessary funding to purchase an IRV; or
2. Provide staff with alternate direction.

ATTACHMENTS:

[Exhibit A - VCTC 2024 SAFE Award Letter.pdf](#)

[Exhibit B - Santa Paula '24 PIU Quote.pdf](#)

Exhibit A - VCTC 2024 SAFE Award Letter



Ventura County Transportation Commission

May 23, 2024

Chief Donald Aguilar
Santa Paula Police Department
214 South 10th Street
Santa Paula, CA 93060

Subject: Ventura County Service Authority for Freeway Emergencies Incident Responder Grant Program

Dear Chief Aguilar,

On May 10, 2024, the Ventura County Transportation Commission (VCTC), acting in its capacity as the Ventura County Service Authority for Freeway Emergencies (VC SAFE), approved the Incident Responder Grant Program (IRGP) Round 3 allocations for total funding in the amount of \$810,852.

On behalf of VCTC, I am pleased to inform you that VCTC has approved an allocation of \$85,000 for the Santa Paula Police Department to purchase assets and equipment as described in your application dated March 29th, 2024. We have enclosed a grant award check in the amount of \$85,000 along with the Incident Responder Grant Program Guidelines, VCTC Agenda Item Staff Report, and a copy of the grant application submitted by your agency.

Please ensure that you follow these Program Guidelines. Specifically, please note that Section 4.d states, "Recipients of grant funds must provide an annual accounting of grant funds by June 30th for the previous fiscal year to Ventura County SAFE, providing the status of grant funds and when grant closeout is anticipated. Grant recipients must complete the annual report template provided by Ventura County SAFE and include itemized receipts for all purchases." Please provide confirmation upon receipt of the enclosed funds and future grant status updates to Andrew Kent, Program Manager of Transportation Data & Services, at akent@goventura.org.

Again, congratulations on your award. If you have any questions regarding the program, please contact Mr. Kent at (805) 642-1591 ext. 102.

Sincerely,

Martin Erickson
Executive Director



Ventura County Transportation Commission

May 23, 2024

Chief Donald Aguilar
Santa Paula Police Department
214 South 10th Street
Santa Paula, CA 93060

Subject: Ventura County Service Authority for Freeway Emergencies Incident Responder Grant Program

Dear Chief Aguilar,

On May 10, 2024, the Ventura County Transportation Commission (VCTC), acting in its capacity as the Ventura County Service Authority for Freeway Emergencies (VC SAFE), approved the Incident Responder Grant Program (IRGP) Round 3 allocations for total funding in the amount of \$810,852.

On behalf of VCTC, I am pleased to inform you that VCTC has approved an allocation of \$85,000 for the Santa Paula Police Department to purchase assets and equipment as described in your application dated March 29th, 2024. We have enclosed a grant award check in the amount of \$85,000 along with the Incident Responder Grant Program Guidelines, VCTC Agenda Item Staff Report, and a copy of the grant application submitted by your agency.

Please ensure that you follow these Program Guidelines. Specifically, please note that Section 4.d states, "Recipients of grant funds must provide an annual accounting of grant funds by June 30th for the previous fiscal year to Ventura County SAFE, providing the status of grant funds and when grant closeout is anticipated. Grant recipients must complete the annual report template provided by Ventura County SAFE and include itemized receipts for all purchases." Please provide confirmation upon receipt of the enclosed funds and future grant status updates to Andrew Kent, Program Manager of Transportation Data & Services, at akent@goventura.org.

Again, congratulations on your award. If you have any questions regarding the program, please contact Mr. Kent at (805) 642-1591 ext. 102.

Sincerely,

Martin Erickson
Executive Director



Item 12

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ANDREW KENT, PROGRAM MANAGER

SUBJECT: INCIDENT RESPONDER GRANT PROGRAM ROUND 3 ALLOCATIONS

RECOMMENDATION:

- Approve an amendment to the Motorist Aid Program Budget for Fiscal Year 2023/2024 to increase expenditures in the Incident Responder Grant Program line item by \$355,852 and a corresponding \$355,852 increase in the SAFE Fund Revenues line item.
- Approve recommended allocations for the Incident Responder Grant Program Round 3 awards.

BACKGROUND:

The Ventura County Transportation Commission, acting in its capacity as the Service Authority for Freeway Emergencies (SAFE), manages the Motorist Aid Services Program, which is financed by a \$1 annual vehicle registration fee on all vehicles registered in Ventura County. Motorist Aid includes emergency roadside call boxes, Freeway Service Patrol, and the Incident Responder Grant Program.

In November 2018, the Commission approved the development of new programs funded through the SAFE to provide expanded services to Ventura County motorists and established a policy to maintain a \$1.5 million reserve fund balance. In June 2019, the Commission established the Incident Responder Grant Program to provide financial assistance to agencies that respond to incidents on the Ventura County SAFE network of freeways, highways and unincorporated county roads.

Entities responding to freeway and highway incidents play a significant role in aiding the motorists involved as well as those simply caught in the resultant congestion until the incident is cleared. These entities use a wide variety of tools to assist motorists, from life saving devices to photographic equipment for incident analysis. These tools heighten the efficiency of incident responders allowing them to save lives and reduce congestion. To accommodate the purchase of the widest possible array of tools and/or equipment by agencies both large and small, the Commission established a wide range of grants available from \$5,000 to \$500,000. With Program approval in June 2019, the Commission also approved grant participant eligibility criteria, eligible expenditures, grant amount and frequency, expenditure life cycle, ownership requirements, and application process and scoring.

Previous IRGP funding rounds total \$1.4 million in grant assistance provided to incident responder agencies for equipment deployed across the County to improve traffic control, reduce emergency response times, enhance traffic enforcement and aid collision investigations.

In February of 2024, the SAFE board approved the release of a third round of Incident Response Grants with \$500,000 of funds budgeted in FY2023/2024 to be awarded. In March 2024, VCTC received a total of six (6) grant applications totaling \$1,354,330.73 in requested funds by Ventura County police and fire agencies.

DISCUSSION:

In accordance with the guidelines and schedule approved by the Commission, VCTC released a call for applications on February 2, 2024. VCTC notified each of the law enforcement and emergency response agencies that serve communities across Ventura County and posted the call for applications online at <https://www.goventura.org/work-with-vctc/grant-opportunities/>. VCTC held a pre-proposal conference on February 15, 2024. Applications were due to VCTC no later than 4:00 PM on March 29, 2024.

VCTC received a total of six (6) applications by the application deadline. An itemized summary of applicant requests is included as Attachment A. The total amount requested across the six applications is \$1,354,330.92.

VCTC convened a Grant Scoring Committee comprised of one Ventura County SAFE staff member, two experts in incident response, and one local jurisdiction representative. The Committee included Andrew Kent, VCTC Program Manager; Geoff Dean, Former Sheriff of Ventura County; Tom Cady, Former Assistant Chief of Oxnard Police Department; and Paul Weinstein, Public Works Analyst for the City of Thousand Oaks. Applications were scored according to the Scoring Rubric included in the Program Guidelines, and the Committee met virtually on April 22, 2024, to develop the recommended allocations.

Committee Recommendations

The goals of the Incident Responder Grant Program (IRGP) include providing first responders with the tools they need to save lives on the Ventura County freeway and highway system, reducing congestion, and preventing secondary accidents. The goal of the Grant Scoring Committee is to recommend a grant allocation that maximizes the use of IRGP funds. The Committee determined that five (5) of the six (6) applications meet the SAFE nexus requirements and are eligible for funding. The summary table below displays the requested grant amounts and nexus justification.

Grant Request Summary

Agency	Equipment Request Summary	Nexus to SAFE Network	Amount Requested
Camarillo PD	Opticom Signal Preemption: 21 Vehicle Emitters & 52 Intersection Receivers	Incident Response Time	\$ 500,000.00
Oxnard FD	Opticom Signal Preemption: 8 Vehicle Emitters	Incident Response Time	\$ 72,000.00
Oxnard PD	Two (2) FARO P150 Laser Scanners (Incident Scene Mapping)	Collision Investigation Time	\$ 122,852.00
Port Hueneme PD	Portable Scales, Aerial Drone & Pickup Pack Truck Shell for Traffic Enforcement Vehicle	Commercial Truck Enforcement & Traffic Safety	\$ 31,000.00
Santa Paula PD	Incident Response Vehicle Including Traffic Control & Investigation Equipment	Incident Response Time / Investigation Time / Traffic Control	\$ 85,000.00
VCFD	Helicopter Fuel Tender	Panel Determined No SAFE Nexus Justification	\$ 543,478.92

Total \$ 1,354,330.92

While the Committee acknowledged the critical role aviation support equipment plays in responding to large scale emergencies, the application from the Ventura County Fire District to fund the purchase of a Helicopter Fuel Tender did not demonstrate a substantive nexus to aiding motorists travelling on Ventura County freeways, highways, and unincorporated County roads. Establishing the appropriate nexus is critical since SAFE programs are funded by vehicle registration fees for the purpose of providing Motorist Aid services.

The Committee determined the remaining applications meet the grant nexus requirements. Several agencies requested funds for equipment to enhance traffic enforcement efforts and accident scene investigation tools expected to reduce lane closure times. For instance, Port Hueneme PD requested funds to purchase portable truck scales to improve enforcement of commercial vehicles traveling between the Port of Hueneme and the County freeway/highway network. Santa Paula PD requested funds to purchase and outfit an Incident Response Vehicle (IRV) complete with scene investigation and traffic control equipment. An IRV based in Santa Paula would be available to assist the Highway Patrol with incidents on SR126 and SR150. Complex traffic collision investigations can take several hours to complete and often necessitate lane closures. Oxnard PD requested funds for two (2) FARO laser scanners for scene mapping, which the grant application cites would reduce collision investigation times as much as 50%.

With high scores across the eligible applications, the Committee sought to fully fund as many agency requests as possible under the \$500,000 budget constraint. The requested allocations of the five (5) eligible applications exceed the authorized maximum funding. The Committee's recommendations emphasized equity in the allocation of available funds. The Committee recommends fully funding the requests for Santa Paula PD, Port Hueneme PD and Oxnard PD. The Committee believes the proposed equipment is essential to mitigating escalating collision rates faced by the County.

The Oxnard FD and Camarillo PD/City of Camarillo applications requested funds to further build-out the emergency traffic signal preemption systems within their jurisdictions. Signal preemption systems use emitters installed on emergency vehicles to force a green light at signal-controlled intersections outfitted with receivers. Signal preemption technology improves emergency vehicle response times by up to 25% and reduces crash rates at intersections during emergency responses by up to 70%. The Committee parsed the funds remaining between the two agencies in a manner the Committee believed to be equitable. This recommendation would overfund the Oxnard FD request by \$45,000, funding Opticom emitters for five (5) additional emergency vehicles. The Committee believes additional funding is justified due to the high collision rate in the City of Oxnard. The Committee's recommended allocation would fund about 30% of Camarillo PD/City of Camarillo's large total request of \$500,000.

Grant Scoring Committee's Recommended Allocations

Agency	Amount Requested	Reccomended Allocation	Difference
Camarillo PD	\$ 500,000.00	\$ 144,148.00	\$ (355,852.00)
Oxnard FD	\$ 72,000.00	\$ 117,000.00	\$ 45,000.00
Oxnard PD	\$ 122,852.00	\$ 122,852.00	\$ -
Port Hueneme PD	\$ 31,000.00	\$ 31,000.00	\$ -
Santa Paula PD	\$ 85,000.00	\$ 85,000.00	\$ -
Total	\$ 810,852.00	\$ 500,000.00	\$ (310,852.00)

Given the significant benefits of signal preemption technology to incident responders, Ventura County motorists and the larger community, the Executive Director and SAFE Staff believe full funding of the Camarillo PD/City of Camarillo request is justified. Fully funding the grant request would build-out the City of Camarillo's signal preemption network; with installation of Opticom receivers at forty-two (42) municipal intersections, ten (10) Caltrans controlled intersections and twenty-one (21) emitters for police vehicles.

Additionally, all other emergency response vehicles outfitted with Opticom emitters can make use of the system, including VCFD and American Medical Response contract ambulances.

Staff recommends the SAFE Board fully fund the five (5) qualifying agency requests and increase the IRGP Round 3 budget by \$355,852 using revenues in the SAFE Fund Balance. The SAFE Fund Balance for FY2023/2024 is estimated at approximately \$3.27 million (including the \$1.5 million reserve). Approving the requested budget amendment will not affect the \$1.5 million reserve in the SAFE fund balance. Per the Committee's determination, Staff recommends against funding the Helicopter Fuel Tender and that SAFE Staff debrief the Ventura County Fire District to assist with future IRGP funding rounds.

EXHIBIT B -
Santa Paula
'24 PIU Quote

PRICE QUOTATION
FOLSOM LAKE FORD
12755 FOLSOM BLVD.
FOLSOM, CA 95630
(916) 351-4202 - Direct

Date: 4/24/2024

To: Don Aguilar / Chief of Police / Santa Paula Police Department
From: Mark A. Paoli / Fleet Director / Folsom Lake Ford
Subject: Pricing for 2024 Ford Interceptor (State of California Contract #1-22-23-14C)

\$45,814.00 - Bid Price (2024 Ford Police Interceptor Utility AWD / 3.3L V6 Gas Eng)
935.00 - Front Headlamp Lighting Solution (66A) - Includes Pre-Wiring (60A)
637.00 - Rear Auxiliary Air Conditioning (17A)
620.00 - Spot Lamps - Dual Unity LED (51S)
476.00 - Rear Lighting Solution (66C)
347.00 - Underbody Deflector Plate (76D)
273.00 - Police Engine Idle Feature (47A)
255.00 - Cargo Storage Vault (63V)
194.00 - Police Wire Harness Connector Kit - Front/Rear (67V)
78.00 - Rear-Door Controls Inoperable - Locks/Handles/Windows (68G)
64.00 - Tail Lamp Police Interceptor Housing Only (86T)
64.00 - Wheel Covers - 18" Full Face (65L)
64.00 - Mirrors - Heated Sideview (549)
64.00 - OBD-II Split Connector (61B)
54.00 - Switchable Red/White Lighting In Cargo Area (17T)
54.00 - Keyed Alike - Code 1284X (59B)
\$49,993.00 - Selling Price (In-Stock/Agate Black Metallic or Oxford White Paint)
85.00 - Documentation Fee
\$50,078.00 - Subtotal
4,131.44 - Sales Tax (8.25%) Subject to Change
625.00 - Delivery to Santa Paula, CA
33.00 - DMV Electronic Filing Fee (Folsom Lake Ford will apply for "E" plates)
8.75 - California Tire Fee
\$54,876.19 - Total Price (EACH) F.O.B. Santa Paula, CA

Payment Terms: Net 20

Included In Bid Price: Ballistic Door Panels (Level III+), Dark Car Feature, Ford Telematics (Includes Complimentary Two-Year Subscription), Front License Plate Bracket, Noise Suppression, Rear View Camera (Displayed In Rear View Mirror), Reverse Sensing, SYNC (Bluetooth), Trailer Hitch (Class III - Includes Wiring), Upfitter Switches(4) Mounted on Steering Wheel and 5yr/100k/0ded Powertrain Warranty.

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: MILL STREET WATERLINE REPLACEMENT PROJECT BID
AUTHORIZATION

Date: June 19, 2024

Agenda Item: 9.G

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 7519 approving the plans and specifications for the Mill Street Waterline Replacement Project; and
2. Authorize Staff to advertise for bids.

BACKGROUND:

The City provides water service to approximately 30,700 customers and 8,590 service connections from the City's water distribution system. The 96 miles of pipe ranging in size from 2" to 24". There are four pressure zones throughout the City and the water system consists of five groundwater wells, nine storage tanks serving four pressure zones, ten booster pump stations, two water treatment facilities, and 96 miles of water mains. Some of the oldest water mains still in use were installed in 1917; a large portion of the water system was installed in the 1920's through the 1960's.

Due to the age of the infrastructure, the waterline within Mill Street has shown signs of degradation due to various water main breaks and leaks that have occurred in that area. The improvements on Mill Street involve the installation of an 8-inch diameter potable water pipeline installation in a mostly new alignment (removal of the existing within areas of conflicts) and related connections to existing water mains and improvements, temporary water highline system, pavement removal, excavation, thrust blocks, precast concrete pressure reducing valve station and interior vault pipeline appurtenances, miscellaneous water improvements, pressure testing, flushing and disinfection, bacteriological testing, backfill and compaction, replacement trench paving, and other incidental and appurtenant work necessary for the proper construction of the contemplated improvement, as indicated on the project plans, in the City of Santa Paula.

ANALYSIS:

The Project is currently at 100% Plans, Specifications, and Estimates (PS&E), with the release for bid pending City Council approval. The project's environmental impacts have been

reviewed and the project meets the qualifications for a Class 2 Categorical Exemption (replacement/reconstruction) from Article 19 of the State’s CEQA guidelines.

The project plans were developed such that staff could recommend approval of varying portions of the project dependent on the bid results and available budget at the time. The project was broken down into three sections:

- Base Bid Schedule A – Mill Place to Loma Vista
- Bid Schedule B - Loma Vista to Terracina
- Bid Schedule C – Terracina to End of Driveway

The engineer’s construction estimate for the base bid is \$681,300 (Mill Place to Loma Vista) with two bid additives at \$231,100 (Loma Vista to Terracina) and \$107,200 (Terracina to End of Driveway) all of which include a 15% contingency. Engineering support, construction management, inspection, and materials testing services are estimated at \$175,000. The project is anticipated to require approximately 3 months to construct. The total estimated project cost including the bid additives is \$1,194,600.

Once bids are received, Staff will review the results and select a recommended responsible bidder. Upon adoption of Resolution No. 7519 approving the plans and specifications for the Project, Staff anticipates returning to Council to request a construction contract award. The Project plans and specifications are available for public review in the City Clerk’s office.

STRATEGIC PLAN:

The Project supports the currently adopted Strategic Plan in achieving the following goals: Infrastructure, Transportation & Mobility

Goal: Maintain and develop the City’s infrastructure to be safe, sustainable, innovative and cost-efficient.

FISCAL IMPACTS:

Funding for the project’s construction is provided in the FY 2023-2025 capital improvement budget, utilizing the proposed FY 2023-2024 Water Main Replacement budget. The engineer’s construction estimate is within the budgetary summary shown in Table 1 below:

Table 1: Funding Sources – Water Main Replacement

Fund Source	Fund	Budget Available
CIP 9108 – Water Main Replacement	620-9108	\$1,665,527.45
	Total	\$1,665,527.45

Table 2: Estimated Project Costs – Water Main Replacement

Fund Source	Fund	Cost
Base Bid Schedule A	620-9108	\$681,300
Bid Schedule B	620-9108	\$231,100
Bid Schedule C	620-9108	\$107,200
Construction Management/Engineering	620-9108	\$175,000
	Total	\$1,194,600

OPTIONS:

The Council has the following available alternative options to staff's recommendations:

1. Do not approve the plans and specifications for the Mill Street Waterline Replacement Project. This action would significantly delay critical infrastructure repair and replacement.

ATTACHMENTS:

[EXHIBIT A - Project Location Map.pdf](#)

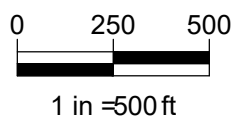
[EXHIBIT B - Resolution No 7519.pdf](#)

EXHIBIT A

Project Location Map



MILL STREET WATERLINE REPLACEMENT LOCATION MAP | 1" = 500' | -



MILL STREET WATERLINE REPLACEMENT
CITY OF SANTA PAULA
JUNE 5, 2024

EXHIBIT B

Resolution No. 7519

RESOLUTION NO. 7519

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE MILL STREET WATERLINE REPLACEMENT PROJECT PURSUANT TO GOVERNMENT CODE SECTION 830.6.

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

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

- A. Replacement of the waterline along Mill Street between Mill Place and Terracina Drive is planned to occur in Summer of 2024 (the "Project");
- B. The City Engineer reviewed the completed plans and specifications for the Project, and finds said plans and specifications complete, and the Project may be constructed; and
- C. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans, specifications, and construction of the Project.

SECTION 2: The plans and specifications for the Project are determined to be consistent with the City standards and are approved by the Public Works Department.

SECTION 3: The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

SECTION 4: The approval granted by this Resolution conforms to the City's General Plan and the City Standards.

SECTION 5: The City Engineer, or designee, is authorized to act on the City's behalf in approving any alterations or modifications of the plan approved by this Resolution.

SECTION 6: The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

SECTION 7: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 8: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2024

Leslie Cornejo, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: EAST AREA 1 TRACTS 5854, 5985-5992, 6074 - RESOLUTION NO. 7509
ACCEPTING PUBLIC WATER AND SEWER IMPROVEMENTS,
ACCEPTING WARRANTY SECURITY AND REDUCING PERFORMANCE
SECURITY

Date: June 19, 2024

Agenda Item: 9.H

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 7509 accepting the public improvements and warranty securities and exonerating performance securities for Tracts 5854, 5986-5992 public sewer improvements and Tracts 5985 and 6074 water and sewer improvements.

BACKGROUND:

Sections 3.3.1 and 3.3.2 of the Specific Plan require Limoneira Lewis Community Builders, LLC (LLCB) to construct a water distribution system to serve the East Area 1 development area. The water improvements for Tract 5985 have been completed to the satisfaction of the Public Works Director and are currently operating to serve this tract.

The following City-approved improvement plans were used to construct the public water and sewer improvements to be accepted by the City:

- Tract 5854 Improvement Plans, City Drawing No. 40.35.04
- Tracts 5985-5992 Improvement Plans, City Drawing No. 40.35.07
- Tract 5985 Lots 1 & 3 Improvement Plans, City Drawing No. 40.35.100
- Tract 5985 Lots 2 & 3 Improvement Plans, City Drawing No. 40.35.103
- Tract 6074 Water & Sewer Improvement Plans, City Drawing No. 40.35.59

Certified as-built drawings for Tract 6074 and Tract 5985 Lots 1, 2 & 3 will be provided to the City by the design professionals concurrently with acceptance.

The water system is shown in an exhibit as Attachment B. The domestic distribution system is comprised of a series of 8" PVC water mains with 1" services and meters, fire hydrant assemblies and various other appurtenances. The Tract 5985 domestic water lines tie into the Tract 5854 water system at a point of connection (POC) just west of the intersection of Limoneira Lane and Hass Court. The Tract 5854 water system has already been accepted

and is currently being operated and maintained by the City of Santa Paula Water Division as part of the City's water enterprise.

Section 3.4.2 of the Specific Plan requires Limoneira Lewis Community Builders, LLC (LLCB) to construct a sewer system to serve the East Area 1 development area. The sewer improvements for Tracts 5854, 5985-5992 have been completed to the satisfaction of the Public Works Director and are currently operating to serve this tract.

The sewer system is shown in an exhibit as Attachment C. The sewer system is comprised of a series of PVC piping ranging from 8" to 15" in diameter. The sewer lines tie into a previously accepted section of 15" sewer main at the intersection of Hallock Drive and Packing House Lane. This section of the sewer system and all other downstream sewer infrastructure have already been accepted and are currently being operated and maintained by the City of Santa Paula Water Division as part of the City's water enterprise.

ANALYSIS:

The water and sewer improvements are complete and fully operational. In accordance with the Funding, Construction and Acquisition Agreement Section 9 and pursuant to Civil Code § 8186, LLCB recorded in the Official Records a Notice of Completion for the Potable Water Improvements and Sewer Improvements for each of Tracts 5854, 5985-5992, and 6074 on or around June 7, 2024.

Upon inspection conducted by the City's land development staff and water division the public water and sewer improvements for Tracts 5854, 5985-5992, and 6074 are ready for formal acceptance by the City. LLCB has provided current valve turning and hydrant flow testing data which has been reviewed and approved by the City. Staff recommends adoption of Resolution No. 7509 formally accepting the improvements and reducing or fully exonerating the following faithful performance bonds to the following amounts:

TRACT	PRINCIPAL	BOND NUMBER	CURRENT AMOUNT	REDUCTION	REMAINING AMOUNT
5854	LLCB	379307S	\$4,494,554.20	\$342,636.02	\$4,151,918.18
5985	LLCB	380485S	\$305,735.73	\$290,448.94	\$15,286.79
5986	Lennar	800051631	\$134,875.00	\$134,875.00	\$0.00
5987	KB Homes	024241247	\$38,357.00	\$38,357.00	\$0.00
5988	Lennar	800051629	\$105,313.00	\$105,313.00	\$0.00
5989	LLCB	36K013194	\$444,657.41	\$444,657.41	\$0.00
5990	LLCB	36K013196	\$251,509.25	\$251,509.25	\$0.00
5991	LLCB	36K013179	\$377,694.53	\$377,694.53	\$0.00
5992	Lennar	800051630	\$43,851.00	\$43,851.00	\$0.00
6074	LLCB	024255508	\$995,715.57	\$891,091.12	\$104,624.45

In addition, the resolution authorizes the Public Works Director to release the remainder of the performance bonds upon expiration of the required warranty period, which is one year after acceptance.

STRATEGIC PLAN:

This item does not directly address any of Council's two-year strategic goals. However,

completion and City acceptance of the water and sewer improvements provides new public infrastructure for current and future residents of East Area 1.

FISCAL IMPACTS:

The water and sewer improvements were paid for by LLCB and the costs are to be reimbursed through East Area 1 CFD No. 1. The City of Santa Paula Water Division will take over operation and maintenance of the water improvements as a part of the City's water enterprise. Ventura Regional Sanitation District will take over operation and maintenance of the sewer improvements as a part of the City's sewer enterprise. Acceptance of these water and sewer improvements has no further fiscal impacts to the City outside of routine operations and maintenance, which is already included in the adopted Fiscal Years 23-25 Budget.

OPTIONS:

In addition to the recommended action, the Council has the following available alternative option:

1. Decline to adopt Resolution No. 7509, resulting in delay of the East Area 1 development and additional administrative and project management costs to LLCB and builders.

ATTACHMENTS:

[Attach A - Reso 7509 - Acceptance of Tr 5985, 6074 Water & Tr 5854, 5985-5996, 6074 Sewer \(w Exs\).pdf](#)

[Attach B - Water Improvements](#)

[Attach C - Sewer Improvements](#)

RESOLUTION NO. 7509

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ACCEPTING THE PUBLIC IMPROVEMENTS AND WARRANTY SECURITIES AND EXONERATING PERFORMANCE SECURITIES FOR TRACTS 5854, 5986-5992 PUBLIC SEWER IMPROVEMENTS AND TRACTS 5985 and 6074 WATER AND SEWER IMPROVEMENTS

The City Council of the City of Santa Paula hereby resolves:

SECTION 1: The City Council finds and declares that:

- A. Limoneira Lewis Community Builders, LLC, (LLCB) entered into a Subdivision Improvement Agreement with the City of Santa Paula for Tract 5854 on or around December 11, 2017, which was recorded in the Official Records of the County of Ventura ("Official Records") on January 10, 2019 (No. 20180110-000304-0).
- B. LLCB entered into Subdivision Improvement Agreements with the City of Santa Paula for Tracts 5985-5992 on or around November 7, 2018, each of which were recorded in the Official Records on or around December 18, 2018.
- C. LLCB entered into a Subdivision Improvement Agreement with the City of Santa Paula for Parcel 6065 on or around April 6, 2022, which was recorded in the Official Records on June 8, 2022 (No. 2022000065339). On or around May 15, 2023, an amendment to the Subdivision Improvement Agreement was recorded in the Official (No. 2023000033520). This amendment recorded Vesting Tentative Tract Map (VTTM) No. 6074 over Parcel Map No. 6065. The required improvements under the original Agreement remain unchanged.
- D. The above ten (10) Subdivision Improvement Agreements relative to Tracts 5854, 5985-5992, and 6074 (hereafter, "EA1 Subdivision Improvement Agreements") required LLCB to design and construct public improvements in accordance with the Santa Paula Municipal Code and the conditions of approval for the corresponding tentative map and to provide financial securities ensuring faithful performance, payment, monumentation, and warranty obligations of the agreements.
- E. In 2019, the Subdivision Improvement Agreements for Tracts 5986, 5988, and 5992 were assigned to builder Lennar Homes of California, Inc. ("Lennar") and Tract 5987 to builder KB Home of Greater Los Angeles Inc. ("KB Home")
- F. On March 20, 2024, City Council adopted Resolution No. 7506 approving LLCB's assignment of the Subdivision Improvement Agreement for Tract 5989 to builder Richmond American Homes ("Richmond").

- G. Among the public improvements required by the EA1 Subdivision Improvement Agreements are the Potable Water Improvements and Sewer Improvements, as listed in each agreement's Cost Estimate exhibit. Depictions of the Potable Water Improvements and Sewer Improvements are attached to this Resolution as **Exhibit A** and **Exhibit B**, respectively.
- H. The Potable Water Improvements and Sewer Improvements have been completed and additional warranty securities have or will be posted for the one-year maintenance period as required by the EA1 Subdivision Improvement Agreements.
- I. The Potable Water Improvements and Sewer Improvements have been inspected by the Department of Public Works, which determined that the improvements have been satisfactorily completed in accordance with the following City-approved improvement plans.
1. Tract 5854 Improvement Plans, City Drawing No. 40.35.04
 2. Tracts 5985-5992 Improvement Plans, City Drawing No. 40.35.07
 3. Tract 5985 Lots 1 & 3 Improvement Plans, City Drawing No. 40.35.100
 4. Tract 5985 Lots 2 & 3 Improvement Plans, City Drawing No. 40.35.103
 5. Tract 6074 Water & Sewer Improvement Plans, City Drawing No. 40.35.59
- J. The final as-built plans for Tracts 5854 and 5985-5992 are currently on file with the City. Certified as-built drawings for Tract 6074 and Tract 5985 Lots 1, 2 & 3 will be provided to the City by the design professionals concurrently with acceptance. The Public Works Director recommends Council acceptance of the Potable Water Improvements and Sewer Improvements.
- K. On or around June 7, 2024, LLCB recorded in the Official Records a Notice of Completion for the Potable Water Improvements and Sewer Improvements for each of Tracts 5854, 5985-5992, and 6074 pursuant to Civil Code § 8186.

SECTION 2: The City Council hereby resolves:

- A. The recitals set forth above are true and correct.
- B. The plans for the Potable Water Improvements and Sewer Improvements ("Improvements") are approved based on the Public Works Director's recommendation.
- C. The Public Works Director or designee is authorized to accept the Improvements upon receipt of warranty securities (i.e., either a warranty bond or 5% retention of the performance bond) for these improvements from LLCB or the responsible builder.

D. Also upon receipt of warranty securities for the Improvements, the Public Works Director or designee is authorized to reduce or fully exonerate the following faithful performance bonds to the following amounts:

TRACT	PRINCIPAL	BOND NUMBER	CURRENT AMOUNT	REDUCTION	REMAINING AMOUNT
5854	LLCB	379307S	\$4,494,554.20	\$342,636.02	\$4,151,918.18
5985	LLCB	380485S	\$305,735.73	\$290,448.94	\$15,286.79
5986	Lennar	800051631	\$134,875.00	\$134,875.00	\$0.00
5987	KB Homes	024241247	\$38,357.00	\$38,357.00	\$0.00
5988	Lennar	800051629	\$105,313.00	\$105,313.00	\$0.00
5989	LLCB	36K013194	\$444,657.41	\$444,657.41	\$0.00
5990	LLCB	36K013196	\$251,509.25	\$251,509.25	\$0.00
5991	LLCB	36K013179	\$377,694.53	\$377,694.53	\$0.00
5992	Lennar	800051630	\$43,851.00	\$43,851.00	\$0.00
6074	LLCB	024255508	\$995,715.57	\$891,091.12	\$104,624.45

E. The Public Works Director or designee is authorized to return the reduction in the securities listed in Subsection D, above.

F. The Public Works Director or designee is hereby authorized to release the remainder of the performance bonds for the Improvements, if any, upon expiration of the required warranty period, which is one year after acceptance.

G. Upon acceptance of the Improvements the Improvements will be included in the appropriate city asset management systems.

//

//

PASSED AND ADOPTED by the City Council of the City of Santa Paula this 19th day of June, 2024.

Leslie Cornejo, Mayor

ATTEST:

Julie Latshaw, CMC, City Clerk

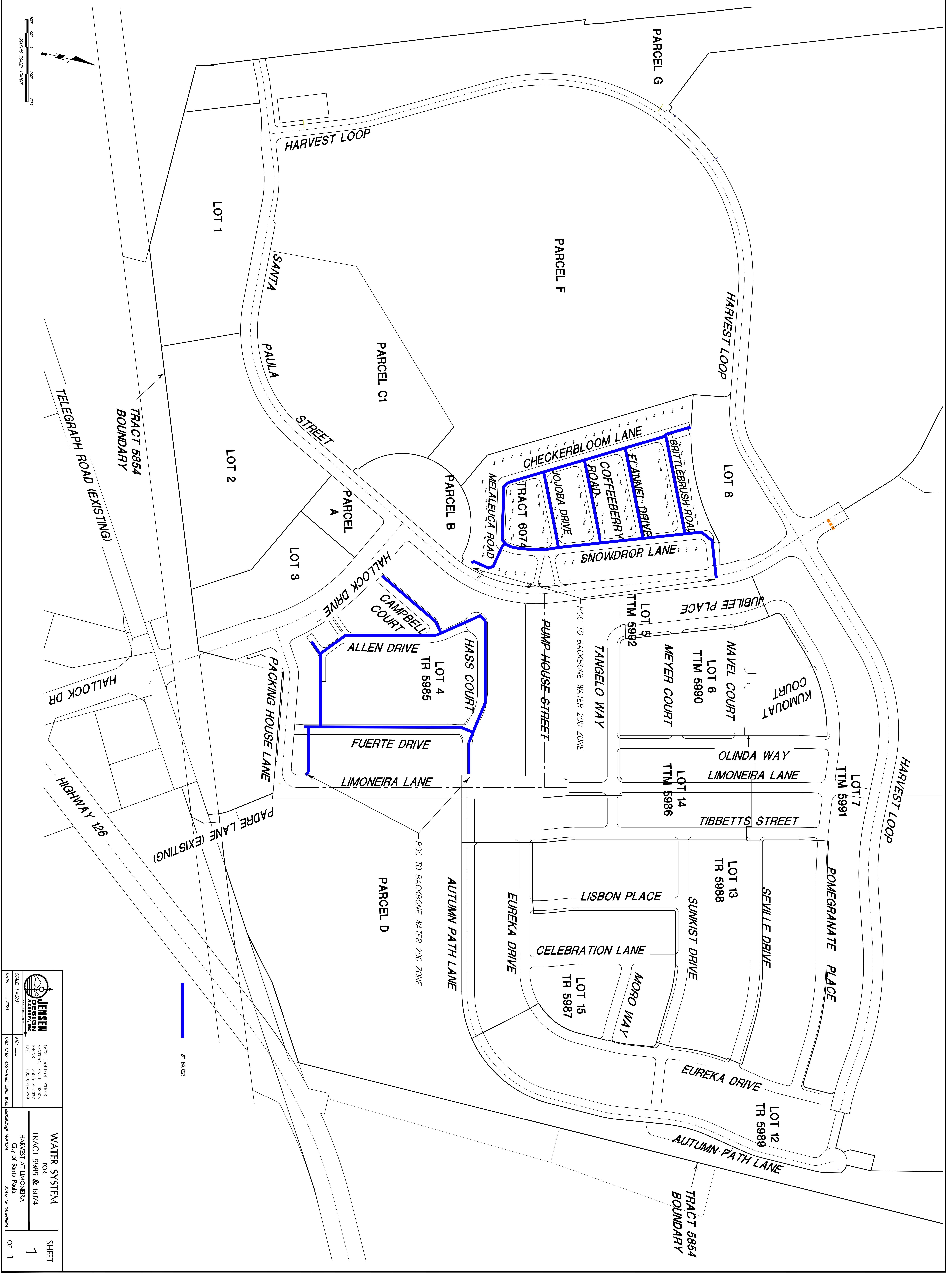
APPROVED AS TO FORM:

Monica Castillo, City Attorney

EXHIBIT A

Potable Water Improvements Depiction

[attached behind]

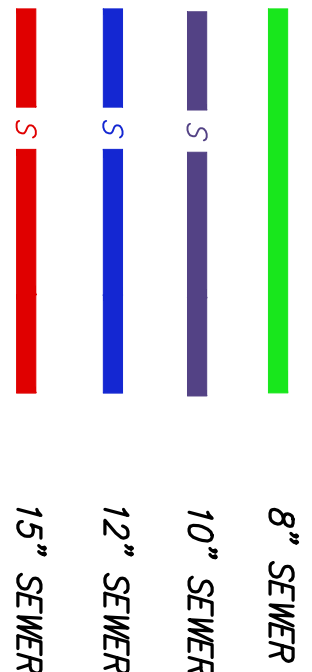
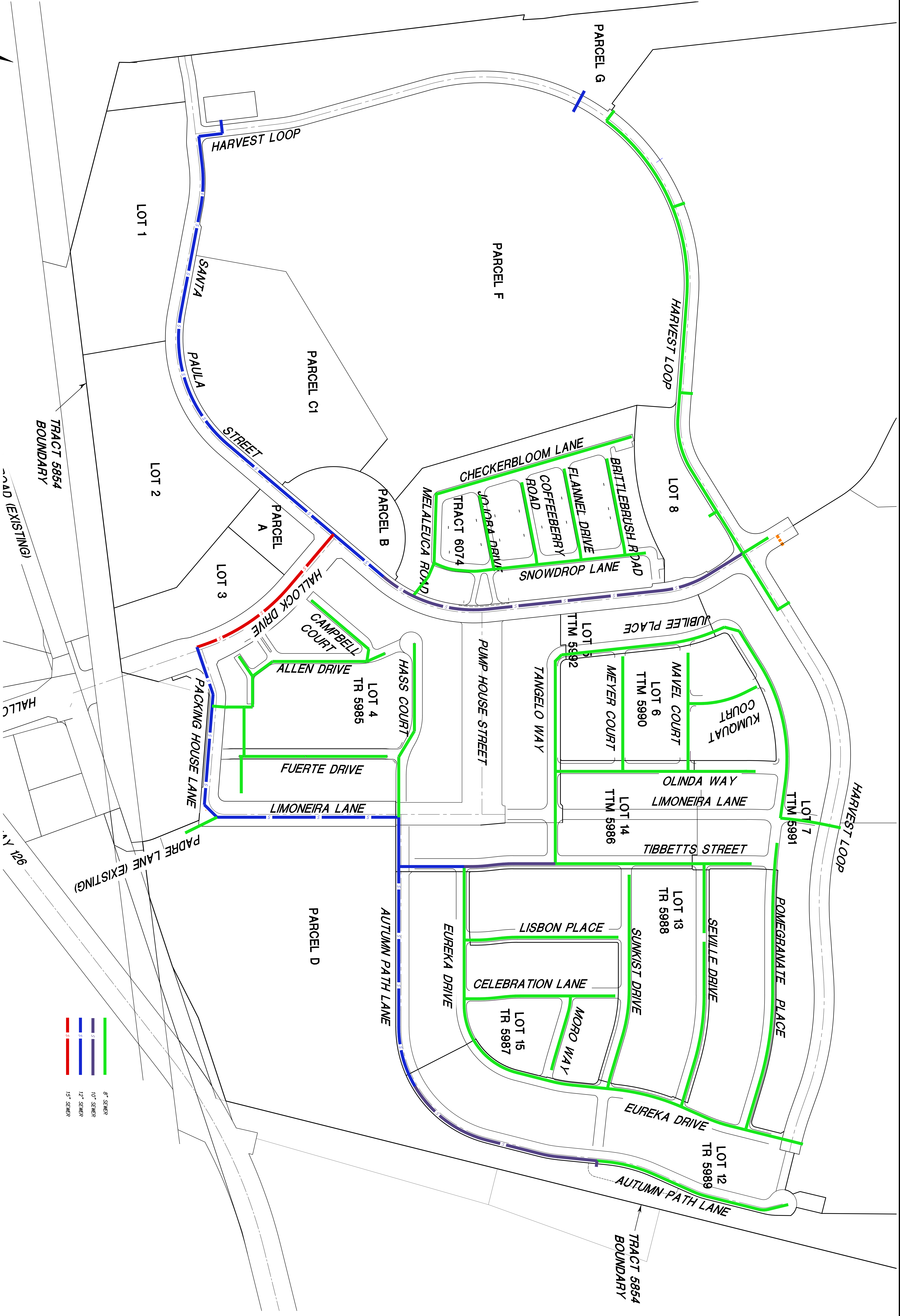


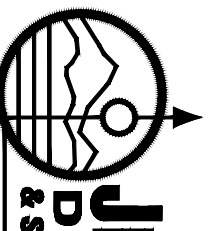
 JENSEN CONSULTING, INC. Engineering & Construction	16712 DOWDLE STREET VENTURA, CALIF. 93003 PHONE: 805/654-8977 FAX: 805/654-8978	WATER SYSTEM FOR TRACT 5985 & 6074 CITY OF SANTA PAULA STATE OF CALIFORNIA
	SCALE: 1"=200'	
	DATE: 11/20/24	
	DRW. NAME: 4521 - Post 5855 Water 800mm/8" VENTURA	
SHEET 1 OF 1		

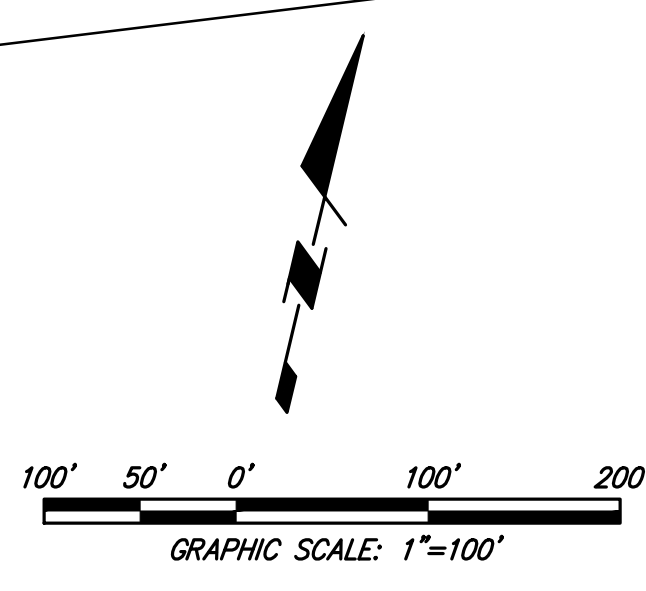
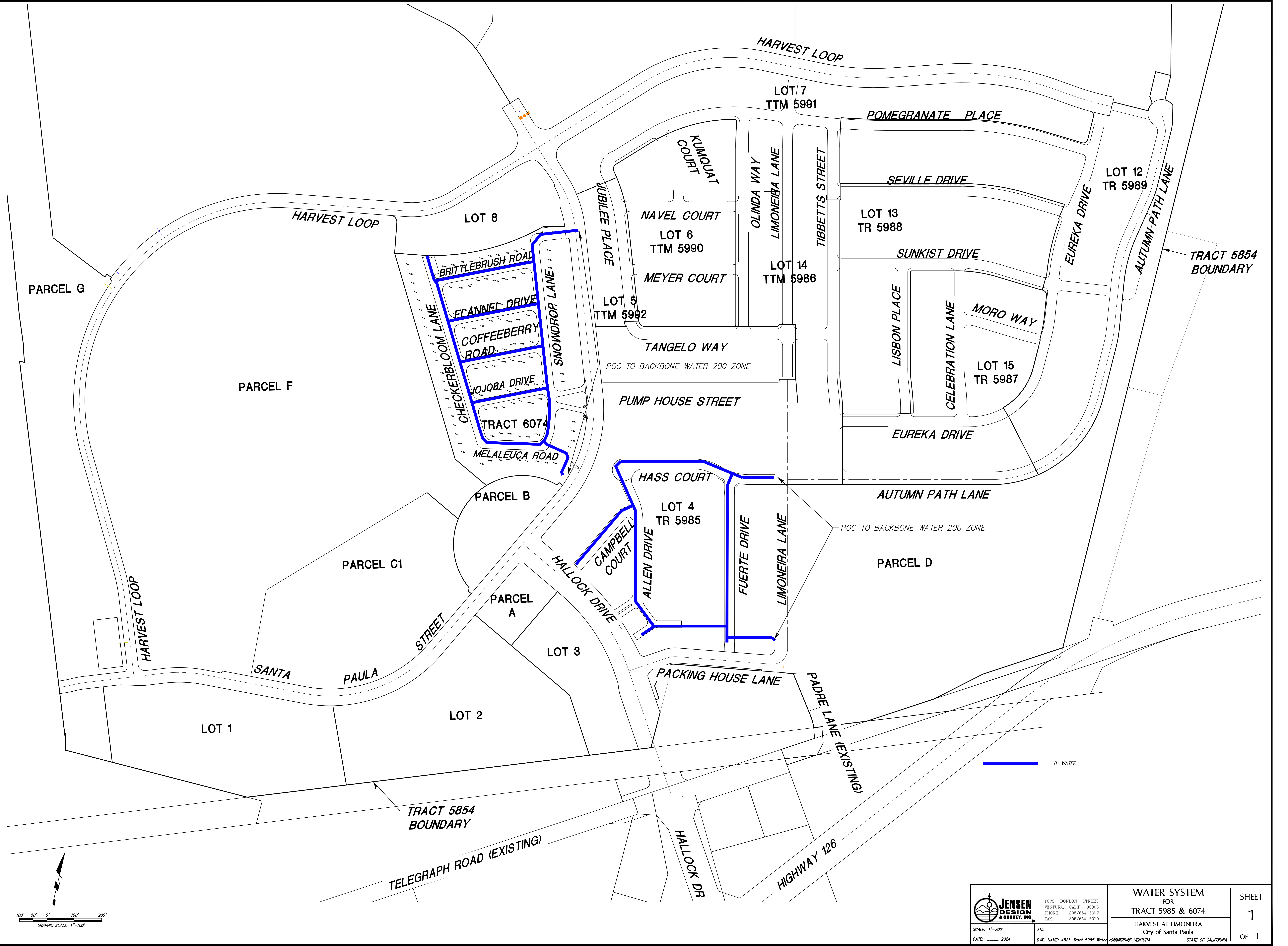
EXHIBIT B

Sewer Improvements Depiction

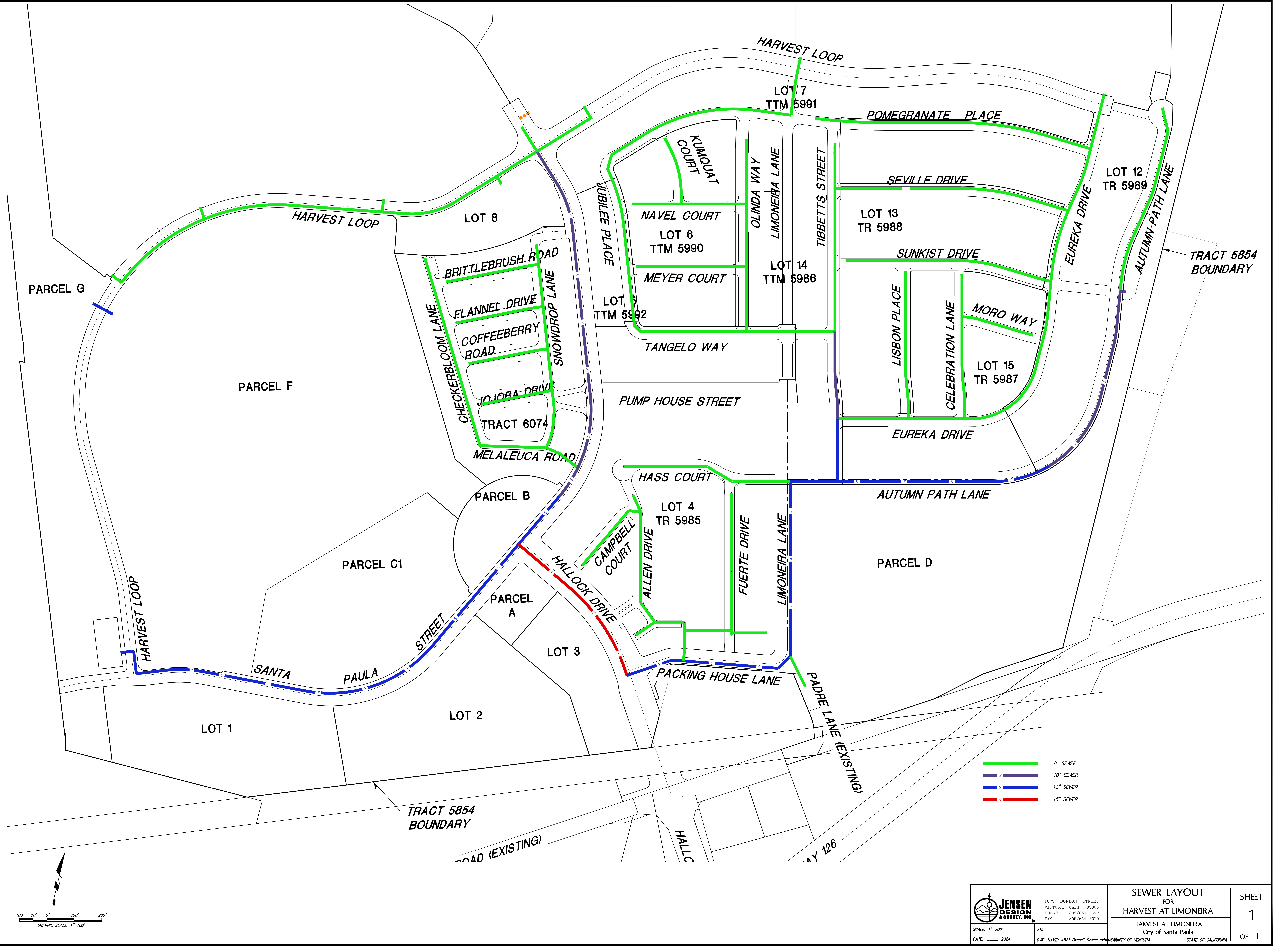
[attached behind]



 JENSEN SEWER SYSTEMS INC.		1672 DOWD STREET VENTURA, CALIF. 93003 PHONE: 805/654-8977 FAX: 805/654-8978	
SCALE: 1"=200'		DATE: 11/20/24	
JAN: 11/20/24		DWC: MADE: 4557 Owner: Sewer engineering: 11/20/24	
SEWER LAYOUT FOR HARVEST AT LIMONERA City of Santa Paula STATE OF CALIFORNIA		SHEET 1 OF 1	



 SCALE: 1"=200' DATE: _____, 2024	1672 DONLON STREET VENTURA, CALIF. 93003 PHONE: 805/654-6977 FAX: 805/654-6979	WATER SYSTEM FOR TRACT 5985 & 6074 HARVEST AT LIMONEIRA City of Santa Paula STATE OF CALIFORNIA		SHEET 1 OF 1
	JUN: _____			
	DWG. NAME: 4521-TRACT 5985 Water			
	6/20/2024 9:09 AM			



- 8" SEWER
- 10" SEWER
- 12" SEWER
- 15" SEWER

 JENSEN DESIGN & SURVEY, INC. SCALE: 1"=200' DATE: 2024	1672 DONLON STREET VENTURA, CALIF. 93003 PHONE: 805/654-6977 FAX: 805/654-6979	SEWER LAYOUT FOR HARVEST AT LIMONEIRA City of Santa Paula COUNTY OF VENTURA STATE OF CALIFORNIA	SHEET 1 OF 1
	DWC NAME: 4521 Overall Sewer extension		

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT
ASSESSMENT

Date: June 19, 2024

Agenda Item: 10.A

RECOMMENDATION:

Staff recommends that the City Council acting in its capacity as the Hillsborough Open Space Maintenance District Board:

1. Conduct a public hearing on the proposed assessment for the Hillsborough Open Space Maintenance District.
2. Adopt Resolution No. 7524 placing a \$150 per parcel special assessment onto the December 2024 tax roll for the Hillsborough Open Space Maintenance District.

Presented by: Robert P. Woodward, m6 Consulting, Contract City Engineer

BACKGROUND:

In January 1990, the City Council adopted an ordinance establishing the Hillsborough Open Space Maintenance District (District). Each year the City Council convenes as the Maintenance District Board and is required to set the assessment necessary to fund maintenance and repair. The District initially consisted of sixty-nine parcels. An additional two parcels were annexed into the District when the Council approved the Vista Pointe Development. The purpose of the District is to provide for the costs for maintenance of open space parcels, as well as the maintenance and repair of the flood control and drainage facilities located within the District. See Exhibit A for the location of the parcels in the District.

ANALYSIS:

District maintenance activities are summarized below.

1. Landscape and irrigation maintenance.
2. Tree and shrub pruning.
3. The cost for landscape irrigation water service to provide landscape water for the parcels described in Exhibit B and the cost of the electric service required to run the electric controller for the irrigation system.
4. The maintenance, repair and replacement of the storm drain facilities, including but not limited to the detention basin, all structures and pipes including storm drains, open

concrete channels, gunite and riprap, swales and masonry walls.

5. Yearly bi-annual inspection of drainage facilities and engineer's report.

The existing detention basin and associated storm drain outlet adjacent to Loma Vista Place has experienced deterioration in recent years. The effects of significant rain events over the past winter storm seasons have exacerbated the deteriorated outlet structure condition, resulting in damage to the corrugated metal pipe (CMP) outlet riser and associated lateral outlet pipe that will need to be repaired prior to the next storm season. This is further detailed in the District Engineer's Report included as Exhibit B. An estimated cost for this repair is included in the Fiscal Impacts section of this Report.

STRATEGIC PLAN:

This item is not a goal or objective in City Council's two-year Strategic Plan; however, by adopting this assessment, these funds will be used by the District Engineer to maintain the Maintenance District on behalf of the benefit area residents.

FISCAL IMPACTS:

Fiscal Year 2024/2025 regular/routine expenses are currently estimated at \$9,960 with a breakdown in the following summary.

Landscaping	\$4,800
Tree Trimming & Maintenance	\$750
Pest Control	\$1,440
Utilities (Water/Electric)	\$750
<u>Yearly Insp./Engineer's Report</u>	<u>\$2,220</u>
Total	\$9,960

Additionally, the costs of repairing the detention basin and associated storm drain are included as a separate line item, and should be considered an estimate. The Engineer's Report for Fiscal Year 2024/2025 will provide a summary of actual costs.

Estimated Ending and Beginning Fund Balances are shown below

Beginning Fund Balance	June 30, 2023	28,056
FY 2023 - 2024 Estimated Revenue		\$10,650
FY 2023 - 2024 Estimated Expenditures		(\$8,440)
FY 2023-2024 Estimated Ending Fund Balance	June 30, 2024	\$30,266
FY 2024 - 2025 Estimated Revenue		\$10,650
FY 2024 - 2025 Estimated Expenditures (Regular/Routine)		(\$9,960)
FY 2024 - 2025 Estimated Expenditures (Storm Drain Repair)		(\$20,000)

FY 2024 - 2025 Estimated Ending Fund Balance	June 30, 2025	\$10,956
---	----------------------	-----------------

OPTIONS:

The City Council has the following available alternative option to staff's recommendations:

1. Do not adopt Resolution No. 7524 approving the FY 2024/2025 budget and placing a **\$150.00** per parcel special assessment onto the December 2024 tax roll for the Hillsborough Open Space Maintenance District. This would hinder the Maintenance District from providing regular landscaping and drainage maintenance and critical infrastructure repairs.

ATTACHMENTS:

[EXHIBIT A - District Map.pdf](#)

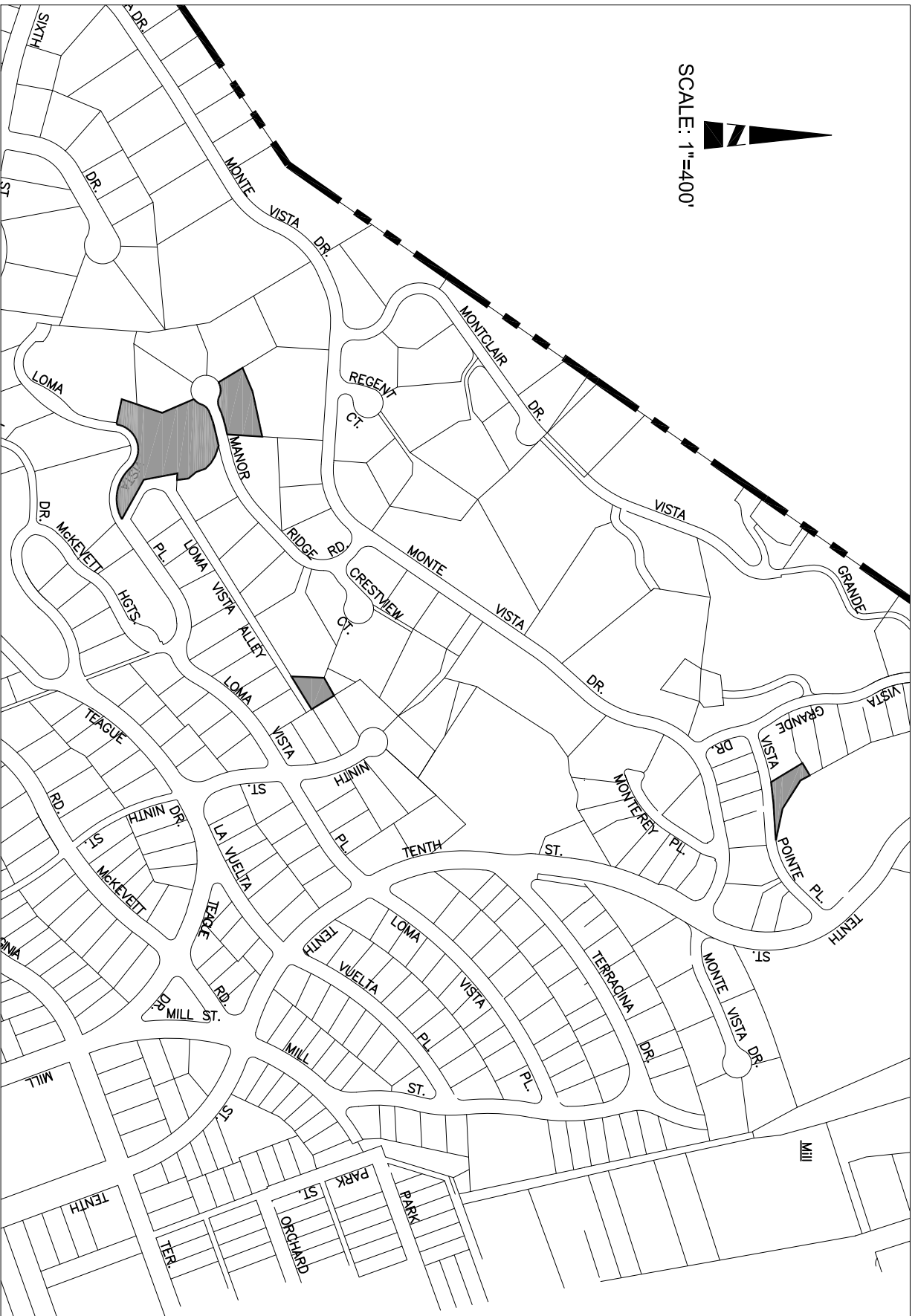
[EXHIBIT B - District Engineer's Report.pdf](#)

[EXHIBIT C - Reso 7524 Hillsborough Maintenance District.docx](#)

[EXHIBIT D - Notice of Public Hearing.pdf](#)

EXHIBIT A

Hillsborough Open Space Maintenance District Map



HILLSBOROUGH OPEN SPACE
 MAINTENANCE DISTRICT

EXHIBIT "A"

EXHIBIT B

Hillsborough Open Space District Engineer's Report

CITY OF SANTA PAULA

HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT ENGINEERS REPORT

PUBLIC WORKS DEPARTMENT | JUNE 2024
866 E MAIN ST SANTA PAULA CA 93060



TABLE OF CONTENTS

I. INTRODUCTION.....	I
II. AREA TO BE MAINTAINED	I
II. MAINTENANCE ACTIVITIES	I
III. ENGINEERS COST SUMMARY	2
IV. ASSESSMENT DISTRICT BOUNDARIES	3
V. METHOD OF ASSESSMENT	3
ATTACHMENT I.....	4
EXHIBIT A - HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT MAP	
ATTACHMENT 2.....	6
EXHIBIT B - LIST OF PARCELS	

ENGINEER'S REPORT AFFIDAVIT

Hillsborough Open Space Maintenance District

CITY OF SANTA PAULA

VENTURA COUNTY, STATE OF CALIFORNIA

This Report describes the Hillsborough Open Space Maintenance District therein including the assessments, budgets, and parcels to be levied for Fiscal Year 2024-25. Reference is hereby made to the Ventura County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 19th day of June, 2024.

m6 Consulting, Inc

Contract City Engineer

On Behalf of the City of Santa Paula

By:  _____

Robert Woodward, City Engineer
PE # C 63154

I. INTRODUCTION

In January 1990, Santa Paula City Council adopted an ordinance establishing the Hillsborough Open Space Maintenance District (hereinafter referred to as the "Assessment District"). The Assessment District initially consisted of sixty-nine parcels. An additional two parcels were annexed into the Assessment District when the City Council approved the Vista Pointe Development resulting in a total of 71 Parcels. The purpose of the Assessment District is to address cost of regular maintenance of open space parcels, as well as the maintenance and repair of the flood control and drainage facilities located within the District.

II. AREA TO BE MAINTAINED

A general description of the open areas proposed to be maintained, all of which lie wholly within the boundaries of the Assessment District, include Lots A, B and C of Tract No. 4486-1, as well as an additional two parcels that were annexed into the Assessment District with the City's approval of the Vista Pointe Development (Tract No. 4486-2). See Attachment I, Exhibit A.

II. MAINTENANCE ACTIVITIES

Assessment District maintenance activities are summarized below.

1. Weed abatement
2. Tree and shrub pruning.
3. Maintenance, repair and replacement of all improvements within Lots reflected in Exhibit A and described in Exhibit B.
4. The cost for landscape irrigation water service to provide landscape water for the parcels described in Exhibit B and the cost of the electric service required to run the electric controller for the irrigation system.
5. The maintenance, repair and replacement of the storm drain facilities, including but not limited to the detention basin, all structures and pipes including storm drains, open concrete channels, gunite and riprap, swales and masonry walls.
6. Yearly bi-annual inspection of drainage facilities and engineer's report.

The existing detention basin and associated storm drain outlet adjacent to Loma Vista Place has experienced deterioration in recent years. This facility is located at the southern portion of the Assessment District open space parcel located between Manor Ridge and Loma Vista Place (see Attachment I, Exhibit A). The effects of significant rain events over the past winter storm seasons have exacerbated the deteriorated outlet structure condition, resulting in damage to the corrugated metal pipe (CMP) outlet riser and associated lateral outlet pipe (see photos which follow). The facility requires further engineering and repair prior to the next winter rainy season to address damage and restore function. Cost to engineer the repairs and restore the facility are included in the Engineer's Cost Summary section of this Report.



III. ENGINEERS COST SUMMARY

This section includes an estimate of the annual cost and expenses of maintaining the open space areas and drainage facilities which benefit property within the District. It is anticipated that the estimated fund balance would be \$6,452 at the end of Fiscal Year 2024/2025. Fiscal Year 2024/2025 regular/routine expenses are currently estimated at \$9,960 with a breakdown in the following summary. Additionally, the costs of repairing the detention basin and associated storm drain are included as a separate line item, and should be considered an estimate. The Engineer's Report for Fiscal Year 2024/2025 will provide a summary of actual costs.

	Landscaping	\$4,800
	Tree Trimming	\$750
	Pest Control	\$1,440
	Utilities (Water/Electric)	\$750
	<u>Drainage Facilities Inspection and Engineer's Report</u>	<u>\$2,220</u>
	Subtotal	\$9,960
	Storm Drain Repair (Estimate)	\$20,000
	Total	\$29,960

IV. ASSESSMENT DISTRICT BOUNDARIES

A diagram showing the Assessment District, the boundaries and dimensions of the subdivisions of land within said Assessment District is included herewith and made a part of the assessment. The Assessment District includes 71 Parcels as described in Attachment 2 Exhibit B.

V. METHOD OF ASSESSMENT

The law requires and the statutes provide that regular and special assessments may be levied pursuant to the Benefit Assessment Act of 1982 and project-specific Conditions approved by the City in conjunction with project approval. Condition No. 29 of Hillsborough, Tract 4486-I, of Resolution No. 3648 as approved by the City requires that all property owners within the Subdivision contribute equally to the maintenance district. The lots within the Hillsborough Subdivision will directly benefit from the areas to be maintained.

The creation of the Assessment District allowed for the preservation of open space as well as drainage facilities necessary for the approval and development of the 71 lots of Hillsborough. Each home and lot has the same benefit for purposes of the enjoyment of the open space areas located within the subdivision and the compliance with the City's requirements for the development of the subdivision. Therefore, the costs to maintain the open space area and its landscaping and storm drain facilities are equally divided between the 71 lots, which directly benefit from maintenance of these areas.

ATTACHMENT I

EXHIBIT A - HILLSBOROUGH OPEN SPACE DISTRICT MAP



SCALE: 1"=400'

HILLSBOROUGH OPEN SPACE
 MAINTENANCE DISTRICT

EXHIBIT "A"

ATTACHMENT 2
EXHIBIT B - LIST OF PARCELS

Exhibit “B”

HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT

Parcel Number	Amount of Assessment	Parcel Number	Amount of Assessment
1000261015	150.00	1000280185	150.00
1000261025	150.00	1000280195	150.00
1000261035	150.00	1000280205	150.00
1000262015	150.00	1000280215	150.00
1000262025	150.00	1000280225	150.00
1000262035	150.00	1000280245	150.00
1000263015	150.00	1000280255	150.00
1000263025	150.00	1000280265	150.00
1000264015	150.00	1000280275	150.00
1000264025	150.00	1000280285	150.00
1000264035	150.00	1000280295	150.00
1000264045	150.00	1000280305	150.00
1000264055	150.00	1000280315	150.00
1000264065	150.00	1000280325	150.00
1000264085	150.00	1000280335	150.00
1000264095	150.00	1000280345	150.00
1000264105	150.00	1000280355	150.00
1000264145	150.00	1000280365	150.00
1000264155	150.00	1000280375	150.00
1000264165	150.00	1000280395	150.00
1000264175	150.00	1000280405	150.00
1000271015	150.00	1000280415	150.00
1000271025	150.00	1000280425	150.00
1000272025	150.00	1000280435	150.00
1000272035	150.00	1000280445	150.00
1000272045	150.00	1000280455	150.00
1000272055	150.00	1000300015	150.00
1000273015	150.00	1000300045	150.00
1000273025	150.00	1000300085	150.00
1000273035	150.00	1000300095	150.00
1000273045	150.00	1000300105	150.00
1000273055	150.00	1000300115	150.00
1000273065	150.00	1000300125	150.00
1000273075	150.00	1000300155	150.00
1000280145	150.00	1000300205	150.00
1000280175	150.00		

EXHIBIT C

Resolution No. 7524

RESOLUTION NO. 7524

A RESOLUTION CONFIRMING A \$150 ASSESSMENT ON THE TAX ROLL FOR ALL 71 PARCELS IN THE HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT IN ACCORDANCE WITH GOVERNMENT CODE § 54715.

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

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

- A. The Hillsborough Open Space Maintenance District (“District”) was established pursuant to Santa Paula Ordinance Nos. 925 and 932 in accordance with Government Code §§ 54703, et seq.
- B. It is in the public interest for the Board to take actions in accordance with Government Code § 54715, to fully fund the District’s maintenance costs and maintenance of the parcels shown on Exhibit “A,” which is incorporated by reference.
- C. Based upon the City Engineer’s recommendations, it appears that a \$150 annual assessment on all properties located within the District will over time fully fund the maintenance costs.
- D. As no increase in the assessment is proposed, the notice, hearing, and protest procedures in Government Code § 53735 are not required to adopt this Resolution.

SECTION 2: In accordance with the applicable sections of the Benefit Assessment Act of 1982 (Government Code §§ 54703, et seq.), the City Council, in its capacity as the Hillsborough Open Space Maintenance District Board, adopts an annual assessment of \$150 on all 71 parcels within the District as listed on attached Exhibit “B,” which is incorporated by reference.

SECTION 3: The City Manager, or designee, is directed to take such actions that are needed to place this assessment on the December 2024 property tax rolls including, without limitation, forwarding this Resolution to the Ventura County Assessor’s Office.

SECTION 4: This resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 19th day of June, 2024

Leslie Cornejo, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

EXHIBIT A

HILLSBOROUGH OPEN SPACE DISTRICT MAP



HILLSBOROUGH OPEN SPACE
MAINTENANCE DISTRICT

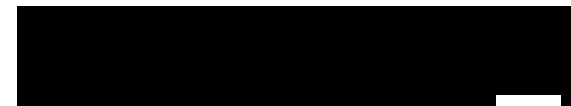


Exhibit “B”

HILLSBOROUGH OPEN SPACE MAINTENANCE DISTRICT

Parcel Number	Amount of Assessment	Parcel Number	Amount of Assessment
1000261015	150.00	1000280185	150.00
1000261025	150.00	1000280195	150.00
1000261035	150.00	1000280205	150.00
1000262015	150.00	1000280215	150.00
1000262025	150.00	1000280225	150.00
1000262035	150.00	1000280245	150.00
1000263015	150.00	1000280255	150.00
1000263025	150.00	1000280265	150.00
1000264015	150.00	1000280275	150.00
1000264025	150.00	1000280285	150.00
1000264035	150.00	1000280295	150.00
1000264045	150.00	1000280305	150.00
1000264055	150.00	1000280315	150.00
1000264065	150.00	1000280325	150.00
1000264085	150.00	1000280335	150.00
1000264095	150.00	1000280345	150.00
1000264105	150.00	1000280355	150.00
1000264145	150.00	1000280365	150.00
1000264155	150.00	1000280375	150.00
1000264165	150.00	1000280395	150.00
1000264175	150.00	1000280405	150.00
1000271015	150.00	1000280415	150.00
1000271025	150.00	1000280425	150.00
1000272025	150.00	1000280435	150.00
1000272035	150.00	1000280445	150.00
1000272045	150.00	1000280455	150.00
1000272055	150.00	1000300015	150.00
1000273015	150.00	1000300045	150.00
1000273025	150.00	1000300085	150.00
1000273035	150.00	1000300095	150.00
1000273045	150.00	1000300105	150.00
1000273055	150.00	1000300115	150.00
1000273065	150.00	1000300125	150.00
1000273075	150.00	1000300155	150.00
1000280145	150.00	1000300205	150.00
1000280175	150.00		

EXHIBIT D

Notice of Public Hearing for Hillsborough Maintenance District



CITY OF SANTA PAULA

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Santa Paula City Council will hold a public hearing on Wednesday, June 19, 2024 commencing at 6:30 pm, or as soon thereafter as possible, in the Santa Paula Council Chambers, 970 Ventura Street. The public hearing will allow testimony regarding the City's proposed assessments for the Santa Paula Hillsborough Open Space Maintenance District and placing a \$150 per parcel assessment onto the December 2024 tax roll for the Hillsborough Open Space Maintenance District.

All interested persons are invited to be present and heard at said meeting. The deadline to submit comments is 3:00 PM (PT) the day of the Council meeting. We will take your comments in the order they were sent.

Information relating to the above matter will be available upon request from the City Clerk's office starting 10 days prior to the hearing.

To be published in the Santa Paula Times Wednesday June 7, 2024.

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Deputy City Manager

Subject: CONSIDER ADOPTION OF RESOLUTIONS PLACING A GENERAL TAX MEASURE ON THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION BALLOT TO ESTABLISH A 1 PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX

Date: June 19, 2024

Agenda Item: 11.A

RECOMMENDATION:

Staff recommends City Council adopt the following Resolutions:

1. Resolution No. 7527 calling for the placement of a 1 percent general transactions and use (sales) tax measure on the November 5, 2024 General Municipal Election ballot; and
2. Resolution No. 7528 setting deadlines and rules for the submission of primary and rebuttal arguments for and against the proposed sales tax measure; and
3. Resolution No. 7529 requesting the County of Ventura to consolidate this election with the Statewide General Election also to be held on November 5, 2024.

Presented by: Jonathan Royas, Deputy City Manager

BACKGROUND:

Increasingly, the State of California has shifted responsibility for many programs and services back to local cities, even smaller ones like the City of Santa Paula, without the local funds necessary to comply with those new mandates or provide services for local residents. Like many other California cities, under these circumstances Santa Paula requires additional funding to address our community's priorities at the levels expressed by the public.

On May 31, 2023, Council held a Special Meeting of the City Council related to possible revenue generating opportunities. During the course of the meeting staff discussed several methods to enhance the City's revenue base.

On June 21, 2023, City Council adopted a new two-year Strategic Plan ("Plan") for FY23-25. The Plan contains the Council's vision, goals and numerous objectives which staff will focus on for the next two years. Several objectives express Council's intention to identify and address the community's priorities for their quality of life in the City of Santa Paula, how to be self

sufficient, self reliant, and exercise greater local control in addressing the community's goals.

Two of Council's most notable objectives are:

- *Section C. Infrastructure, Transportation & Mobility, Objective #1, Streets - Work to maximize funding going to streets; and*
- *Section B. Economic Development, Objective #1, Revenue Opportunities - Actively pursue revenue opportunities to increase the City's revenue base.*

Based on the previous efforts noted above and the Council's two objectives, staff spent the past six months conducting a robust community engagement exercise, *Santa Paula Speaks*, and analyzed the results to determine a revenue option which addresses both of the Plan objectives noted above.

ANALYSIS:

Community Engagement

Consistent with our past practices, the City conducted an extensive, objective, and statistically reliable bilingual survey of Santa Paula residents to understand their priorities, preferences, and satisfaction related to city services and facilities; measuring community interest in additional funding for city services and facilities, and gathering data on a variety of quality-of-life, issue, and policy-related matters.

Over the past six months, staff conducted a survey and obtained additional community feedback through *Santa Paula Speaks*, receiving input collectively from over 2,000 residents and community members on local priorities within Santa Paula. The various forms of bilingual outreach included:

- (2) Two direct community mailers to solicit and report back on input
- (1) Utility bill insert
- Press releases in local papers including the Santa Paula Times
- Social media posts
- Website engagement
- Digital engagement outreach
- Spectrum Channel 10 outreach
- Phone/Text

The effort sparked so much attention the Santa Paula High School AVID Juniors conducted their own survey whereby they polled over 397 residents and deduced very similar results to those shared below.

In all, the results show that over 87% of residents agree with Council's Strategic Plan objective that the City requires additional funding for streets and other City services. Through the community engagement surveys, residents identified the following City services as their top priorities:

- Accelerating the repair of streets and potholes;

- Maintaining 911 response
- Maintaining storm drains/clean drinking water sources
- Repairing sidewalks
- Retaining local businesses; and
- Addressing homelessness

Prior to this year's rainy season, independent engineers rated nearly half of Santa Paula's streets as "poor" or "very poor" and their condition has worsened this winter. As a result, the survey results indicate that City of Santa Paula residents support accelerating the repair of streets, filling potholes, and preventing sinkholes so it is less expensive to repair the streets now than waiting until later.

Lastly, the survey results reveal that residents support a locally-controlled sales tax measure to help maintain and improve City services on an ongoing basis where all funds raised by the measure are required to be spent in Santa Paula for local services and cannot be taken by Sacramento.

Recommended Local Funding Mechanism

In an effort to provide an additional source of long-term, reliable and locally-controlled funding to address the priority services mentioned above, staff is recommending that Council submit a measure to the voters of the City of Santa Paula in November of this year to establish a one-cent general transactions and use tax (local sales tax) in order to provide locally controlled funding for general City services like those that have been identified through the community engagement process.

The statement of the ballot question would be as follows:

"CITY OF SANTA PAULA STREETS, POTHOLE REPAIR, CITY SERVICES MEASURE

Shall the measure funding Santa Paula services such as accelerating repair of streets/potholes; preventing sinkholes; repairing sidewalks; maintaining 911 response; retaining local businesses; cleaning up public areas; maintaining storm drains/clean drinking water sources; offering youth programs; and for general government use by enacting a 1¢ sales tax providing approximately \$4,500,000 annually until ended by voters; requiring audits, public spending disclosure, all funds benefit Santa Paula residents, be adopted?"

If approved by Council, the measure would appear on the November 5, 2024 General Election ballot for voter approval. It proposes a general tax to provide funding for City of Santa Paula services and requires a majority (50% plus one) of votes cast by voters to approve the measure. Staff estimates that a new one-cent transactions and use tax would generate approximately \$4,500,000 annually for the general fund. The local sales tax could be used for any general municipal purpose. This amount could be used to maintain existing service levels and allow the City Council to make strategic investments in service priorities that have been identified through the community engagement process. It is again noted that all funds received from this one-cent sales tax would be locally generated and can not be taken away by the State to balance its own budget in any future fiscal challenge.

As a general tax measure, the measure must be placed on the ballot coinciding with a general City Council election. The general election for City Council this year takes place on November 5, 2024.

Resolutions

Attached are the three resolutions, ***which the Council must adopt by a 2/3 or greater vote***, to place the measure on the ballot.

Resolution No. 7527 is the principal resolution which calls the election and places the measure on the November 5, 2024 ballot. It contains the language of the proposed sales tax measure (and adopting ordinance) to be submitted to the voters and directs the City Attorney to prepare an impartial analysis of the measure pursuant to California Elections Code Section 9280. It is noted that because the California Department of Tax and Fee Administration (CDTFA - formerly known as the Board of Equalization) collects and administers local sales taxes, any draft local sales tax measure must be reviewed and approved by CDTFA before placement on the ballot.

Resolution No. 7528 and No. 7529 are largely boilerplate resolutions to help set up the election on the measure. One resolution consolidates the City's sales tax measure with the November Statewide General Election on November 5, 2024, effectively allowing the Ventura County Registrar of Voters to conduct the election on the City's behalf. The other resolution sets deadlines and rules for how and when interested persons may submit arguments for or against the proposed City sales tax measure.

Under California Proposition 218, the upcoming November 5, 2024 Municipal General Election is an appropriate date to place a local, general tax measure on the ballot. Pursuant to California Government Code Section 53724(b) (Proposition 62) and Revenue and Taxation Code Section 7285.9, **a two-thirds or greater vote of the membership of the City Council is required to adopt these resolutions.**

If approved by a majority of the voters, this City sales tax increase is estimated to provide an additional \$4,500,000 annually to the City's General Fund.

STRATEGIC PLAN:

Approval of this item moves the City closer to completing two of City Council's two-year Strategic Plan objectives as noted below:

Section C. Infrastructure, Transportation & Mobility, Objective #1, Streets - Work to maximize funding going to streets. Funding from a voter approved sales tax could be used to accelerate and reduce the current Pavement Management Plan (PMP) from 20-years to five remaining years bringing the average citywide Pavement Condition Index (PCI) up to 70.

Section B. Economic Development, Objective #1, Revenue Opportunities - Actively pursue revenue opportunities to increase the City's revenue base. A voter approved sales tax is estimated to generate \$4,500,000 annually in revenue for the general fund to maintain and improve City services.

FISCAL IMPACTS:

The estimated cost to place the measure on the November ballot is approximately \$10,000 based on the estimate from the County Registrar of Voters (which would be in addition to the costs for the election for Council candidates). Based on the estimated costs, the Fiscal Year 2024-25 budget has sufficient funds to cover this expense.

If the sales tax is approved by the voters, the tax is estimated to generate \$4,500,000 annually in revenue for the general fund to maintain and improve City services.

OPTIONS:

City Council has the following alternatives available:

1. Do not approve Resolution No. 7527, 7528, and 7529. Doing so will result in street and road conditions being addressed with current funds available, as scheduled through the current 20-year Pavement Management Plan (PMP), barring any future budget adjustments Council could make which could impact program and service delivery in other areas of the City; or
2. Provide staff alternative direction.

ATTACHMENTS:

[Reso No. 7527 -](#)

[Resolution_Calling_for_Election_General_November_5_2024_Election_on_General_Transacti](#)

[Reso No. 7528 - Resolution_Setting_Deadlines_and_Rules_for_Arguments_and_Rebuttals_-_Transactions_and_Use_Tax_Measure_-_November_5_2024_Election-c1_06.13.24.doc](#)

[Reso No. 7529 - Resolution_Requesting_Consolidation_of_Election_with_Ventura_County_-_Transactions_and_Use_Tax_Measure_-_November_5_2024_06.13.24.doc](#)

RESOLUTION NO. 7527

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF ONE CENT (1¢)

WHEREAS, after several months of community discussion, the City of Santa Paula has received input from approximately 2,000 residents and community members on local priorities within Santa Paula; and

WHEREAS, Santa Paulans have identified priorities such as accelerating the repair of streets and potholes, maintaining 911 response and clean drinking water sources, repairing sidewalks, retaining local businesses, and addressing homelessness; and

WHEREAS, prior to this year's rainy season, independent engineers rated nearly half of Santa Paula's streets as "poor" or "very poor" and their condition has worsened this winter; and

WHEREAS, additional funding could be used to accelerate the repair of streets, fill potholes, and prevent sinkholes so it is less expensive to repair the streets now than waiting until later; and

WHEREAS, the State is making the City's job more difficult as it continues to shift responsibility for many programs and services back to local cities, including small ones like Santa Paula, without the necessary funds to provide these programs and services for local residents; and

WHEREAS, the City of Santa Paula ("City") is authorized to levy a Transactions and Use Tax ("TUT") for general purposes pursuant to California Revenue and Taxation Code section 7285.9, subject to approval by a majority vote of the electorate pursuant to Article XIII C, section 2 of the California Constitution ("Proposition 218"); and

WHEREAS, pursuant to California Elections Code section 9222, the City Council has authority to place local measures on the ballot to be considered at a Municipal Election; and

WHEREAS, the City Council would like to submit to the voters at the November 5, 2024 General Municipal Election a measure establishing a general TUT of one cent (1¢) on the sale and/or use of all tangible personal property sold

at retail in the City until it is repealed by voters, as more specifically set forth in the attached proposed ordinance adding Sections 37.110 - 37.122 to the City's Municipal Code; and

WHEREAS, the one cent (1¢) TUT is a general tax, the revenue of which will be placed in the City's general fund and will be used to pay for general City services; and

WHEREAS, under State law, all funds raised by a local, voter-approved measure are required to be spent in Santa Paula for local services and cannot be taken by Sacramento; and

WHEREAS, funding from a proposed one-cent sales tax measure could be utilized for the community's identified priorities: accelerating the repair of streets and potholes, maintaining 911 response and clean drinking water sources, and preventing sinkholes; and

WHEREAS, the City's proposed measure incorporates accountability provisions such as public disclosure of all spending and annual independent audits; and

WHEREAS, on November 6, 1996, the voters of the State of California approved Proposition 218, an amendment to the State Constitution which requires that all general taxes which are imposed, extended or increased must be submitted to the electorate and approved by a majority vote of the qualified electors voting in the election; and

WHEREAS, pursuant to Proposition 218 (California Constitution, Article XIII C, section 2(b)), the general rule is that any local election for the approval of an increase to a general tax must be consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, the next regularly scheduled general election at which City Council members will be elected is November 5, 2024; and

WHEREAS, pursuant to Revenue and Taxation Code section 7285.9, a two-thirds (2/3) vote of all members of the City Council is required to place the Measure on the November 5, 2024 ballot; and

WHEREAS, the ordinance to be considered by the qualified voters and the terms of approval, collection and use of the general TUT are described and provided for in the ordinance/measure attached hereto as Exhibit "A" (the "Measure") and by this reference made an operative part hereof, in accordance with all applicable laws.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF

THE CITY OF SANTA PAULA:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

SECTION 2. Submission of Ballot Measure. Pursuant to California Elections Code section 9222, Government Code section 53724, Revenue and Taxation Code section 7285.9 and any other applicable requirements of the laws of the State of California relating to the City, the City Council, **by a two-thirds (2/3) vote of all members**, hereby orders the Measure to be submitted to the voters of the City at the General Municipal Election to be held on **Tuesday, November 5, 2024.**

SECTION 3. The City Council, pursuant to California Elections Code section 9222, hereby orders that the ballot question for the Measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the General Municipal Election to be held on Tuesday, November 5, 2024, in addition to any other matters required by law, there shall be printed substantially the following ballot question:

"City of Santa Paula Streets, Pothole Repair, City Services Measure. Shall the measure funding Santa Paula services such as accelerating repair of streets/potholes; preventing sinkholes; repairing sidewalks; maintaining 911 response; retaining local businesses; cleaning up public areas; maintaining storm drains/clean drinking water sources; offering youth programs; and for general government use by enacting a 1¢ sales tax providing approximately \$4,500,000 annually until ended by voters; requiring audits, public spending disclosure, all funds benefit Santa Paula residents, be adopted?"	YES
	NO

SECTION 4. Conduct of Election. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary

arguments for or against the Measure.

The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **“The above statement is an impartial analysis of Ordinance No. 1338 or Measure _____. If you desire a copy of the ordinance or measure, please call the Office of the City Clerk at (805) 933-4201 Ext. 208 and a copy will be mailed at no cost to you.”**

SECTION 6. Notice of the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide, and a statement shall be printed on the ballot pursuant to Elections Code section 9223 advising voters that they may obtain a copy of this Resolution and the Measure, at no cost, upon request made to the City Clerk.

SECTION 8. Filing with County. The City Clerk shall, not later than the 88th day prior to the General Municipal Election to be held on Tuesday, November 5, 2024, file with the Board of Supervisors and the Registrar of Voters of the County of Ventura, State of California, a certified copy of this Resolution.

SECTION 9. Public Examination. Pursuant to Elections Code section 9295, this Measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The City Clerk shall post notice in the Clerk’s office of the specific dates that the examination period will run.

SECTION 10. The City Council hereby finds and determines that the Measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, section 15378(b)(5).

SECTION 11. Severability. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

SECTION 12. This Resolution shall become effective upon its adoption.

SECTION 13. The City Clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Santa Paula this 19th day of June, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LESLIE CORNEJO, MAYOR

ATTEST:

JULIE LATSHAW, CITY CLERK

APPROVED AS TO FORM:

MONICA CASTILLO, CITY ATTORNEY

I, Julie Latshaw, City Clerk of the City of Santa Paula, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 19th day of June, 2024, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Julie Latshaw, City Clerk

Exhibit "A"
Transactions and Use Tax Ordinance
[attached behind this page]

ORDINANCE NO. 1338

AN ORDINANCE OF THE PEOPLE OF THE CITY OF SANTA PAULA, CALIFORNIA, ADDING SECTIONS 37.110 THROUGH 37.122 TO CHAPTER 37 (TAXATION) OF THE SANTA PAULA MUNICIPAL CODE TO ENACT A ONE PERCENT (1%) GENERAL TRANSACTIONS AND USE TAX (SALES TAX) TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

WHEREAS, pursuant to California Revenue and Taxation Code section 7285.9 the City of Santa Paula ("City") is authorized to levy a Transactions and Use Tax for general purposes, subject to majority voter approval; and

WHEREAS, the People of the City desire add Chapter 37 to Title 3 of the Santa Paula Municipal Code establishing a general Transactions and Use Tax ("TUT") until ended by voters, on the sale and/or use of all tangible personal property sold at retail in the City, at a rate of one percent (1%).

NOW, THEREFORE, THE PEOPLE OF THE CITY OF SANTA PAULA DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Title and Text. This Ordinance shall be known as the "Santa Paula General Transactions and Use Tax", the full text of which is set forth in Attachment "1", attached hereto and incorporated herein by reference.

Section 2. Approval by the City Council. Pursuant to California Government Code section 53724 and Revenue and Taxation Code section 7285.9, this Ordinance was duly approved for placement on the ballot by a minimum two-thirds (2/3) supermajority of all members of the City Council on June 19, 2024.

Section 3. Approval by the Voters. Pursuant to California Elections Code section 9217, this Ordinance shall be deemed adopted and take effect only if approved by a majority of the eligible voters of the City of Santa Paula voting at the General Municipal Election of November 5, 2024. It shall be deemed adopted when the City Council has certified the results of that election by resolution and shall take effect ten (10) days thereafter.

Section 4. Operative Date. "Operative Date" for the Transactions and Use Tax means the first day of the first calendar quarter commencing more than 110 days after the date this Ordinance is adopted, as set forth in Section 3 above.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

I hereby certify that the Santa Paula General Transactions and Use Tax Ordinance was **PASSED, APPROVED, AND ADOPTED** by the People of the City of Santa Paula on the 5th day of November, 2024.

CITY OF SANTA PAULA

LESLIE CORNEJO, MAYOR

ATTEST:

JULIE LATSHAW, CITY CLERK

APPROVED AS TO FORM:

MONICA CASTILLO, CITY ATTORNEY

Chapter 37 – SUPPLEMENTAL GENERAL TRANSACTIONS AND USE TAX

Sections:

- 37.110 - Title.**
- 37.111 - Purpose.**
- 37.112 - Contract With State.**
- 37.113 - Transactions Tax Rate.**
- 37.114 - Place of Sale.**
- 37.115 - Use Tax Rate.**
- 37.116 - Adoption of Provisions of State Law.**
- 37.117 - Limitations on Adoption of State Law and Collection of Use Taxes.**
- 37.118 - Permit Not Required.**
- 37.119 - Exemptions and Exclusions.**
- 37.120 - Amendments.**
- 37.121 - Enjoining Collection Forbidden.**
- 37.122 - Duration of Tax**

Sections:

37.110 – Title.

This ordinance shall be known as the “City of Santa Paula General Transactions and Use Tax Ordinance”. The City of Santa Paula hereinafter shall be called “City.” This ordinance shall be applicable in the incorporated territory of the City.

37.111 – Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself

as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record-keeping upon persons subject to taxation under the provisions of this ordinance.

37.112 - Contract With State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

37.113 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

37.114 - Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

37.115 - Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

37.116 - Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

37.117 - Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:
 - 1. The word "State" is used as a part of the title of the State Controller, State Treasurer, California Victim Compensation Board, California Department of Tax and Fee Administration, State Treasury, or the Constitution of the State of California;
 - 2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
 - 3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

- b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
- 4. In reference to Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- B. The word “city” shall be substituted for the word “state” in the phrase “retailer engaged in business in this state” in Section 6203 of the Revenue and Taxation Code and in the definition of that phrase in Section 6203.
 - 1. “A retailer engaged in business in the District” shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

37.118 - Permit not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

37.119 - Exemptions and Exclusions.

- A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of transactions tax the gross receipts from:
 - 1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 - 2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

- a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
 3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
 4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this subsection, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this subsection, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
 6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
 7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.
- D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for, a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

37.120 - Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

37.121 - Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

37.122 – Duration of Tax.

The tax imposed by this chapter shall continue until this ordinance is repealed.

RESOLUTION NO. 7528

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION

WHEREAS, a General Municipal Election is to be held in the City of Santa Paula, California on November 5, 2024, at which there will be submitted to the voters the following measure:

“City of Santa Paula Streets, Pothole Repair, City Services Measure. Shall the measure funding Santa Paula services such as accelerating repair of streets/potholes; preventing sinkholes; repairing sidewalks; maintaining 911 response; retaining local businesses; cleaning up public areas; maintaining storm drains/clean drinking water sources; offering youth programs; and for general government use by enacting a 1¢ sales tax providing approximately \$4,500,000 annually until ended by voters; requiring audits, public spending disclosure, all funds benefit Santa Paula residents, be adopted?”	Yes
	No

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Primary Arguments. That the City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the City measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

The deadline to submit arguments for or against the City Measure pursuant to this Resolution is declared by the City Clerk to be **July 29, 2024, at 5 p.m.** Each argument shall not exceed 300 words and shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed

name and signature of at least one of its principal officers who is the author of the argument.

Section 2. Rebuttal Arguments. Pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the primary arguments for and against the City Measure which will be printed and distributed to the voters, the Clerk shall send copies of the primary argument in favor of the Measure to the authors of the primary argument against, and copies of the primary argument against to the authors of the primary argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **August 9, 2024, at 5 p.m.** Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument which it seeks to rebut.

Section 3. Prior Resolutions. That all previous resolutions providing for the filing of primary and rebuttal arguments related to City measures are repealed.

Section 4. November 5, 2024 Election. That the provisions of Sections 1 and 2 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 19th day of June, 2024.

LESLIE CORNEJO, MAYOR

ATTEST:

JULIE LATSHAW, CITY CLERK

APPROVED AS TO FORM:

MONICA CASTILLO, CITY ATTORNEY

I, Julie Latshaw, City Clerk of the City of Santa Paula, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 19th day of June 2024, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Julie Latshaw, City Clerk

RESOLUTION NO. 7529

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

WHEREAS, on June 19, 2024, the City Council of the City of Santa Paula adopted Resolution No. 7527, calling a General Municipal Election to be held on November 5, 2024; for the purpose of submitting to the voters the question relating to the General Transactions and Use Tax; and

WHEREAS, it is therefore desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the election department of the County of Ventura canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA PAULA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Request for Consolidation. Pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Ventura is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 5, 2024, for the purpose of submitting to the voters the following question relating to the Transactions and Use Tax.

Section 2. Measure Language. A measure is to appear on the ballot as follows:

"City of Santa Paula Streets, Pothole Repair, City Services Measure. Shall the measure funding Santa Paula services such as accelerating repair of streets/potholes; preventing sinkholes; repairing sidewalks; maintaining 911 response; crime/gang/drug retaining local businesses; cleaning up public areas; maintaining storm drains/clean drinking water sources; offering youth programs and for general government use by enacting a 1¢ sales tax providing approximately \$4,500,000 annually until ended by voters; requiring audits, public spending disclosure, all funds benefit Santa Paula residents, be adopted?"	Yes
	No

Section 3. Canvass of Returns. The County election department is authorized to canvass the returns and perform all other proceedings incidental to and connected with the General Municipal Election. The Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. Pursuant to California Elections Code Sections 10403 and 10418, the election will be held and conducted in accordance with the provisions of law regulating the Statewide General Election.

Section 4. Necessary Steps. The Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.

Section 5. Costs. The City Council determines and declares that the City will pay to the County the reasonable and actual expenses incurred by the County by the consolidation of the General Municipal Election with the Statewide General Election. The City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill. The City Manager of the City of Santa Paula is authorized and directed to pay for the expenses incurred after receiving a statement from the County of Ventura.

Section 6. Filing of Resolution. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the election department of the County of Ventura.

Section 7. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this day of June 19, 2024.

LESLIE CORNEJO, MAYOR

ATTEST:

JULIE LATSHAW, CITY CLERK

APPROVED AS TO FORM:

MONICA CASTILLO, CITY ATTORNEY

I, Julie Latshaw, City Clerk of the City of Santa Paula, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 19th day of June, 2024, by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Julie Latshaw, City Clerk

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Julie Latshaw, City Clerk

Subject: CALLING THE NOVEMBER MUNICIPAL ELECTION AND REQUESTING
CONSOLIDATION WITH THE STATEWIDE ELECTION

Date: June 19, 2024

Agenda Item: 11.B

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution 7525 calling a General Municipal Election on November 5, 2024, and requesting consolidation with other elections held on the same date; and
2. Adopt Resolution No. 7526 to establish requirements for Candidate Statements that will be included with voter information.

Presented By: Julie Latshaw, City Clerk

BACKGROUND:

Pursuant to provisions of the State law, a General Municipal Election is scheduled to be held on November 5, 2024. The attached resolutions have been prepared and are required to be adopted by City Council pursuant to the California Elections Code:

- Calling for and Giving Notice of Election
- Requesting the Ventura County Board of Supervisors to approve consolidation and provide election services
- Adopt regulations for candidates pertaining to Candidate Statement materials and including estimated costs of Candidate Statements

ANALYSIS:

Calling for the Election and Consolidation with the County

Resolution No. 7525 calls the election for November 5, 2024, for the purpose of electing one Council Member for District No. 1 and one Council Member for District No. 5, to the City Council for four-year terms each; ensures ballots are in conformance with State Law; authorizes the City Clerk to prepare election materials as necessary; ensures polling is conducted in conformance with State Law; directs the City Clerk to provide notice of the election; and authorizes expenses to be paid upon presentation of an invoice for said election.

The City, in the past, has consolidated the City's elections with statewide elections

administered by the County of Ventura. Included in this resolution is a request to the Ventura County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election pursuant to Elections Code Section 10403. In doing so, the City Council authorizes the County of Ventura to canvass the returns and authorizes payment to the County for specified election services.

Candidate Statements

Additionally, pursuant to Elections Code Section 13307 and the Federal Voting Rights Act, Resolution No. 7526 authorizes candidates the option to prepare a Candidate Statement with specific criteria, and provides the estimated cost for translation, handling and printing of each Candidate Statement. As with past elections, each candidate will be required to provide an advance deposit for the estimated cost of the candidate's statement. Because it will not be known until after the nomination period closes what the actual costs will be, the Ventura County Registrar of Voters will require a deposit of \$1,053 for District 1 Candidates and \$1,121 for District 5 Candidates.

The Nomination Period

The nomination period for the City of Santa Paula City Council candidates is Monday, July 15 through Friday, August 9, 2024. If any incumbent does not file nomination papers by August 9, there will be an extension period August 10 through August 14, for the incumbent's district. For the duration of the nomination period, the City Clerk's Office furnishes interested persons with all necessary paperwork to run for office (i.e., Nomination Papers, Conflict of Interest, optional Candidate Statement, etc.) as well as information related to State and local campaign disclosure regulations.

STRATEGIC PLAN:

FISCAL IMPACTS:

The estimated cost of the Election is approximately \$25,000, which has been included in the Council's adopted budget for FY 2024/25.

OPTIONS:

ATTACHMENTS:

[Reso 7525 Consolidating Elections.docx](#)

[Reso 7526 Establish Requirement for Candidate Statements.docx](#)

RESOLUTION NO. 7525

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICIALS, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO CONSOLIDATE SAID MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

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

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

- A. Pursuant to Santa Paula Municipal Code Section 30.05, the General Municipal Election for Municipal Officers shall be held on the same day as the Statewide General Election (the first Tuesday after the first Monday of November in each even-numbered year);
- B. The next General Municipal Election/Statewide General Election is scheduled for November 5, 2024 for the election of one City Council Member to District 1, and one City Council Member to District 5, for the full term of four years each;
- C. In order to increase voter participation and convenience, as well as reduce the costs of conducting general municipal elections in the City, the City Clerk (as the City's Elections Official) requests consolidation of the General Municipal Election with the Statewide General Election, thereby authorizing the Ventura County Registrar of Voters to conduct the General Municipal Election pursuant to the procedures set forth in California Elections Code Section 10403;
- D. It is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city; the precincts, polling places and election officers of the two elections be the same, and that the election department of the County of Ventura canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

SECTION 2: *Calling of the General Municipal Election.* That pursuant to the requirements of the laws of the State of California, there shall be, and there is hereby called and ordered held in the City of Santa Paula, County of Ventura, State of California, on Tuesday, November 5, 2024, a General Municipal Election of the qualified electors of the City for the purpose of electing one City Council Member to District 1, and one City Council Member to District 5, for full terms of four years each.

SECTION 3: *Request for Consolidation.* That pursuant to Elections Code Section 10403, the City Council hereby requests the Ventura County Board of Supervisors to consent and agree to consolidate the General Municipal Election with the Statewide General

Election to be held within the City on Tuesday, November 5, 2024 for the purpose of electing the officers identified above.

SECTION 4: *Notice of Election.* That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 5: *Election Related Services.* Pursuant to Elections Code Section 10002, the City of Santa Paula requests and authorizes the Ventura County elections official to provide the services necessary to implement the election and to consolidate the election on the November 5, 2024 Election Ballot for the County of Ventura.

SECTION 6: *Ballots in Form Required by Law.* That the ballots to be used at the election shall be in form and content as required by law.

SECTION 7: *Hours of Operation for Election Facilities.* That the polls, ballot drop boxes, vote centers and any other means of submitting election ballots shall be open and remain continuously open for the times consistent with the Statewide General Election; and that vote-by-mail procedures and timing, the election officers, and all other persons and procedures for the General Municipal Election shall be the same as those utilized by the County of Ventura pursuant to the California Elections Code.

SECTION 8: *Canvass of Returns.* The County election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. Pursuant to Elections Code Section 10418, the election will be held and conducted in accordance with the provisions of law regulating the Statewide General Election.

SECTION 9: *Necessary Steps.* The City Clerk is authorized, instructed, and directed to coordinate with the Ventura County Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct said election.

SECTION 10: *Instructions to County Election Department.* The Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 11: *Costs.* The City of Santa Paula recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 12: *Tie Vote.* That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Ventura election department, the City Council, in accordance with Elections Code 15651(a), shall set a date and time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot.

SECTION 13: That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14: *Filing of Resolution.* The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the election department of the County of Ventura.

SECTION 15: *Implementing Actions.* The City Manager and the City Clerk, as authorized by the City Manager, are further authorized and directed to take such further actions and execute such documents as are necessary to cause the election to be conducted on behalf of the City of Santa Paula.

SECTION 16: *Certification.* The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED and ADOPTED by the City Council of the City of Santa Paula this 19th day of June, 2024.

Leslie Cornejo, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

RESOLUTION NO. 7526

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024.

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

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

- A. Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

SECTION 2: *General Provisions.* Pursuant to Elections Code Section 13307, each candidate for elective office to be voted for an Election to be held in the City of Santa Paula on November 5, 2024 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 3: *Foreign Language Policy.*

(A) Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages required by the County of Ventura. The County is required to translate the candidate's statements into the following languages: **Spanish.**

(B) The County will print and mail voter information guides and candidate statements to all voters in English and Spanish. *or*

The County will mail separate voter information guides and candidate statements in another language to only those voters who are on the County voter file as having requested a voter information guide in a particular language. The County will make the voter information guides and candidates statements in the required languages available at all polling places or vote centers, on the County website, and in the Election Official's office.

SECTION 4: *Payment.* Candidates filing a statement must pay to the City the following:

- A. A fee equal to a candidate's pro rata share of the total actual cost for printing, handling, translating, and mailing candidate statements.
- B. At the time of filing a statement, candidates in District 1 will deposit \$1,053, and candidates in District 5 will deposit \$1,121 with the City Clerk which represents the following estimated costs: printing the statement in the voter's pamphlet in English, cost of translating the statement into Spanish, and cost of printing the statement in the voter's pamphlet in Spanish. The estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements.
- C. Should a candidate's actual pro rated cost exceed the amount on deposit with the City Clerk, the candidate will, within thirty (30) days of receiving an invoice, pay the City Clerk any difference between the deposit amount and the actual cost.
- D. Should a candidate's actual pro rated cost be less than the amount deposited with the City Clerk, then the City Clerk will refund any overpayment to a candidate after a final invoice from Ventura County has been provided for verification of overage of payment.

SECTION 5: *Miscellaneous.*

- A. All translations shall be provided by professionally-certified translators.
- B. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 6: *Additional Materials.* No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 7: That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 8: That this resolution shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 9: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED by the City Council of the City of Santa Paula this 19th day of June, 2024.

Leslie Cornejo, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Caesar Hernandez, Management Analyst

Subject: APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT (HCD) SEEKING A PROHOUSING
DESIGNATION BY THE STATE

Date: June 19, 2024

Agenda Item: 11.C

RECOMMENDATION:

Staff recommends the City Council:

Adopt Resolution No. 7521, authorizing the City Manager's designee to: 1) submit a Prohousing Designation Program application to the California Department of Housing and Community Development (HCD); and if the application is approved by HCD, 2) to execute all documents deemed necessary or appropriate to participate in the Prohousing Designation Program.

Presented By: Caesar Hernandez, Management Analyst

BACKGROUND:

On June 5th, 2024, Staff presented a Consent Item requesting that the City Council consider a Prohousing Designation Program application to the California Department of Housing and Community Development (HCD). After discussion, City Council requested that the item be continued to the next available meeting for clarification. Some of the items of concern included the following:

The City will not lose any time if Staff would like to further review. It is not time sensitive.

In 2019, AB 101 established the Prohousing Designation Program (PDP) administered by the California Department of Housing and Community Development (HCD). The PDP creates incentives for jurisdictions that are compliant with housing laws, housing element requirements, and have enacted Prohousing policies in the following four (4) categories: Favorable Zoning and Land Use, Accelerating Production Timeframes, Reducing Construction and Development Costs; and Providing Financial Subsidies.

The City of Santa Paula has an opportunity to become one of the selected jurisdictions of the

Prohousing Designation jurisdictions in the State of California - gaining a competitive advantage for critical grant funding and demonstrating to the housing development community, statewide, that the City of Santa Paula is focused on accelerating housing production.

Jurisdictions awarded a Prohousing Designation will receive a competitive advantage for critical affordable housing and infrastructure grant programs.

ANALYSIS:

The Community and Economic Development Department has determined that the City qualifies for inclusion in the program, based on the City's existing policies and programs in progress. The City's application does not commit the City to any policies or programs not already adopted. The program criteria and self-scoring sheet is submitted to HCD as part of the City's application and a draft has been provided as Attachment 1 for review.

The Prohousing Designation Program is consistent with the City's current 2021-2029 Housing Element's goals and programs, including the following:

Policy 1.5 Continue to implement the mobile home rent review ordinance to ensure the affordability of mobile homes.

Policy 2.7 Continue implementation of the City's Inclusionary Housing regulations.

Policy 3.4 Provide adequate housing sites for special needs groups, including the elderly, homeless, and agricultural workers, through appropriate zoning designations and regulations.

Policy 4.1 Offer financial and/or regulatory incentives, including density bonuses, where feasible to off-set or reduce the costs of developing affordable housing.

Policy 4.2 Periodically review City regulations, ordinances, and residential fees to ensure that they do not unduly constrain housing development.

Policy 5.1 Continue to enforce fair housing laws prohibiting arbitrary discrimination in the building, financing, selling or renting of housing on the basis of race, religion, family status, national origin, physical disability or other such circumstances.

Policy 5.2 Continue to financially support the provision of fair housing services to City residents.

The City of Santa Paula is facing a statewide challenge of providing an adequate supply of affordable housing. The City continues to pursue new sources of local, state and federal affordable housing funding, in order to create more affordable housing opportunities. A Prohousing Designation will provide the City of Santa Paula with a competitive advantage for critical affordable housing and infrastructure grant programs.

STRATEGIC PLAN:

Though this item does not promote an objective from the City's Two-Year Strategic Plan, it is consistent with Goal B (Economic Development): Enhance the economic vitality of the

community through measures targeted towards development and business retention and expansion and attraction, resulting in diverse housing options, increased revenue generation, job creation, and a business-friendly community.

FISCAL IMPACTS:

City Staff have prepared the draft application for the Prohousing Designation using currently budgeted staff time. No funding from the General Fund is required. Granting of the Prohousing designation would provide the City with a competitive advantage for several State grant funding programs, which could make more funding available to the City.

OPTIONS:

The Council is under no obligation to support this request and could deny moving forward with an application or provide alternate direction to staff.

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Dan Singer, City Manager

Subject: FUTURE AGENDA ITEMS

Date: June 19, 2024

Agenda Item: 12.A

RECOMMENDATION:

Staff recommends City Council review future agenda items and give consideration to one Councilmember request for future discussion and action.

Presented by: Dan Singer, City Manager

BACKGROUND:

The attached Future Agenda Items forecast identifies anticipated agenda items for upcoming Council meetings as well as Study Session topics and long-range discussion items. Placing this forecast on the agenda affords the Council and the public the opportunity to discuss such topics and to make any recommendations. It should be noted this is only a forecast and may change over the course of time or based on feedback by the Mayor and City Manager during review of future agendas.

ANALYSIS:

In accordance with the Council's adopted Manual of Procedural Guidelines, Section 5.1, Vice Mayor Chavez has introduced a request, Attachment B, to research and bring forth options regarding vacant properties within the City's Main Street corridor. Council is provided the opportunity to review this request and discuss placing it on a future agenda or taking other appropriate action.

STRATEGIC PLAN:

FISCAL IMPACTS:

OPTIONS:

ATTACHMENTS:

[6.19.24_Future Agenda Items.docx](#)

[Attachment B - Council Agenda Request Form - Vacant Property Ordinance.pdf](#)



Santa Paula City Council Tentative Agenda Schedule

	July 2, 2024	
CDD	Community Development Department Report	
Admin	City Manager Department Report	
PD	Police Department Report	
Finance	Balanced Budget Policy	
Finance	FY 24/25 Budget Update	
HR	Personnel Rules & Reg Policy Update	
PW	Peck Rd Water Main Repair Cost	
PW	PMP Pavement Maint Award	
CDD	Commercial Building District Live Entertainment Ord	
	STUDY SESSION TOPICS	
Admin	No Smoking Ordinance	
Finance	Development Impact Fees (DIF)	
CDD	Cultural Arts	
CDD	Citigate Report & Recommendations w/Planning Commission	June
	FUTURE AGENDA ITEMS	
PW	Wastewater Collection System Chloride Study Final Report	August
P&R	Union Oil Building Tenant Selection	August
Finance	Update on Utility Bills	
PW	Plans & Specifications for 8 th Street Streetlight Repair Project	
CDD	ADU Ordinance	
Legal	Fire MOU Amendment	
Finance	2023 City Audit	
Clerk	Update City's Retention List	

Agenda Request Form

For Council Discussion Purposes

Name: Pedro A Chavez	Proposed Meeting Date: June 19, 2024	Date: 5/30/2024
Type: Recognition _____ Proclamation _____ Policy _____ Resolution _____ Ordinance ☒ Other _____		
Title: Main Street Vacant Property Ordinance		
General Description: Request that staff research and bring forth proposed options for Council to consider regarding the establishment of a vacant property ordinance for our Main Street coordinator to spur economic vitality.		
Purpose / Objective: Vacant properties have a detrimental impact on local businesses and do not promote economic vitality. Vacant properties do not generate sales tax revenue, create jobs nor inspire economic development. As part of our strategic plan, this Council has committed itself to enhance the economic vitality of the community through measures targeted towards development and business retention and expansion and attraction, resulting in diverse housing options, increased revenue generation, job creation, and a business-friendly community.		
Staff Use Only		
Est. Fiscal Impact: \$ <u>Unknown</u>	Budgeted: Yes ☐ No ☒	Est. Time Impact: 40-60 hours
Anticipated Start Date: Already underway	Anticipated Completion Date: Winter 2024	
Strat Plan Consistency? Yes	Gen Plan or SPMC Consistency? Yes	
Assigned to (Department): Community Development Department	Assigned to (Person): Esteban Herrera, Fellow; James Mason, CED Dir.	
Committee Assignment: Economic Development Standing Committee		