

City of Santa Paula

City Council

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



CITY COUNCIL REGULAR MEETING OF THE SANTA PAULA CITY COUNCIL

WEDNESDAY, FEBRUARY 1, 2023

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, INTERIM CITY ATTORNEY

BRINGING ITEMS BEFORE THE CITY COUNCIL

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.

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 will be referred to staff or considered on a future agenda.
2. **Agenda Items:** Items being considered by the City Council may appear on the Consent Calendar, as an 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.

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. PRESENTATIONS

5.A VENTURA COUNTY FIRE DEPARTMENT REPORT

5.B

**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT QUARTERLY
REPORT (MAY 2022 – DECEMBER 2022)**

RECOMMENDATION:

That the City Council receive and file the report.

5.C EXPLORER'S COMPETITION PRESENTATION

6. 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.

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 EXTEND APPROVAL TO HOLD VIRTUAL CITY COUNCIL, COMMISSION, COMMITTEE, BOARD AND OTHER CITY BODY MEETINGS PURSUANT TO AB 361

RECOMMENDATION:

Staff recommends that the City Council:

1. Extend Approval to hold Virtual City Council, Commission, Board, and other City Body Meetings Pursuant to AB 361.

9.B APPROVAL OF SIDE LETTER AGREEMENT WITH THE MID-MANAGEMENT ASSOCIATION TO CORRECT 2021-2023 MEMORANDUM OF UNDERSTANDING

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the proposed Side Letter Agreement with the Mid-Management Association.
2. Authorize the City Manager to sign the Side Letter Agreement.

9.C CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) LOCAL AGENCY TECHNICAL ASSISTANCE (LATA) GRANT BUDGET APPROPRIATION

RECOMMENDATION:

Staff recommends that the City Council:

Approve a budget allocation of \$192,050.00 in new revenue and matching expenditures from the California Public Utilities Commission (CPUC) Fund 319 (Miscellaneous State Grants), as noted in the Fiscal Impact section of this report.

9.D APPROVAL OF PLANS AND SPECIFICATIONS FOR THE PECK ROAD WATER LINE REPAIR PROJECT

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that the Peck Road Water Line Repair Project is exempt from the California Environmental Quality Act (CEQA) as a Class 2 Categorical Exemption (replacement/reconstruction).
2. Adopt Resolution No. 7440 approving the plans and specifications for the Peck Road Water Line Repair Project.
3. Authorize Staff to advertise for Project bids.

9.E **CALIFORNIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY CERTIFICATIONS**
RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 7438 Authorizing and Directing the Public Works Director or His Designee to Execute Right of Way Certifications Required for Projects Administered by the State of California Department of Transportation (Caltrans).

9.F **ENERGY EFFICIENCY PROGRAM STATUS REPORT**
RECOMMENDATION:

Staff recommends that the City Council:

1. Staff recommends that Council receive and file this staff report.

9.G **ADOPT A RESOLUTION TERMINATING THE LOCAL EMERGENCY DECLARED BY THE CITY AS A RESULT OF THE COVID-19 PANDEMIC AND REPEALING CITY LEGISLATION RELATED TO THE COVID-19 PANDEMIC**
RECOMMENDATION:

Staff recommends City Council:

1. Adopt Resolution No. 7444, terminating the local emergency declared by the City of Santa Paula as a result of the COVID-19 pandemic and repealing specified City legislation related to the COVID-19 pandemic.

10. ACTION ITEMS

10.A **APPOINTMENTS TO COMMISSIONS AND COMMITTEES**
RECOMMENDATION:

Staff Recommends that the City Council:

Appoint applicants to various Commissions and Committees.

Presented by: Julie Latshaw, City Clerk

10.B **CITY COUNCIL APPOINTMENTS TO THE CLEAN POWER ALLIANCE (CPA) BOARD OF DIRECTORS AND WAYFINDING COMMITTEE**
RECOMMENDATION:

Staff recommends City Council:

1. Consider the appointment of a primary and alternate member to represent the City on the Clean Power Alliance (CPA) Board; and
2. Consider an appointment to a review board assisting staff with the selection of a consultant to perform Wayfinding services for the City.

The Mayor may ratify appointments to these committees.

Presented by: Jonathan Royas, Management Analyst

10.C **ADOPTION OF RESOLUTION ESTABLISHING A CANNABIS STANDING COMMITTEE**

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No.7442 establishing the Cannabis Standing Committee to evaluate and make recommendations regarding City's cannabis regulations.

Presented by: Monica Castillo, Interim City Attorney

10.D **ADOPTION OF RESOLUTION ESTABLISHING A BROADBAND AND TECHNOLOGY STANDING COMMITTEE**

RECOMMENDATION:

Staff recommends City Council:

Adopt Resolution No. 7443 establishing a Broadband and Technology Standing Committee to address and make recommendations regarding city broadband and infrastructure needs.

Presented by: Monica Castillo, Interim City Attorney

10.E **CONSIDERATION OF A RESOLUTION PROCLAIMING A STATE OF EMERGENCY IN REPOSE TO SEVERE STORMS**

RECOMMENDATION:

1. Staff recommends City Council adopt a resolution proclaiming a state of emergency as a result of severe storms.
2. If the proposed resolution is adopted, direct the City Clerk to bring back to City Council every 60 days an item on the continuing existence of the local emergency until the resolution is rescinded.

Presented by: Monica Castillo, Interim City Attorney

11. ITEMS FOR FUTURE AGENDAS

11.A **FUTURE AGENDA ITEMS**

RECOMMENDATION:

Staff recommends City Council Review Future Agenda Items.

Presented by: Dan Singer, City Manager

12. ADJOURNMENT

State of California)-

County of Ventura)- ss

City of Santa Paula)-

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

On _____ at _____ Signed: _____

Julie Latshaw

City Clerk

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: James Mason, Community & Economic Development Director

Subject: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
QUARTERLY REPORT (MAY 2022 – DECEMBER 2022)

Date: February 1, 2023

Agenda Item: 5.B

RECOMMENDATION:

That the City Council receive and file the report.

BACKGROUND:

STAFF UPDATES

Since the last update, the department hired Dan Schultz as the new Building Official and promoted Tom Tarantino to Planning & Economic Development Manager.

The Planning Division saw the departure of the Community Development Technician and, as of next week, one of the Assistant Planners (Taylor Hernvall). The Associate Planner position is also vacant, following the promotion of Tom Tarantino.

The Building & Safety Division saw the departure of the Permit Technician, which remains vacant.

The department coordinated with Human Resources to successfully recruit and fill the vacant Community Development Technician position, with Noah Zeker starting on January 17th, and will continue to work with Human Resources on recruitment and advertising strategies to fill the remaining vacancies.

The department also executed a new agreement with m6 Consulting to expand services in Building, Code and Plan Check to help further expedite the expanding volume of development submittals.

PLANNING DIVISION

2021-2029 Housing Element Update

City Council adopted the revised Housing Element in May 2022 and staff resubmitted to HCD. Planning received additional comments from HCD in August 2022; which, similar to multiple

cities throughout the state, requested an unprecedented level of detail. Many of the comments also clearly showed that HCD simply overlooked the corrections made in the resubmittal. The letter of support from the Santa Paula Affordable Housing Task Force, which was included with the resubmittal, also seemed to be disregarded in HCD's review.

Now nearly two years past the original 2021 due date for Housing Element updates, only (3) of the (11) jurisdictions in Ventura County have received certification from HCD – one of which is the County itself.

Planning staff, along with the City's Housing Element consultant, met with the Santa Paula Affordable Housing Task Force again in late 2022 to gain feedback and address next steps. Planning also executed a contract revision with the consultant for the significant additional work that will be required for resubmittal.

Currently, Planning is targeting third submittal of the Housing Element for Q1 2023.

SPECIFIC PLAN UPDATES

Santa Paula West Business Park Specific Plan (SP-6)

The Project is within the West Area 2 Expansion Area as designated by the Santa Paula General Plan on the western edge of the City of Santa Paula and consists of ±54 acres of the 125-acre Expansion Area. The land uses envisioned within the Specific Plan will be a mix of low-intensity industrial (such as light manufacturing or research and development), professional offices, and supporting commercial businesses.

The applicant's contracted engineer and environmental consultant is amending the environmental report, the application, and the Specific Plan based on modification required by the County Watershed Protection District. Once the materials have been completed and reviewed, the application will go to LAFCo for an annexation hearing (estimated 2nd Quarter 2023).

East Area Specific Plan - Harvest Development

Approved project includes 1,500 new dwelling units of different types on approximately 500-acres. Construction continues on residential units and the first phase of development (586 units) is nearing completion. The project submittal for Phase II is under review and the tentative tract map was approved by City Council. The Santa Paula Creek bridge plans are being prepared for review by the city and initial submittals have been approved by the Army Corp of Engineers and county watershed protection (estimated completion spring 2024). The Sports Park site development has commenced and site grading is underway. The developer plans on submitting an amendment to the specific plan to add an additional 550 homes and negotiations for a new development agreement are underway.

East Gateway Specific Plan

Staff is reviewing the concept plans and layout for the medical facility at the southeast corner of Hallock Road and SR-126. The mix of uses that will include medical office, a hospital, senior care facility, outpatient surgical center, retail and potentially community college and residential development will require modifications to the original Specific Plan. The applicant is preparing environmental document and plan addenda.

COMMERCIAL DEVELOPMENT UPDATES

Gun Smoke BBQ (817 E Main St): Restaurant

Proposal for a new barbeque restaurant. Site development work is nearly completed. The sign permits and business license have been issued for the project and final improvements are underway. The opening date is planned for the end of April 2023.

La Terraza (1080 E. Main Street): Banquet Hall

Proposal for a new 6,672-sf multi-venue event space adjacent to La Terraza Restaurant. A new Conditional Use Permit was approved by the Planning Commission on January 26, 2022. The project building plans are ready for permitting and building improvements are underway.

Good Orchard Event Center and Café (133 Mill Street)

The initial project (Wesley Hall repurpose/renovation) which includes a catering and event center, café and alcohol license is nearing completion of plan review. The project site will be phased to include the future redevelopment of another existing onsite structure (Faulkner Hall) into apartments. Staff continues to closely engage with the developer regarding these phases and the potential to turn the existing church on the project site into an arts and event space.

Parque 1055 Bar and Grill (1055 East Main Street)

The applicant has submitted development plans for the project and they are under review. The project entails the redevelopment of an auto parts and repair facility into a bar and grill.

East Area Gateway (Hallock/126/Telegraph)

Staff continues to work with developers and property owners (Red Tail, Parkstone, Ward Construction, Wright Storage, etc.) on coordination opportunities for their respective projects and properties in the East Gateway area in hopes of promoting walkability, connection, and cohesion of amenities and services where possible. The owners of the four parcels on the southwest corner of Hallock and Telegraph) are working collaboratively on retail development proposals that that includes grocery, multiple restaurants and other commercial/retail services.

INDUSTRIAL DEVELOPMENT UPDATE

Santa Maria Industrial Park (324 W. Santa Maria Street): Industrial Park

Project approved by Planning Commission in 2012. City staff continuing to coordinate with applicants to complete project. A conservation easement violation has been resolved and the project is continuing with requisite design and engineering submittals. The review of the Conditional Letter of Map Revision (CLOMR) which addresses project potential alterations to flood hydrology, has been completed by the county watershed protection district and the city and was submitted to FEMA for comments in early September. The city is still waiting for FEMA approval of the map revisions before allowing vertical construction to occur.

Santa Paula Self Storage Too (324 E Santa Maria St): Self Storage Facility

Proposal for a 5-building, 262-unit self-storage facility. Plans have been submitted and are under review. The project will commence development once the underlying Santa Maria

Industrial Park project has received FEMA approval.

ActionPac (270 Quail Court/1574 Lemonwood Drive)

The packaging equipment manufacturer recently relocated from Oxnard and is working on development plans to add additional buildings and tenants on the 5-acre site.

RESIDENTIAL DEVELOPMENT UPDATE

Santa Paula Public Benefit Housing/First-Time Homebuyer Program

Ventura County Community Development Corporation (VCCDC) has been selected for the administration of the program and staff will request budget appropriation from the Council. City staff and the VCCDC have conducted an orientation with the sales team at Harvest and are currently collaborating on marketing materials and program promotion. The program will be promoted in coming weeks.

Creekside Homes (Grant Line and Santa Paula St): New house

New 9-lot residential subdivision on Grant Line Road. Construction of 9 new single-family residences and detached accessory dwelling unit(s) are nearly completed. Project close-out is expected mid-2023.

“Arbor Executive Homes” – Sparkuhl Ranch (Forest Dr. and Cliff Dr.): New 19-du subdivision

All 19 homes have been sold, and onsite construction is largely complete. The project is being carefully monitored to ensure compliance with the conditions of approval as the final site improvement are being completed. Staff from Ventura Regional Sanitation District and City Public Works has been working to resolve sewer infrastructure issues resulting from existing equipment and the operation of the development’s sewer lift station.

People’s Self-Help Housing (PSHH) 714 W Harvard Blvd (Mt View RV Park)

Construction of the 69 deed-restricted affordable housing development broke ground in May 2022 and presently continues. Significant vertical construction is underway and project has an expected completion 4th Quarter 2023.

Former Kmart (859 Faulkner Rd.)

Harridge Development Group, LLC., the owner and developer for the site has submitted a preliminary plan for 240 market-rate apartment townhomes with an affordable component. Environmental review is underway for the project and development plan submittal is expected 2nd Quarter 2023

11th Street Townhomes

Ten market rate townhomes on Main Street and 11th Street. Design review has been completed and the project plans are currently under review.

King Building Apartments (929 East Main Street)

Six second-floor, market-rate apartment units above ground-floor retail. Project plan review is

complete. Staff is awaiting word from developer on construction start date, which may be on hold due to materials and financing costs.

Redtail Apartments (18004 East Telegraph Rd)

298-unit apartment complex at East Telegraph Rd. and Whipple Rd. - 162 affordable units (40 Very-Low and 122 Low) along with 136 market-rate units. The project will contribute significantly to the city's progress toward satisfying SCAG 6th Cycle RHNA requirements. The project received approval of Affordable Housing Plan to pair with by-right zoning entitlement at the January 24th Planning Commission meeting. Next steps are construction plan submittal and concurrent review of a development agreement and new parcel map.

Mixed-Use/Senior Living (603 East Main Street)

Mixed use senior living and commercial project composed of ~6,800 square feet of commercial and 27 senior apartments. Design review is complete.

Chaparral Aerolofts (Airpark)

Proposed project of thirty-seven aircraft hangar/residential units. The applicant is preparing for a concept review by staff to review the project engineering, fire safety and building plans. The applicant is currently working on a submittal for engineering and infrastructure plans based on collaboration with CalTrans and city public Works. Submittal of full development plans are delayed based on need for further financing.

Harvest at Limoneira (East Area 1)

All 586 lots for Phase I of the project have been sold to home builders and approximately 560 homes are occupied. Due to high interest rates, home sales have stalled. However, all three of the product lines are nearly sold out for Phase I of the development (Haun Creek). The developer is working on infrastructure for the next development phases.

Spirit of Santa Paula (1498 E. Harvard Blvd.) Homeless Services Center

Development improvements and operational permit for a homeless service center. The project is near completion and Building & Safety staff has been coordinating with the Ventura County Fire Department to finalize the final components of the development.

New Business Licenses

(25) new business licenses were issued in July – December 2022.

Development Applications

(3) new development applications were received in July – December 2022.

Planning Applications

(21) new planning applications were received in July – December 2022.

BUILDING AND SAFETY DIVISION

Permit and Fee Activity

July-December 2022

	NUMBER		PERMIT FEES	
PERMITS	2022	2021	2022	2021
BUILDING	172	381	\$159,412.17	\$535,697.10
PLUMBING	83	142	\$14,251.00	\$37,156.00
ELECTRICAL	156	226	\$22,300.00	\$58,691.50
MECHANICAL	75	148	\$12,948.00	\$37,595.00
TOTAL	486	897	\$208,911.17	\$669,139.60

Total permit valuation to date (2022 total): \$ **4,681,927.80**, Total permit valuation prior year (2021 total): **\$29,815,958.22**.

East Triangle Site (east of Hallock and SR 126)

Staff has received three proposals based on the request sent out late last year. The proposals are currently under review and staff, along with the development consultant (Kosmont), will be interviewing the respondents and will bring a final recommendation to City Council in the next 60 days.

Bender Property (Todd Rd and SR 126)

The developer, Bender Farms, is currently planning an additional 76,000 square foot industrial shell building and is scheduled to submit plans within the next 60 days. As a part of the project, improvements will be made to Todd Rd., Calpipe Rd. and Peck Rd.

Superior Market (280 Harvard Blvd)

Superior Grocers ("The Market") completed their renovation of the former Tresieras supermarket, and the new location is now fully operational.

OTHER ACTIVITIES

Homeless Encampment Mitigation

Staff continues to coordinate with the County Watershed Control District, County CEO's office, the Nature Conservancy, and local law enforcement on implementing new county legislation regarding encampments, particularly in the riverbed – including a large cleanup/relocation sweep completed just prior to this winter's severe storms.

Staff is coordinating with a development team to apply for State Encampment Resolution Funds (ERF) to develop 30-40 homeless transitional units at 1445 east Main Street. The team includes Many Mansions, Dignity Moves, Hope of the Mission, the Housing Trust Fund of Ventura County, Spirit of Santa Paula and the Ventura County Community Foundation. Following submittal of a letter of interest the city has received approval to submit an application for review by the Ventura County Continuum of Care who will be the coordinating agency for the state funds.

In addition, Many Mansions is working with the owners of the Harvard Motel (428 East Harvard Blvd) to utilize state Homekey funds to convert the hotel into homeless transition housing.

PLANNING COMMISSION ACTIVITY

May 24th, 2022:

Adopted Resolution No. 3837 approving a variance (Project No. 2022-VAR-01) to allow a reduced front and rear yard setback from 20 feet to 10 feet for the construction of a 2 ½ story single-family residence on a triangular shaped parcel and allow an 8-foot high rear yard fence along Harvard Boulevard.

July 26th, 2022:

Adopted Resolution No. 3838 approving a Minor Modification (22-MM-02) to amend Condition of Approval No. 31 of the Santa Paula Self Storage Too project, allowing site rough grading in preparation of the construction of a new self-storage building complex at two unaddressed lots on Santa Maria Street within the unfinished Santa Maria Industrial Park.

August 23rd, 2022:

Adopted Resolution No. 3839 recommending that the City Council approve Project No. 22-TM-01 for Vesting Tentative Tract Map No. 6074; a subdivision of 4 existing lots that would allow for the development of 121 residential condominium units and 6 lettered lots for private streets and landscaping, and approve the street names, subject to the conditions of approval.

Denied Resolution No. 3828, which would have recommended that the City Council adopt an ordinance to amend Chapter 16.21 and Chapter 16.79 and add Chapter 116 to the Santa Paula Development Code to allow cultivation, manufacturing, and/or wholesale distribution of cannabis within the Industrial (I) zoning district, subject to a conditional use permit and regulatory permit. The denial included an informal recommendation from the Planning Commission that the City Council revisit and/or consider putting the matter to a public vote.

Appointed Commissioner Kiesewetter as Planning Commission representative to the Economic Development Standing Committee.

September 27th, 2022:

Adopted Resolution No. 3840 approving Planned Development Permit No. 2022-PD-03 to construct a new two-story, 2,136 square foot, hillside single-family residence on a vacant lot located at 480 Monte Vista Dr., subject to the conditions of approval listed in the resolution.

December 6th, 2022:

Adopted Resolution No. 3842 recommending the City Council adopt an urgency ordinance to amend Chapter 16.227 of the Santa Paula Municipal Code relating to accessory dwelling units and junior accessory dwelling units and determining the ordinance to be exempt from the California Environmental Quality Act.

Adopted Resolution No. 3841 recommending the City Council consider approval of an

ordinance amending Chapter 16.77 to Title XVI of the Santa Paula Municipal Code relating to an expedited, streamlined permitting process for electric vehicle charging stations.

Adopted Resolution No. 3843 to approve amendments to Conditions 40 and 47 for Project No. 22-TM-01, Vesting Tentative Tract Map No. 6074 in the Harvest at Limoneira development.

Adopted Resolution No. 3844 recommending that the City Council adopt an ordinance approving amendments to Santa Paula Municipal Code Section 16.58 regarding regulation of business signage for establishments offering the sale of alcohol.

January 24th, 2023:

Adopted Resolution No. 3845 approving the Affordable Housing Plan for Project No. 22-CDP-01, the 298-unit apartment complex entitled by-right at 18004 E. Telegraph Rd., allowing modification of the codified inclusionary housing requirements for the project as permitted by SPMC § 16.13.407.

Appointed Commissioner Kiesewetter as Planning Commission representative to an ad hoc committee reviewing proposals for a citywide wayfinding program.

ANALYSIS:

NONE

STRATEGIC PLAN:

NONE

FISCAL IMPACTS:

NONE

OPTIONS:

NONE

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Julie Latshaw, City Clerk

Subject: EXTEND APPROVAL TO HOLD VIRTUAL CITY COUNCIL,
COMMISSION, COMMITTEE, BOARD AND OTHER CITY BODY
MEETINGS PURSUANT TO AB 361

Date: February 1, 2023

Agenda Item: 9.A

RECOMMENDATION:

Staff recommends that the City Council:

1. Extend Approval to hold Virtual City Council, Commission, Board, and other City Body Meetings Pursuant to AB 361.

BACKGROUND:

With the expiration of the Governor's Executive Order, the Governor signed into law Assembly Bill 361. Effective October 1, 2021, AB 361 allows local governments to continue to conduct remote virtual meetings so long as there is a state-proclaimed state of emergency and the legislative body makes mandatory findings.

On October 6, 2021, the Council unanimously voted to continue virtual City Council meetings under AB 361 by adopting Resolution No. 7369. In November, however, the Council returned to in-person meetings and allowed Resolution No. 7369 to lapse.

On January 19, 2022, the Council again unanimously voted to continue virtual City Council, Commission, Board, and other City Bodies meeting under AB 361 by adopting Resolution No. 7384.

In order to extend the ability to hold virtual City Council, Commission, Board, and other City Body Meetings pursuant to AB 361, the City Council must make the findings and determinations under AB 361 to again allow the Council to meet virtually. Because Governor Newsom will be terminating the state of emergency proclaimed in response to the COVID-19 pandemic on February 28, 2022, this will be the last time AB 361 may be invoked this year unless another state of emergency is proclaimed and other required conditions are met. On January 1, 2024, AB 361 will expire and legislative bodies will no longer be able to meet virtually under its provisions.

ANALYSIS:

In order to continue to qualify for AB 361's waiver of Brown Act teleconference meeting

requirements, the City Council must, within thirty (30) days of its first meeting under AB 361, and every thirty (30) days thereafter, make findings that (a) the Governor has proclaimed a state of emergency that continues to directly impact the ability of legislative body members to meet safely in person, or (b) state or local officials continue to recommend measures to promote social distancing.

The above conditions continue to exist at this time, and staff recommends the City Council by motion reconfirm the findings and determinations made in Resolution No. 7384 so that the City Council may continue to meet virtually under AB 361.

Lastly, it is important to note that AB 361 is optional. If the City Council wishes, it may meet in person. Again, this will be the final renewal of AB 361 findings this year unless the Governor proclaims another state of emergency and other necessary circumstances exist.

STRATEGIC PLAN:

None.

FISCAL IMPACTS:

There is no fiscal impact associated with this item.

OPTIONS:

1. Approve staff recommendations; or
2. Without a majority vote of the City Council every 30 days adopting the mandatory findings under AB 361, Resolution No. 7384 approving virtual meetings pursuant to AB 361 would lapse, requiring Council to hold in-person meetings until extended by a majority vote.

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Lorena Alvarez, Human Resources Manager

Subject: APPROVAL OF SIDE LETTER AGREEMENT WITH THE MID-MANAGEMENT ASSOCIATION TO CORRECT 2021-2023 MEMORANDUM OF UNDERSTANDING

Date: February 1, 2023

Agenda Item: 9.B

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the proposed Side Letter Agreement with the Mid-Management Association.
2. Authorize the City Manager to sign the Side Letter Agreement.

BACKGROUND:

Sections 8.3 of the 2021-2023 Memorandum of Understanding (MOU) between the City and the Mid-Management Association outlines which positions are eligible for a “Take-Home” vehicle to be used in the course of the performance of official duties and the positions that are eligible to receive a monthly car allowance.

ANALYSIS:

The City has traditionally assigned take-home vehicles to former incumbents of the Water Superintendent position as a benefit and to allow for the opportunity to better identify themselves in their official capacity, be more visible to the community, and respond to infrastructure emergencies during non-traditional business hours.

During the recent recruitment for the new Water Superintendent, staff noticed that the Water Superintendent position was omitted from the Mid-Management MOU as a position that will be assigned a “take-home” vehicle to be used in the course of performance of official duties. Staff is confident that this omission is a result of a clerical error and is seeking Council’s approval to enter into a side letter agreement (Attachment A) to reinstate the benefit and identify the Water Superintendent as a position that is eligible to be assigned a take-home vehicle.

Employees that are assigned “take-home” vehicles are expected to abide by the City’s Vehicle Use Policy and follow the established guidelines for use of City-owned vehicles. The personal use of a company-owned vehicle is also considered a taxable benefit, therefore employees that are assigned take-home vehicles will also be subject to IRS rules as outlined in

Publication 15B.

This change is outlined and included in the Side Letter Agreement attached as Exhibit "A" contemplated herein.

STRATEGIC PLAN:

This item is not a goal or objective in City Council's two-year Strategic Plan, however, the use of a "take-home" vehicle by the Water Superintendent in this case allows staff to quickly respond to infrastructure emergencies during non-traditional business hours which can affect residents and businesses within the community.

FISCAL IMPACTS:

There is a vehicle available for take home use by the Water Superintendent and sufficient budget within the appropriate line items to cover gas and incidental expenses. As mentioned above, any vehicles subject to taxation will be dealt with in accordance with IRS guidelines. There are no additional fiscal impacts from this side letter agreement.

OPTIONS:

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

1. Do not approve the Side Letter Agreement. In doing so, however, the employee will receive a car allowance in lieu of a "Take-Home" vehicle.

ATTACHMENTS:

[Exhibit A - Mid Management Association Side Letter Agreement.pdf](#)

SIDE LETTER AGREEMENT

CITY OF SANTA PAULA

AND

MID-MANAGEMENT ASSOCIATION

This Side Letter Agreement to the 2021-2023 Memorandum of Understanding (MOU) ("Side Letter") is entered by and between the City of Santa Paula ("City") and the Mid-Management Association ("Association") as of the Effective Date. City and Association may sometimes be referred to herein individually as a "Party" and collectively as the "Parties."

The City recognizes that the Water Superintendent classification was omitted from Section 8.3 *City Vehicle Usage* of the 2021-2023 Memorandum of Understanding (MOU) as a clerical error and restates Section 8.3 as follows.

Section 8.3 – City Vehicle Usage

The City will assign "Take-Home" vehicles for Safety positions, Chief Building Official and Water Superintendent to be used in the course of the performance of official duties and as authorized by the City Manager.

The persons signing this Side Letter represent they are authorized to sign on behalf of their respective Parties. This Side Letter will be effective as of the later date shown below ("Effective Date").

For the City of Santa Paula

Dan Singer, City Manager

Date: _____

For the Mid-Management Association

Beatriz Jimenez, Assistant Finance Director

Date: _____

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Management Analyst

Subject: CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) LOCAL
AGENCY TECHNICAL ASSISTANCE (LATA) GRANT BUDGET
APPROPRIATION

Date: February 1, 2023

Agenda Item: 9.C

RECOMMENDATION:

Staff recommends that the City Council:

Approve a budget allocation of \$192,050.00 in new revenue and matching expenditures from the California Public Utilities Commission (CPUC) Fund 319 (Miscellaneous State Grants), as noted in the Fiscal Impact section of this report.

BACKGROUND:

On October 20, 2022, the City of Santa Paula applied for a California Public Utilities Commission (CPUC) Local Agency Technical Assistance (LATA) Grant to support Council's Strategic Goal C. *Infrastructure, Transportation & Mobility*, Objective #4. "Explore opportunities for Broadband High-Speed Internet" by funding the development of a Broadband Strategic Plan for the City.

On December 8, 2022, the California Public Utilities Commission (CPUC) awarded the City of Santa Paula a grant allocation (Exhibit A) in the amount of \$192,050 to create a Broadband Strategic Master Plan for the City.

ANALYSIS:

A Santa Paula Broadband Strategic Master Plan will help create a strategy to understand the broadband needs of our residents and is alignment with City Council's two-year Strategic Plan, Section C. *Infrastructure, Transportation & Mobility*, Objective #4, "Explore opportunities for Broadband High-Speed Internet."

Funding from this grant will allow staff to hire a consultant to explore broadband opportunities in Santa Paula for residents, particularly among the City's most under-resourced and/or underserved households and businesses. In addition, the grant will assist staff with an analysis of City broadband related infrastructure now and for the future as well as explore potential partnerships with the County Broadband Consortium middle mile project proposed along the rail corridor. Lastly, the plan will provide staff with "shelf" ready design plans and

solutions to help us go after additional funding should Council desire to do so.

Total Grant Amount: \$192,050

No matching funds are required on behalf of the City. This item is being presented to the Council to request recognition of new revenue and matching expenditures as outlined in the fiscal impact section of this staff report.

STRATEGIC PLAN:

Approval of this item moves the City closer to completing City Council's two-year Strategic Plan, Section C. Infrastructure, Transportation & Mobility, Objective #4, "Explore opportunities for Broadband High-Speed Internet," by approving new revenue and matching expenditures which will fund the analysis of broadband opportunities across Santa Paula for both residents and City facilities and infrastructure.

FISCAL IMPACTS:

A new budget allocation of \$192,050 in revenue and matching expenditures is needed.

The following budget adjustment is recommended:

Account	Description	Debit (Increase Expense)	Credit (Increase Revenue)
319-5-0511-209	Prof Svcs. Expenses	\$192,050	
319-4-0511-4277	Prof Svcs Revenue		\$192,050

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 not have the necessary funding to move forward with a Broadband Master Plan, thereby forfeiting the awarded grants funds; or
2. Provide staff with alternate direction.

ATTACHMENTS:

[Exhibit A - City of Santa Paula LATA Award.pdf](#)

EXHIBIT A -
CITY OF SANTA
PAULA LOCAL
AGENCY
TECHNICAL
ASSISTANCE (LATA)
GRANT AWARD
LETTER



PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA
505 VAN NESS AVENUE | SAN FRANCISCO, CALIFORNIA 94102
300 CAPITOL MALL | SACRAMENTO, CALIFORNIA 95814

December 8, 2022

Jonathan Royas
jroyas@spcity.org
Broadband Strategic Plan

Dear Jonathan Royas,

Congratulations! The California Public Utilities Commission is pleased to inform you that the City of Santa Paula's application for Local Agency Technical Assistance grant funding for the Broadband Strategic Plan in the amount of up to \$192,050 has been approved.

Pursuant to Decision (D.) 22-02-026, Staff is authorized to approve applications that meet all the criteria for Ministerial Review. Your application was received on October 20, 2022 and was posted on the CPUC's Local Agency Technical Assistance webpage. Staff reviewed your application and determined that your application is eligible for a grant and meets eligibility criteria for Ministerial Review.

The award is predicated on the City of Santa Paula's agreement to provide technical assistance as detailed in its application. In its application, the City of Santa Paula agreed to comply with the specified Ministerial Review criteria as well as to fulfill all requirements, guidelines, and conditions associated with a grant of Local Agency Technical Assistance funds as specified in D.22-02-026 including but not limited to execution and performance, payment, reporting and award acceptance requirements listed in Attachments 1 and 2 of this letter. Please sign and submit the following: 1. A [Consent Form](#) binding your organization to the terms of the grant and 2. A State of California [Government Agency Tax Payer ID Form](#) for tax reporting purposes. **You must submit these documents within 30 days of the date of this letter. If you do not, this award is void.**

Thank you for your application and please direct any questions to Michael Ammermuller (Michael.Ammermuller@cpuc.ca.gov) and/or refer to the Grantee Administrative Manual, available at <https://bit.ly/CPUCLATA>.

We appreciate your efforts to provide service to our fellow Californians.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Osborn", is written over a horizontal line.

Robert Osborn
Director
Communications Division

ATTACHMENT 1

Requirements

The grant award is predicated on the City of Santa Paula's agreement to provide technical assistance as detailed in its application. In its application, the City of Santa Paula agreed and attested to comply with the specified Ministerial Review criteria as well as fulfilling all requirements guidelines, and conditions associated with a grant of Local Agency Technical Assistance funds as specified in D.22-02-026, including but not limited to execution and performance, payment, reporting and award acceptance requirements. Key requirements of Local Agency Technical grant include, among others:

- All costs are related to the development of broadband network deployment projects to benefit unserved or underserved Californians. These projects may include, but are not limited to, the costs of joint powers authority formation, environmental studies, network design, and engineering study expenses.
- Grant may not exceed \$500,000 per local agency, per fiscal year
- A signed affidavit agreeing to comply with the terms, conditions and requirements of the grant and submits to the jurisdiction of the Commission with respect to the disbursement and administration of the grant as well as applicable state and federal rules concerning broadband services.
- Grantee must sign a Consent Form agreeing to the terms stated in the award letter as well as all Local Agency Technical Assistance Rules and Requirements, Guidelines and Application Materials in D.22-06-026.
- Grantee must complete the reimbursable work product within 24 months.
- Grantee must provide Staff a copy of the final reimbursable work product.

Reporting

The grant award is contingent upon fulfilling the reporting requirements per D.22-06-026, Attachment 1.

SB 156 requires grantees to fulfill the monthly reporting requirements set forth in Public Utilities Code section 281(l)(1) if they are using a licensed contractor or subcontractor* to undertake a contract or subcontract in excess of twenty-five thousand dollars (\$25,000). The Commission is required to post that information on its website. Specifically, SB 156 requires the following to be reported to the Commission on a monthly basis:

- The name and contractor's license number of each licensed contractor and subcontractor undertaking a contract or subcontract in excess of twenty-five thousand dollars (\$25,000) to perform work on a project funded or financed pursuant to this section.
- The location where a contractor or subcontractor described in subparagraph (A) will be performing that work.
- The anticipated dates when that work will be performed.

*Licensed contractor or subcontractor means any contractor that holds a California state license through the contractor's state license board (<https://www.cslb.ca.gov/>).

Post-completion

Upon completion of the reimbursable work product and before final payment, Grantees must:

- Provide a signed completion form stating the technical assistance work has been completed suitable to be posted on the Commission's webpage. The signed completion form must be provided prior to final payment and must include a short summary of the reimbursable work product(s) performed under the contract, including demonstration that the reimbursable work product(s) identify broadband infrastructure deployment projects that will help achieve the CASF deployment goal, and identification of the area(s) where the applicant intends to deploy broadband based on the reimbursable work product(s).

Provide a copy of each reimbursable work product's final report(s), plans, studies, etc. produced under the contract.

Payment

Payment will be made directly to the local agency as the grant recipient. Local agency grantees may request partial reimbursement if they complete one or more of the approved reimbursable work products prior to completion of other reimbursable work products approved in the same grant authorization. Payment will be based upon receipt and approval of an invoice(s) submitted by the local agency showing the expenditures incurred for the reimbursable work product, along with the reimbursable work product final report/study/joint powers agreement, etc., and the completion reporting required above. The invoice(s) must be supported by documentation including but not limited to the actual cost of labor and any other expense that will be recovered by the grant.

To the extent that any portion of an award was used to reimburse a local agency for administrative costs associated with securing or completing a reimbursable work product, the local agency must submit an itemized accounting of such costs, demonstrating the total requested for reimbursement does not exceed 15 percent of the total authorized award. If any portion of reimbursement is found to be out of compliance, grantees will be responsible for refunding any disallowed amount along with appropriate interest rates determined in accordance with applicable Commission decisions. Grantees are required to maintain records such as files, invoices, and other related documentation for five years after final payment. Grantees shall make these records and invoices available to the Commission upon request and agree that these records are subject to a financial audit by the Commission at any time within five years after the final payment made to a grantee.

Execution and Performance

The City of Santa Paula must complete the project within the 24-month timeframe in accordance with the terms of approval granted by the Commission. If the Grantee is unable to complete project within the 24-month timeframe, it must notify the Commission or Director of Communications Division as soon as it becomes aware of this prospect. The Commission may reduce or withhold payment for failure to satisfy this

requirement. In the event that the Grantee or contractor fails to complete the work in accordance with the approval granted by the Commission, and as described in its application and contract, the Grantee must reimburse some or all of the funds it has received.

The City of Santa Paula must sign and submit the linked [Consent Form](#) agreeing to the terms of the award **within 30 calendar days from the date of this letter**. Failure to submit the Consent Form within the timeframe required, the CPUC will deem the grant or award null and void.

The City of Santa Paula must communicate in writing to the Communications Division's Director regarding any changes to the substantive terms and conditions underlying the Commission's approval of the grant (such as changes to a reimbursable work product contract, work plan or budget) at least 30 days before the anticipated. Substantive changes may require approval by either the Communications Division Director or by Commission Resolution before becoming effective.

The Commission has the right to conduct any necessary audit, verification, and discovery for work proposed or completed under the technical assistance to ensure that funds are spent in accordance with Commission rules and with the terms of approval by the Commission.

Attachment 2**Local Agency Broadband Technical Assistance Reporting Requirements and Guidelines**

Version October 2022

The Local Agency Technical Assistance program provides grants for eligible pre-construction work which facilitates the construction of broadband network projects. When the California Public Utilities Commission (CPUC) established the technical assistance grant program, the program was funded with American Rescue Plan Act monies administered by the U.S. Treasury. The source of technical assistance funding has changed. This guidance outlines grantee reporting.

The Commission issued [Decision \(D.\) 22-02-026](#) establishing program requirements for the Local Agency Technical Assistance Grant Program.

Grantees must file **quarterly** progress reports to the Commission with the below information.

Narrative Project Information

- 1.1 The counties, cities and census designated places where households, businesses, and community anchor institutions are planned to be served by the broadband project.
- 1.2 Confirmation that the technical assistance is designed to support projects that, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds.
- 1.3 Statement of intention about the pricing plans for projects that the technical assistance will support, such as offering of affordable plan or low-income plan subsidized with other funding (ACP).
- 1.4 Information on broadband need in the project area.
- 1.5 Statement describing the community benefits of broadband technical assistance.

Detailed Project Information

- 2.1 Individual work products granted by the program.
 - o Dollars/hours expended per task/work product.
- 2.2 Estimated construction start date (month/year).
- 2.3 Estimated construction completion date (month/year).
- 2.4 Estimated initiation of operations date (month/year).
- 2.5 Planned project technology type(s):
 - o Fiber
 - o Coaxial Cable
 - o Terrestrial Fixed Wireless
 - o Other (specify)
- 2.6 Estimated total miles of fiber to be deployed.

2.7 Planned number of locations to be served, broken out by type:

- o Residential locations
- o Business connections
- o Community anchor institutions

2.8 Planned non-promotional prices including associated fees, speed tiers, and data allowance for each speed tier.

2.9 Other data on broadband need, by location.

Submission

To assist grantees with the filing of quarterly progress reports to the Commission, a sample of the reporting requirements is found in Attachment A of this document: <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/broadband-implementation-for-california/technical-assistance-reporting-requirements-oct-2022.pdf>

Planned project information listed in Attachment A should be submitted on a quarterly basis to the Commission's email at StatewideBroadband@cpuc.ca.gov. Grantees need to include in the email subject line:

1. Application Name
2. Project Name
3. The Reporting Quarter/Month

Updated quarterly project submissions are required to be sent by the due dates shown below. Grantees are responsible for contacting the Commission at StatewideBroadband@cpuc.ca.gov, if the information cannot be submitted on time.

Reporting Period	Project Information Due to CPUC
October 1 – December 31, 2022	January 2, 2023
January 1 – March 31, 2023	April 1, 2023
April 1 – June 30, 2023	July 1, 2023
July 1 – September 30, 2023	October 1, 2023
October 1 – December 31, 2023	January 2, 2024
January 1 – March 31, 2024	April 1, 2024
April 1 – June 30, 2024	July 1, 2024
July 1 – September 30, 2024	October 1, 2024
October 1 – December 31, 2024	January 2, 2025
January 1 – March 31, 2025	April 1, 2025
April 1 – June 30, 2025	July 1, 2025
July 1 – September 30, 2025	October 1, 2025
October 1 – December 31, 2025	January 2, 2026
January 1 – March 31, 2026	April 1, 2026

CALIFORNIA PUBLIC UTILITIES COMMISSION

April 1 – June 30, 2026	July 1, 2026
July 1 – September 30, 2026	October 1, 2026
October 1 – December 31, 2026	February 1, 2027

[Additional Information](#)

Reporting requirements and guidelines are subject to change, and CPUC or the Commission may define additional requirements on CPUC's [website](#).

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: APPROVAL OF PLANS AND SPECIFICATIONS FOR THE PECK ROAD
WATER LINE REPAIR PROJECT

Date: February 1, 2023

Agenda Item: 9.D

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that the Peck Road Water Line Repair Project is exempt from the California Environmental Quality Act (CEQA) as a Class 2 Categorical Exemption (replacement/reconstruction).
2. Adopt Resolution No. 7440 approving the plans and specifications for the Peck Road Water Line Repair Project.
3. Authorize Staff to advertise for Project bids.

BACKGROUND:

The City's water system consists of a network of pipelines that provide for domestic potable water delivery for the community. This water infrastructure is aged in excess of 100 years in many areas and in need of continuing repair to maintain service and function to the City's residences and businesses. The City's capital improvement program (CIP) and associated budget provides for the incremental replacement of aging infrastructure over time. However, from time to time more immediate measures are required to address water line repair and replacement due to breaks and leakage.

ANALYSIS:

In December of 2022, City staff investigated leakage observed on Peck Road north of its intersection with Harvard Boulevard. Following excavation of the water main, the source of the leakage was determined to be under the Peck Road Drainage Channel, which is owned and operated by the Ventura County Watershed Protection District (VCWPD). The replacement of the water main will require the installation of a steel casing that will allow for installation of a new water line that can be removed and replaced in the future without damage to the VCWPD drainage structure above. The casing installation entails a "jack and bore" operation that requires excavation of boring and receiving pits on either side of the drainage structure. The design of the water main replacement, including the jack and bore installation will require an encroachment permit from Ventura County, as well as a geotechnical investigation to assess the soils conditions in and around the drainage structure. This process is well understood, as

staff recently processed similar plans and approvals with the County for the replacement of water and sewer mains under VCWPD’s Fagan Canyon Drain as part of the Harvard Boulevard Water and Sewer Main replacement project.

Considerations in the construction process include required excavations for water main replacement, protection of the existing Peck Road Drain, railroad coordination and traffic management. Complexities of the project include a confined right of way and limited available work area for jacking and receiving pits, protection of existing railroad facilities operated by Sierra Northern Railway and managing arterial traffic on Peck Road during construction.

Project Status and Schedule

The Project is currently at 100% Plans, Specifications and Estimates (PS&E), with release for bids pending formalization of budgetary commitments according to staff recommendations and 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 engineer’s construction estimate is \$180,000, which includes a 20% contingency. Construction management and inspection are estimated at \$20,000, and costs for engineering are estimated at \$45,000. Total project cost is anticipated to be \$245,000.

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 2021-2023 capital improvement budget, utilizing the proposed FY 2022-2023 Water Main Replacement budget. This budgetary summary is presented in Table 1 below.

Table 1: Funding Sources – Water Main Replacement

2021-2023 CIP Program	Fund	Budget
CIP 9108 – Water Main Replacement	620-Water Enterprise	\$1,100,000
Total =		\$1,100,000

Table 2: Project Cost – Water Main Replacement

2021-2023 CIP Program	Account	Cost
Peck Road Water Line Repair Project (Construction)	620-5-9108-660	\$180,000

Construction Management	620-5-9108-660	\$20,000
Engineering	620-5-9108-290	\$45,000
Total =		\$245,000

OPTIONS:

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

1. Do not approve the plans and specifications for the Peck Road Water Line Repair Project, which would delay the completion of the project.

ATTACHMENTS:

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

[EXHIBIT_B_-_Resolution_7440.pdf](#)

EXHIBIT A

Project Location Map

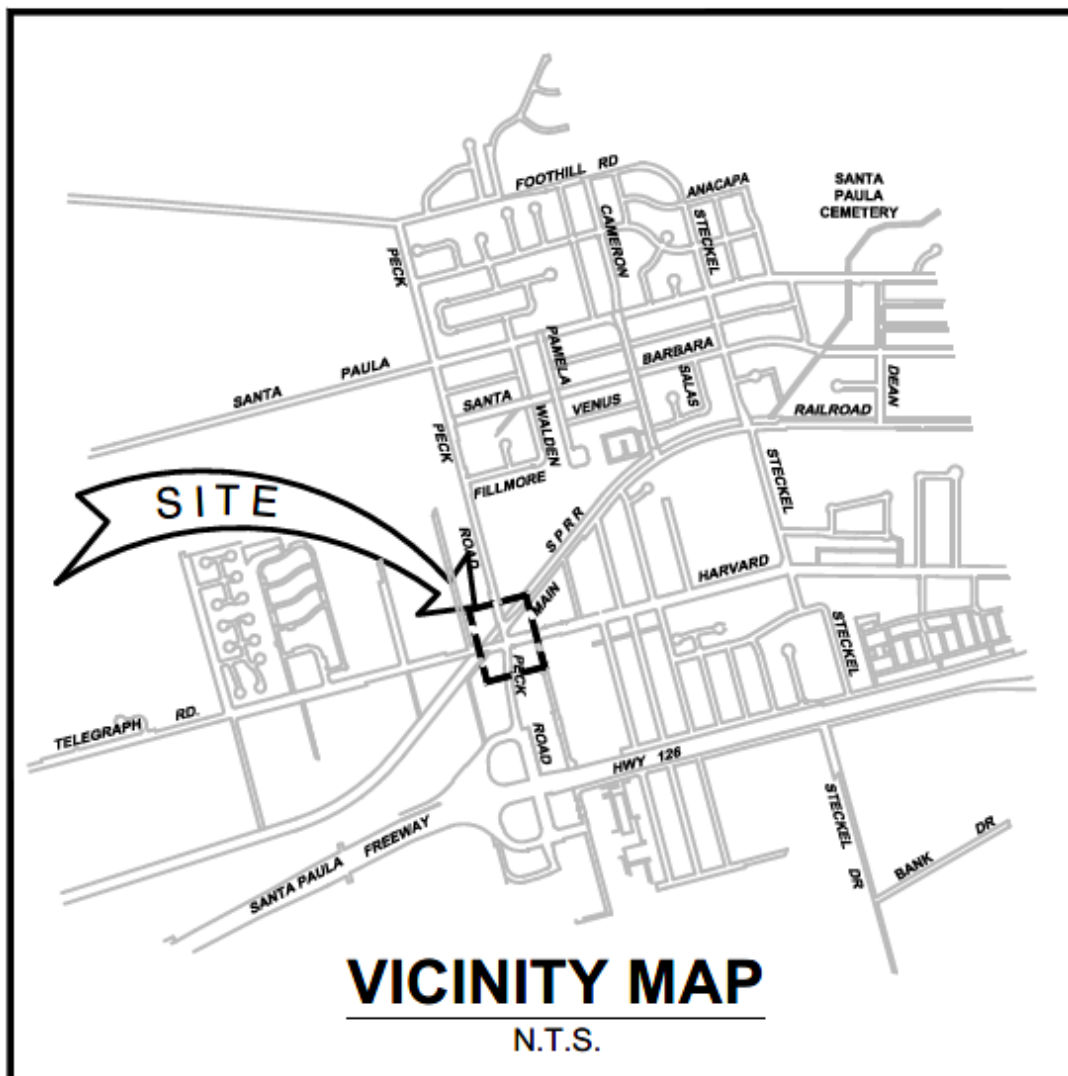


EXHIBIT B

Resolution No. 7440

RESOLUTION NO. 7440

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE PECK ROAD WATER LINE REPAIR 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. In December 2020, City staff observed a leak on Peck Road north of its intersection with Harvard Boulevard and discovered the source was from under the Peck Road Drainage Channel, which is owned and operated by the Ventura County Watershed District (VCWPD).
- B. Repairing the leak requires the replacement of the water main, including installation of a steel casing that will allow for installation of a new water line that can be removed and replaced in the future without damage to the VCWPD drainage structure above (hereafter, the "Project").
- C. 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.
- D. By adopting this Resolution, 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, which are on file with the Public Works Department incorporated here by reference, are determined to be consistent with the City standards and are approved by the Public Works Department.

SECTION 3: The plan or 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 1st day of February, 2023.

Andy Sobel, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, Interim City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF SANTA PAULA)

I, Julie Latshaw, City Clerk of the City of Santa Paula, California, DO HEREBY CERTIFY that above RESOLUTION NO. 7440 was duly passed and adopted by the City Council of the City of Santa Paula at a regular meeting thereof held on the 1st day of February, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this _____ day of February, 2023.

Julie Latshaw, City Clerk
Of the City of Santa Paula,
California
(SEAL)

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Clete Saunier, Public Works Director

Subject: CALIFORNIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY
CERTIFICATIONS

Date: February 1, 2023

Agenda Item: 9.E

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 7438 Authorizing and Directing the Public Works Director or His Designee to Execute Right of Way Certifications Required for Projects Administered by the State of California Department of Transportation (Caltrans).

BACKGROUND:

From time to time, the City applies for federal and state-aid surface transportation funds for City street projects. These funds are administered by the State of California Department of Transportation (Caltrans) who has oversight and advisory interest. One of Caltrans' requirements before these funds are obligated to the local agency (i.e. cities, counties, and other public agencies) is for the local agency to issue a written certification of the ownership status of all rights of way, known as a Right of Way Certification, for a proposed surface transportation project.

ANALYSIS:

According to Caltrans requirements, a Right of Way Certification for each proposed surface transportation project must be executed by the local agency governing body through resolutions. Alternatively, the local agency governing body may designate through a one-time resolution an official authorized and directed to execute a Right of Way Certification for each proposed surface transportation project. City staff recommends the City Council authorize and direct the Public Works Director or his designee to execute Right of Way Certifications subject to the review and approval of the City Attorney as to form.

Execution of Right of Way Certifications by the Public Works Director or his designee will make any necessary commitment and certification to Caltrans as to the following:

- State of title for and rights to enter and use real property;
- Access control;
- Facilities affected by construction work;

- Material sites and disposal sites;
- Utilities and utility relocations;
- Clearance from physical obstructions;
- Relocation assistance;
- Cooperative agreements;
- Environmental review and mitigation;
- Commitments to indemnify, defend, and hold harmless Caltrans providing or approving funds and or permits; and
- Such other and similar commitments and certificates as are necessary or convenient to complete federal or state-aid projects.

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:

The process of adopting the resolution has no fiscal impact on the City. Individual federal or state-aid projects are considered separately for fiscal and budgetary impacts when they are brought to City Council for approval.

OPTIONS:

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

1. Do not approve Resolution No. 7438. The absence of a resolution will require individual project right of way certifications to be individually brought to City Council for approval. This action could adversely impact the City's ability to timely apply for future federal and state aid funding opportunities as they become available.

ATTACHMENTS:

[EXHIBIT A - Resolution 7438.pdf](#)

EXHIBIT A

Resolution No. 7438

RESOLUTION NO. 7438

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA AUTHORIZING AND DIRECTING THE PUBLIC WORKS DIRECTOR OR HIS DESIGNEE TO EXECUTE RIGHT OF WAY CERTIFICATIONS REQUIRED FOR PROJECTS ADMINISTERED BY THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

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 City applies for federal and state-aid surface transportation funds for City street projects. These funds are administered by the State of California Department of Transportation (Caltrans);
- B. In order to secure these funds, the City must certify the ownership status of all rights of way in the project area, including, among others, the state of title for and rights to enter and use real property; and such other and similar commitments and certificates as are necessary or convenient to complete federal- or state-aid projects.

SECTION 2: Authorization. The Public Works Director of the City of Santa Paula or his designee is hereby authorized, subject to the review and approval by the City Attorney as to form, to execute any necessary certification to the State of California Department of Transportation (Caltrans), in which Caltrans has oversight or an advisory interest.

SECTION 3: The City Clerk is directed to certify the adoption of this resolution.

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

PASSED AND ADOPTED this 1st day of February, 2023

Andy Sobel, 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: ENERGY EFFICIENCY PROGRAM STATUS REPORT

Date: February 1, 2023

Agenda Item: 9.F

RECOMMENDATION:

Staff recommends that the City Council:

1. Staff recommends that Council receive and file this staff report.

BACKGROUND:

In 2021, the Council directed staff to conduct a citywide site assessment for the installation of energy efficiency measures, solar panels, battery storage equipment, and electrical vehicle charging stations (EVCS).

Staff collaborated with the Southern California Regional Energy Network (SoCalREN) to conduct a citywide Energy Efficiency Program (EEP) site assessment. Their assessment identified four sites as potential candidates for installing energy efficiency measures (or, EEMs including upgraded HVAC systems, interior lighting, etc.): the Water Reclamation Facility (WRF), Steckel Water Treatment Facility, City Hall Campus, and the Community Center. Additionally, SoCalREN identified the two sites as likely candidates for installing electrical vehicle charging stations (EVCS): the Historic Downtown sector and the public parking area located behind the City's Public Works Administration Office. Available funding for EEP projects was limited to a \$3 million water bond secured in 2020 that (at the time) limited eligible projects to those that would directly affect and benefit the Water Enterprise.

ANALYSIS:

Staff presented Council with SoCalREN's assessment last February 2022 and directed staff to return with more funding and/or financing options for implementing SoCalREN's recommended EEP projects. These projects included installation of EEM's and EVCS's with the understanding (at that time) the \$3 million water bond could only fund EEP projects that directly benefit the Water Enterprise. However, the Finance Department recently discovered these funds could be used for any project directly benefiting the Water Enterprise and not just EEP projects.

SoCalREN's solar assessment of the Steckel Water Treatment Facility determined \$509,000 would be required for the installation of roof solar panels, \$57,000 for connected battery

storage equipment, and an additional \$20,000 each for the installation of solar panel carports. To achieve the EEP desired savings within a reasonable ROI period, SoCalREN's assessment suggests the total number of roof panels compared to the total number of carport panels are inversely proportional to one another. In other words, installing a higher number of roof panels will reduce the required number of carport panels.

Subsequent to completing their assessment and prior to EEP project implementation, SoCalREN recommended a detailed structural analysis of the Steckel Water Treatment Facility roof. They also recommended a similar analysis be done for the Cultural Arts building, which is situated immediately adjacent to the water treatment facility. While the structural analysis was an unforeseen expense, it is a necessary criterion to proceed with roof solar panel installation. The estimated cost for the recommended structural analysis is \$16,000 for both buildings. Staff will be seeking sufficient allocation of available water bond funds for accomplishing these recommended EEP projects, including the related structural analysis.

Staff estimates the solar and battery storage evaluation, including preparation of all final cost estimates, is 25% complete. Until recently, staff has experienced significant delays in finalizing these EEP projects due to limited available resources competing with other prioritized projects (e.g., SWFA contract negotiations and execution). Next steps involve preparing refined cost estimates and project descriptions, and presenting this information to the City's bond oversight representatives for review. EEP project implementation would follow soon thereafter.

In addition to SoCalREN's City-owned facilities assessment, they also identified potential locations for the installation of 'public use' electric vehicle charging stations (EVCS). A maximum of twenty (20) Level 2 EVCS's were identified for the Historic Downtown area. SoCalREN proposed installation of eight (8) charging stations within the existing on-street parking areas along Main Street from 8th Street to Mill Street and installation of twelve (12) charging stations within the south Main Street parking lot behind the Public Works Department administration office. Two years ago, SoCalREN estimated the installation costs for these 20 EVCS's at \$400,000. These costs have significantly increased since that time. It should be noted that since these EVCS's have no direct benefit to the Water Enterprise, the City cannot use water bond funding for their installation.

Staff has identified other available funding sources from the California Energy Commission (CEC) and Southern California Edison (SCE). The CEC is the primary energy policy and planning agency for California. CEC has earmarked millions in grant opportunities for installing public charging stations throughout California. Ventura Energy (VE) is a renewable energy project developer that has received funding from CEC for the installation of public charging stations. Currently, staff is working with VE to determine the feasibility of placing EV charging stations in the City parking lot between the post office and Veterans Memorial Park and at the south Main Street parking lot behind the Public Works Department office. Dual charging stations can simultaneously charge two EV's at a time. VE received \$775,144 in CEC grants to install up to five (5) dual charging stations for public use in Santa Paula. VE will also contribute \$193,785 in matching funds toward the total installation costs. The City is not obligated to provide additional matching funds.

Staff and VE are currently in the planning phase for these dual charging stations. Current cost considerations will address system design, construction, SCE electric service planning, easement and license agreement requirements, legal review and recording costs, vehicle charging rates, customer electrical costs, and other considerations. As the charging stations

will be located on City property, details of siting, license agreement, and insurance will need to be worked out with VE. Staff will continue to coordinate efforts with VE with the intent of reaching an equitable agreement to move forward with this project.

Staff and VE also need to determine the best location to install EV infrastructure. Vehicle charging stations require significant amounts of power with associated service equipment specifications and demands on SCE infrastructure. Electrical and building code requirements specify modifications to existing parking lots to accommodate charging stations, metering equipment and charging spaces. Charging station installation entails an SCE service drop for panel and metering, conduit, and wire installation leading to an interconnection point with charging equipment. EV charging stations have unique electrical service requirements and require a significant amount of space for their installation. Staff and VE are meeting with SCE to discuss EV infrastructure requirements and a service drop at an interconnection point to a customer (in this case, City and VE) provided panel. SCE recommended that the City and VE submit a request for an EV infrastructure site assessment to determine service drop options and provide a list of specifications for each EV charging station location. SCE also shared information on their Electrical Vehicle Infrastructure Rule 29, a program that assists customers by covering the cost of eligible electrical service extension work including the aforementioned service drop and metering at an intersection point with customer provided panel. Should the City's project qualify for the Rule 29 program, SCE would cover the costs of extending service to the charging station locations and associated metering equipment, while VE would cover the cost from the service equipment to the EV charging stations. Reference attached Exhibit A for an illustrative example. If SCE's distribution system requires significant extension or upgrades to serve the identified charging station locations, then VE would have to fund a portion of SCE's service infrastructure cost.

An alternative funding program is available from SCE's "Charge Ready Program." This program provides funding for infrastructure and electrical service upgrades to support the installation of public charging stations. SCE also leverages program funds to design, install, operate and maintain the EV charging stations at no additional cost to the program participant (i.e., the City). Participants would still be responsible for paying the associated power costs, but would be able to receive related charging fees paid by users to offset these costs. Program funds are available on a first come, first serve basis, in multiple annual funding cycles.

Council can expect to receive regular reports from staff as the City's Energy Efficiency Program progresses and related project funding opportunities materialize. Staff will not initiate construction of an EEP project or allocate related project funding (internally or externally sourced) without first receiving Council's authorization.

STRATEGIC PLAN:

Implementing the City's Energy Efficiency Program supports the currently adopted Strategic Plan in achieving the following goal:

Infrastructure, Transportation & Mobility

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

Objective 5, Explore funding opportunities to analyze and develop an Energy Efficiency Program (EEP) that may include: electric vehicle charging stations, solar alternative power

infrastructure, and a citywide clean energy purchasing program.

FISCAL IMPACTS:

At this time, the receipt and filing of this agenda report by Council has no fiscal impact to the City. Future EEP projects and related project funding requirements, whether internally or externally sourced, shall be brought before Council for its authorization prior to project implementation.

OPTIONS:

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

1. The Council can choose not to receive and file this agenda report, direct staff to amend it, and return to Council at a future public meeting with a modified report incorporating Council's amendment(s).

ATTACHMENTS:

[Exhibit A - EV Infrastructure Rule 29.pdf](#)

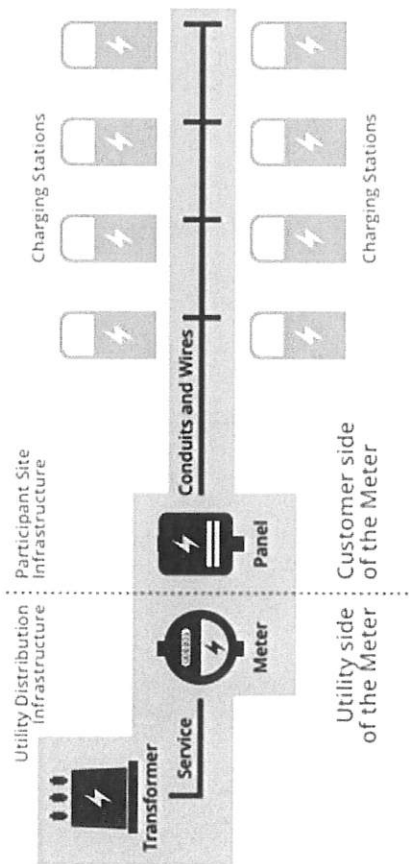
EXHIBIT A

EV Infrastructure Rule 29

Key Differences

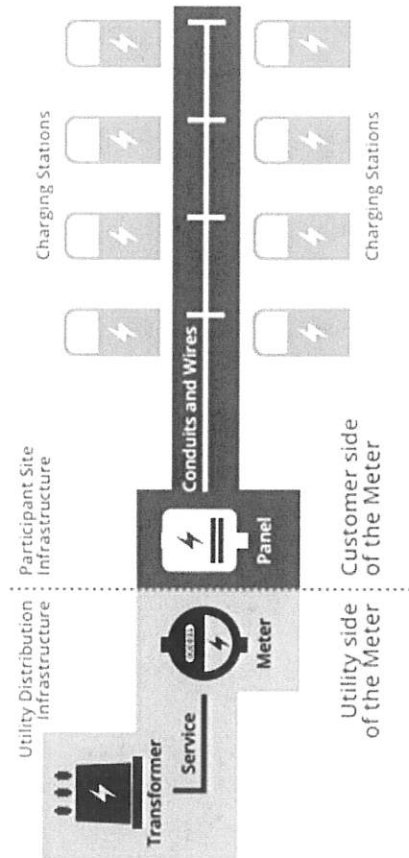
Charge Ready vs. EV Infrastructure Rule 29

Charge Ready Program



Program covers costs associated with service drop, meter, panel and circuit dedicated to EV charging. Make-Ready ends at interconnection point with customer charging equipment providing AC service.

EV Infrastructure Rule 29



Rule 29 covers costs associated with service drop, meter, SCE infrastructure ends at interconnection point with customer provided panel.
Customer will provide panel and construct all conduits and wires leading to interconnection point with charging equipment.

Customer must qualify – please see link for details
<https://www.sce.com/evbusiness/chargeready>

tepmcommercial@sce.com

Southern California Edison

7

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Monica Castillo, Interim City Attorney

Subject: ADOPT A RESOLUTION TERMINATING THE LOCAL EMERGENCY
DECLARED BY THE CITY AS A RESULT OF THE COVID-19 PANDEMIC
AND REPEALING CITY LEGISLATION RELATED TO THE COVID-19
PANDEMIC

Date: February 1, 2023

Agenda Item: 9.G

RECOMMENDATION:

Staff recommends City Council:

1. Adopt Resolution No. 7444, terminating the local emergency declared by the City of Santa Paula as a result of the COVID-19 pandemic and repealing specified City legislation related to the COVID-19 pandemic.

BACKGROUND:

In late 2019, an acute respiratory illness caused by a novel (new) coronavirus, known as COVID-19, began to spread globally and rapidly, resulting in severe illness and death around the world. The World Health Organization (“WHO”) described COVID-19 as a global pandemic. The WHO reports that to date the disease has caused over 6 million deaths worldwide.

The California Emergency Services Act (“CESA”) (Government Code section 8550, *et seq.*) authorizes the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a City exist. Similarly, City of Santa Paula Municipal Code section 34.05(B)(1), empowers the City Manager, acting as the Director of Emergency Services, to request the City Council to proclaim the existence or threatened existence of an emergency if the City Council is in session. If the City Council is not in session, the City Manager shall proclaim the existence or threatened existence of an emergency, subject to confirmation by the City Council at the earliest practicable time, but in no case shall such proclamation remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council.

On March 4, 2020, California Governor, Gavin Newsom proclaimed a state of emergency in response to COVID-19. The City Manager, acting as the Director of the Emergency Services of the City, proclaimed a local emergency on March 13, 2020. The proclamation was ratified by the City Council on March 18, 2020.

Additionally, on March 17, 2020, the Ventura County (“County”) Public Health Officer issued a county wide “stay at home” order that: (1) required all individuals living in the County to shelter at their place of residence (2) require all businesses except “essential businesses,” to cease all activities at facilities located within the County, except, “minimum operations” and remote work, (3) prohibiting all public and private gatherings of any number of people occurring outside a household or living unit; and (4) prohibiting all travel, except “essential travel” and “essential activities”.

Normally, the City Council must review the need for continuing the local emergency at least once every 60 days until it terminates the local emergency. (Gov. Code, § 8630.) However, under Governor Newsom’s state of emergency proclamation issued on March 4, 2020, the 60-day time period in Government Code section 8630 was waived for the duration of the statewide emergency. As such, the City’s local emergency proclamation will remain in effect until the City Council terminates its local emergency.

ANALYSIS:

Staff is now recommending the City Council adopt a resolution to terminate the local emergency declared as a result of the COVID-19 pandemic and repeal any official actions tied to the local emergency.

California Governor Gavin Newsom announced that the COVID-19 state of emergency will end on February 28, 2023. The announcement was made on October 17, 2022, months before the termination date, to allow time for the health care system and state and local partners to prepare for this phase-out.

Although, the nature of COVID-19 continues to remain in flux, the State, County and City have successfully developed infrastructure to effectively combat the spread of the disease that have transformed a once crisis-level event into a manageable situation.

Pursuant to California Government Code section 8630(d), the City Council shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Under City of Santa Paula Municipal Code section 34.05(B)(1), the City Manager, acting as the Director of Emergency Services shall request the City Council to terminate the emergency if the City Council is in session. If the City Council is not in session, the City Manager shall proclaim the termination of the emergency, subject to confirmation by the City Council at the earliest practicable time.

Since the proclamation of a local emergency in response to COVID-19 was issued by the City, the City Council has adopted emergency measures that strived to ensure the safety and well-being of the community.

The public health community’s response to mitigating the spread of COVID-19 has changed over time in response to the fluctuating presence of the disease. Fortunately, the State and County are currently experiencing a significant decrease in confirmed cases, test positivity rates, and related hospitalizations. In fact, California’s death rate as a result of COVID-19 is the lowest amongst large states. Additionally, COVID-19 vaccines and boosters are now widely available, and vaccination rates are increasing. Most businesses are operating as normal and the County has reduced the number of restrictions countywide in response to current conditions. As such, the City’s COVID-19 resolutions and ordinances are no longer necessary to mitigate the spread of COVID-19.

Existing COVID-19 Emergency Related Actions

Staff reviewed prior official actions that are tied to the COVID-19 proclamation of local emergency. Only one resolution was identified: Resolution No. 7262, Authorizing the Extension of Up to Eighty Hours of Paid Time Off to Regular Full Time and Part Time Non Essential Employees in Response to the Declaration of a Level 3: “Emergency” Response.

The resolution empowered the City Manager to provide each full time and part time permanent employee with a bank of paid time off (“PTO”) up to a maximum of 80 hours, if the City reached a “Level 3: Emergency” response in the City’s Pandemic Emergency Response Plan. The City’s Pandemic Response Plan distinguishes the degree of severity of threat posed by COVID-19 in the City into four levels, “Level 3: Emergency” being the second most severe.

The resolution went into effect on April 1, 2020 and would remain in effect until repealed or superseded.

Additionally, an urgency ordinance, Ordinance No. 1297, imposing a temporary moratorium on evictions and foreclosures was also enacted during the local emergency on April 1, 2020. Different provisions of the ordinance expired upon the expiration of Executive Order N-28-20 and its subsequent amending orders (“Executive Orders”). Pursuant to these Executive Orders, the City’s commercial eviction and foreclosure protections expired on June 30, 2020, and its residential eviction protections on September 30, 2020.

Currently, the State and County’s “stay at home” orders have been lifted and the COVID-19 crisis is a manageable, though still serious, threat to health and safety. The State declaration of emergency in response to COVID-19 is also scheduled to terminate February 28, 2023. Staff therefore recommends that the City Council adopt the attached Resolution No. 7444 to terminate the City’s local emergency in response to COVID-19 and repeal Resolution No. 7262 identified above. (Attachment A)

STRATEGIC PLAN:

This item does not impact City Council’s two-year Strategic Plan.

FISCAL IMPACTS:

There are no direct fiscal impacts associated with this action.

PERSONNEL IMPACTS

Upon the termination of the local emergency in response to COVID-19, the City Manager’s authority acting as Director of Emergency Services pursuant to City of Santa Paula Municipal Code section 34.06 to issue emergency measures related to the pandemic will cease immediately.

OPTIONS:

ATTACHMENTS:

RESOLUTION NO. 7444

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA TERMINATING THE LOCAL EMERGENCY DECLARED BY THE CITY AS A RESULT OF THE COVID-19 PANDEMIC AND REPEALING CITY LEGISLATION RELATED TO THE COVID-19 PANDEMIC

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

SECTION 1: Recitals.

- A. The California Emergency Services Act (“CESA”)(Government Code section 8550, *et seq.*), authorizes the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a City exist.
- B. City of Santa Paula Municipal Code section 34.05(B)(1) empowers the City Manager, acting as the Director of Emergency Services, to request the City Council to proclaim the existence or threatened existence of an emergency if the City Council is in session. If the City Council is not in session, the City Manager shall proclaim the existence or threatened existence of an emergency, subject to confirmation by the City Council at the earliest practicable time, but in no case shall such proclamation remain in effect for a period in excess of seven days unless it has been ratified by the City Council.
- C. In late 2019, an acute respiratory illness caused by a novel (new) coronavirus, known as COVID-19, began to spread globally and rapidly, resulting in severe illness and death around the world. The World Health Organization (“WHO”) described COVID-19 as a global pandemic. The WHO reports that to date the disease has caused over 6 million deaths worldwide.
- D. In early 2020, and in response to the increased spread of COVID-19, the California Governor and Ventura County along with many other public entities in the state declared a state of emergency pursuant to CESA.
- E. The City Manager of the City of Santa Paula (“City”), acting as the Director of Emergency Services proclaimed an emergency as a result of the COVID-19 virus on March 13, 2020. The proclamation was ratified by the City Council on March 18, 2020.
- F. During the term of the local emergency and statewide emergency, the City Manager is empowered: “To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, that such rules and regulations be confirmed at the earliest practicable time by the Council,” under City of Santa Paula Municipal Code section 34.06(A).

- G. Since the proclamation of the local emergency on March 13, 2020, the City Council has adopted resolutions, ordinances and emergency measures to curb the spread of COVID-19 and assist residents and businesses during the local emergency, and strived to ensure the safety and well-being of the community.
- H. Normally, the City Council must review the need for continuing the local emergency at least once every 60 days until it terminates the local emergency. (Gov. Code, § 8630.) However, under Governor Newsom's state of emergency proclamation issued on March 4, 2020, the 60-day time period in Government Code section 8630 was waived for the duration of the statewide emergency. As such, the City's local emergency proclamation will remained in effect until the City Council terminates its local emergency.
- I. The public health community's response to mitigating the spread of COVID-19 has changed over time in response to the fluctuating presence of the disease. Fortunately, the State and County are currently experiencing a significant decrease in confirmed cases, test positivity rates, and related hospitalizations. In fact, California's death rate as a result of COVID-19 is the lowest amongst large states. Additionally, COVID-19 vaccines and boosters are now widely available, and vaccination rates are increasing. Most businesses are operating as normal and Ventura County has reduced the number of restrictions countywide in response to current conditions.
- J. California Governor Gavin Newsom announced that the COVID-19 state of emergency will end on February 28, 2023. The announcement was made on October 17, 2022, months before the termination date, to allow time for the health care system and state and local partners to prepare for this phase-out.
- K. The nature of COVID-19 continues to remain in flux. However the State, County and City have successfully developed infrastructure to effectively combat the spread of the disease that have transformed a once crisis event into a manageable situation.
- L. Pursuant to California Government Code section 8630(d), the City Council shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.
- M. Pursuant to City of Santa Paula Municipal Code section 34.05(B)(1), the City Manager, acting as the Director of Emergency Services shall request the City Council to terminate the emergency if the City Council is in session. If the City Council is not in session, the City Manager shall proclaim the termination of the emergency, subject to confirmation by the City Council at the earliest practicable time, but in no case shall such proclamation remain in effect for a period in excess of seven days unless it has been ratified by the City Council.
- N. The City Council desires to proclaim the termination the local emergency declared in the City in response to the COVID-19 pandemic.

SECTION 2: Termination of Proclamation of Emergency. Pursuant to California Government Code section 8630(d), and City of Santa Paula Municipal Code section 34.05(B)(1), the City Council finds and proclaims that the conditions of extreme peril to the safety of persons and property that arose as a result of COVID-19 in the City of Santa Paula no longer exist. As such, the proclamation of an existence of a local emergency declared in response to COVID-19 proclaimed by the City Manager on March 13, 2020 and confirmed by the City Council on March 18, 2020 is hereby terminated.

SECTION 3: For the reasons set forth in the accompanying staff report dated February 1, 2023, the following resolution is hereby rescinded:

1. Resolution No. 7262, Authorizing the Extension of Up to Eighty Hours of Paid Time Off to Regular Full Time and Part Time Non Essential Employees in Response to the Declaration of a "Level 3: Emergency" Response.

SECTION 4: The Clerk shall certify to the passage and adoption of this resolution and enter into the book of original resolutions.

PASSED AND ADOPTED this 1st day of February, 2023.

Andy Sobel, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, Interim City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF SANTA PAULA)

I, Julie Latshaw, City Clerk of the City of Santa Paula, California, DO HEREBY CERTIFY that above RESOLUTION NO. _____ was duly passed and adopted by the City Council of the City of Santa Paula at a regular meeting thereof held on the 1st day of February, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 1st day of February, 2023.

Julie Latshaw, City Clerk
Of the City of Santa Paula,
California
(SEAL)

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Julie Latshaw, City Clerk

Subject: APPOINTMENTS TO COMMISSIONS AND COMMITTEES

Date: February 1, 2023

Agenda Item: 10.A

RECOMMENDATION:

Staff Recommends that the City Council:

Appoint applicants to various Commissions and Committees.

Presented by: Julie Latshaw, City Clerk

BACKGROUND:

The City Clerk's office published Vacancy Notices for all open positions on Commissions, Committees and Boards, in the Santa Paula Times and on the City website during the months of August through December.

The City Council held applicant interviews on January 23 and 31, 2023, for the following:

- **Design Assistance/Historic Preservation Committee** to fill one vacancy for a four-year term (1/18/2023-1/18/2027). Applicant: Brittany Botts-Volaski. If the applicant is appointed, this committee will be filled.
- **Parks & Recreation** to fill one vacancy for a three-year term (1/18/2023-1/18/2026). Applicants: Maria Garcia Chavez and Isabel Bracamontes. If one of the applicants are appointed, this committee will be filled.
- **Planning Commission** to fill three vacancies; two four-year terms (1/18/2023-1/18/2027), and one partial term (1/18/2023-9/4/2023). Applicants: Jason Herber (returning applicant), Noel Thomas Kiesewetter (returning applicant), Patricia Bermudez, Brad Williams, who is currently serving on the Parks & Recreation Commission, and Austin Auger, who is currently serving on the Design/Historical Committee. If three applicants are appointed, this Committee will be filled.
- **Measure T Oversight Committee** to fill two vacancies, (one four-year term as senior citizen member, and one four-year term who is a member active in a civic organization). Both terms (2/20/2023-2/20/2027). Applicants: John Marquez (returning civic applicant),

and Alice Straetz (returning senior applicant). As both applicants are returning, and no other applications have been received, staff recommends no interview and appointment of the returning applicants at the City Council Regular meeting on February 1, 2023. If both applicants are appointed, this committee will be filled.

- **Mobile Home Rent Review** to fill two vacancies for two-year terms. Applicant: Dr. Maria Munguia (returning applicant) and Grace Kelly Michael (returning applicant). As both applicants are returning, and no other applications have been received, staff recommends no interview and appointment of the returning applicants at the City Council Regular meeting on February 1, 2023. If both applicants are appointed, this committee will be filled.

ANALYSIS:

None.

STRATEGIC PLAN:

This item is not a goal or objective in City Council's two-year Strategic Plan, however, appointments to the Commissions, Committees and Boards described in this report assist in the furtherance of the Mission, Vision, and overarching categories and goals found within City Council's two-year Strategic Plan.

FISCAL IMPACTS:

None.

OPTIONS:

City Council may also request staff to publish openings again for more applicants. Any additional applicants could be interviewed in March/April 2023.

ATTACHMENTS:

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Management Analyst

Subject: CITY COUNCIL APPOINTMENTS TO THE CLEAN POWER ALLIANCE (CPA) BOARD OF DIRECTORS AND WAYFINDING COMMITTEE

Date: February 1, 2023

Agenda Item: 10.B

RECOMMENDATION:

Staff recommends City Council:

1. Consider the appointment of a primary and alternate member to represent the City on the Clean Power Alliance (CPA) Board; and
2. Consider an appointment to a review board assisting staff with the selection of a consultant to perform Wayfinding services for the City.

The Mayor may ratify appointments to these committees.

Presented by: Jonathan Royas, Management Analyst

BACKGROUND:

The Mayor has the authority to appointment Councilmembers to various committees, boards and commissions in accordance with the Santa Paula Municipal Code, Section 30.03 (A).

On December 21, 2022, City Council considered appointments to the Mayor's Standing and Ad Hoc Committees and reviewed appointments to Regional and State boards, committees and commissions. At that time, the Mayor ratified appointments to several committees and made modifications to the list of committees with the exception of an appointment to the Clean Power Alliance (CPA) Board.

The ratified appointments from December 21, 2022 are reflected in Exhibit A - 2023 Chart of City Council Committees and Exhibit B - 2023 City Council Commission/Committee Appointments and Mayor's Standing Committees. Exhibit A shows the current Local Standing and Ad Hoc Committees, Regional Boards and Commissions and State Committees. Exhibit B offers the same list of appointments, however it reflects a chart that more visually outlines each Councilmember's current appointments, demonstrating how many committees each Councilmember is currently assigned. This chart also identifies those assignments involving a primary and alternate appointee, whereby the alternate is listed with a capital "A."

Staff is returning to City Council to request an appointment to the CPA Board. In addition, there is now an opportunity for Council to consider an appointment to an additional committee regarding wayfinding.

ANALYSIS:

Clean Power Alliance (CPA) Board Appointments

The City was recently accepted as a member of the CPA and while our transition to the CPA as the City's power provider won't be completed until early in 2024, the City is eligible to begin service on the Board as of March 2023 when it is anticipated that the California Public Utilities Commission (CPUC) will approve the City joining the CPA. As a result, the selected Councilmember would be requested to attend the first meeting in April. In addition, staff will have additional meetings with CPA throughout the year related to the implementation of the CPA in Santa Paula as well as discussions as to rate options for the City and for residents where a Councilmembers input could be very beneficial.

The CPA is requesting the appointment of a primary and alternate member to represent the City on the Clean Power Alliance (CPA) Board. The Board meets the first Thursday afternoon of each month. Provided below are additional details related to the appointment.

- Appointments - Each member agency appoints and designates in writing one regular director and one or two alternate directors.
 - The regular director must be an elected or appointed member of the agency's governing body (i.e., a city council member).
 - The alternate directors may be another council member; a city staff member; a member of an advisory body to the council; or a member of the public with demonstrated knowledge in energy-related matters through significant industry, regulatory, academic, or non-profit experience.
 - Directors serve at the pleasure of the member agency's governing body, and may be removed and replaced by that governing body at any time.
- Meeting logistics
 - The Board meets on the 1st Thursday of the month at 2PM:
 - Meeting locations:
 - Meeting take place in person at the CPA Offices in Downtown Los Angeles. As it is difficult for many directors to attend in person, remote locations have been setup in South Bay (Torrance), Whittier, Calabasas, and Ventura (Ventura County Government Center). Each of these locations provides monthly meeting access via teleconference/video Conference via Zoom.
 - Board Agendas are emailed to directors each month, usually on the Friday before the following week's meetings and are available at www.cleanpoweralliance.org/agendas.
- Standing committees (optional) - The Board has an Executive Committee and three policy committees. Members of the policy committees are self-selected based on interest and each committee has a dedicated CPA staff liaison. Policy committees usually meet on the 4th Wednesday of the month.

- Legislative & Regulatory Committee
- Energy Planning & Resources Committee
- Finance Committee

Wayfinding Committee

In October 2022, staff issued a request for proposals in search of a consultant who can develop a comprehensive Wayfinding package for the City. As a result of the request, the City received two proposals. In an effort to review the best options moving forward, staff is recommending assembling a committee composed of individuals from the following groups: City Council, Planning Commission, Property Business Improvement District (PBID), Parks & Recreation Commission, and the Senior Commission.

On January 24, 2023, the Planning Commission supported staff's recommendation and made an appointment for this short term committee. Staff is now asking Council to do the same this evening for a brief review of proposals for a citywide Wayfinding program. Staff will work with the appointed Councilmember to find times that work within their schedule to make recommendations.

STRATEGIC PLAN:

While the appointment of Councilmembers to a board or committee is not a goal or objective in City Council's two-year Strategic Plan, appointment of Councilmembers to each request above does move certain objectives forward as provided below.

Economic Development

Objectives:

1. Downtown beautification – Effectuate visual and physical improvements to the historic downtown corridor, to include public amenities, improved signage, facade improvements, and safety measures; and
2. Create a welcoming environment to attract “drive-by” or “pass-through” traffic by identifying or building out key locations, access points and traffic circle islands where murals, landscaping, wayfinding signage or decorative fencing can be utilized.

Community Vitality

Objective:

Improve wayfinding signage throughout the City and SR126 to help guide visitors in a friendly and informative way.

In addition as a part of the Downtown Property Business Improvement District (PBID) discussions the PBID Board has identified Wayfinding through directional and informational signage as a priority in improving the downtown aesthetics and visitor experience.

FISCAL IMPACTS:

There are no fiscal impacts associated with either appointment beyond Councilmember time and travel which would remain within Ventura County limits.

OPTIONS:

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

1. While an appointment to the CPA is required as the City will be a member of the Joint Powers Authority (JPA), City Council may decline to make an appointment to the Wayfinding Committee.

ATTACHMENTS:

[Exhibit A - 2023 Mayor's Standing Committees.pdf](#)

[Exhibit B - 2023 City Council Commission/Committee Appointments and Mayor's Standing Committees.pdf](#)

CITY COUNCIL COMMISSION/COMMITTEE APPOINTMENTS
MAYOR'S STANDING COMMITTEES - 2023

LOCAL STANDING COMMITTEES:

BROADBAND AND TECHNOLOGY STANDING COMMITTEE:

Andy Sobel & Pedro Chavez, Members

CANNABIS STANDING COMMITTEE:

Carlos Juarez & Pedro Chavez, Members
Meetings held as needed

ECONOMIC DEVELOPMENT STANDING COMMITTEE:

Andy Sobel & Leslie Cornejo, Members
Jason Herber & Noel Kieswetter, Commissioners
Meetings held as needed

FINANCE COMMITTEE:

Andy Sobel, **Presiding Mayor**, Member
Leslie Cornejo, **Presiding Vice Mayor**, Member

HOMELESSNESS AND HOUSING STANDING COMMITTEE:

Carlos Juarez & Pedro Chavez, Members
Aaron Dunkel & Maria Grace Kelly, Commissioners
Meetings held as needed

SANTA PAULA BASIN PUMPERS ASSOCIATION

Leslie Cornejo & Public Works Director, Members
Annual mtg. 4th Thursday of May-2:00 p.m.

ADHOC COMMITTEES:

CITY FACILITIES AND INFRASTRUCTURE NEEDS AD HOC COMMITTEE

Carlos Juarez & Pedro Chavez, Members

DEVELOPMENT AGREEMENT NEGOTIATING TEAM AD HOC (Harvest Proj)

Leslie Cornejo & Jenny Crosswhite, Members

SOCIAL JUSTICE AD HOC COMMITTEE

Jenny Crosswhite & Andy Sobel, Members

UNION OIL BUILDING USE AD HOC

Leslie Cornejo & Andy Sobel, Members

LIAISON COMMITTEES:

ALL CHILDREN THRIVE (ACT) DESIGN COMMITTEE LIAISON

Jenny Crosswhite, Member
2nd Thursday of month, 5:00 p.m.

CALIFORNIA JOINT POWERS INSURANCE AUTHORITY:

Pedro Chavez, Member
Carlos Juarez, Alternate

CITIZENS CORP LIAISON

Carlos Juarez, Member

CLEAN POWER ALLIANCE

VACANT, Member
VACANT, Alternate
1st Thursdays of month, 2:00 p.m.

FISH LADDER AUTHORITY

Leslie Cornejo, Member
Annual Mtg. in April, to be announced

HARDING PARK ADVISORY BOARD LIAISON

Leslie Cornejo, Member

PARKS & RECREATION COMMISSION LIAISON

Pedro Chavez, Member
Carlos Juarez, Alternate
4th Thursday of month, 6:30 p.m.

PROPERTY BUSINESS IMPROVEMENT DISTRICT LIAISON (PBID)

Leslie Cornejo, Member

SANTA PAULA BLUE RIBBON ADVISORY COMMITTEE (Santa Paula Hospital)

Carlos Juarez & Andy Sobel, Members

SANTA PAULA UNIFIED SCHOOL DISTRICT/CITY COUNCIL JOINT COMMITTEE (2X2)

Andy Sobel & Leslie Cornejo, Members
Chris Wilson, Member
Tommy Frutos, Member
Meetings held as needed.

SENIOR ADVISORY COMMITTEE LIAISON

Carlos Juarez, Member
1st Thursday of month, 1:30 p.m.

CITY COUNCIL COMMISSION/COMMITTEE APPOINTMENTS
MAYOR'S STANDING COMMITTEES - 2023

STATE STANDING COMMITTEES:

ECONOMIC DEVELOPMENT COLLABORATIVE -

VENTURA COUNTY (EDC-VC)

Pedro Chavez, Member

Andy Sobel, Alternate

3rd Thursday of month, 3:30 p.m.

VENTURA COUNCIL OF GOVERNMENTS (VCOG)

Jenny Crosswhite, Member

Carlos Juarez, Alternate

2nd Thursday of month, 4:00 p.m., Camarillo City Hall

VENTURA COUNTY AIR POLLUTION CONTROL

DISTRICT ADVISORY COMMITTEE (VCAPCD)

Carlos Juarez, Member

4th Tuesday of month, 7:30 p.m.

VENTURA COUNTY REGIONAL ENERGY

ALLIANCE (VCREA)

Andy Sobel, Member

Pedro Chavez, Alternate

Bi-monthly, 3rd Thursday – 10:15 a.m. in

Jan/March/May/July/Sept/Nov

VENTURA COUNTY TRANSPORTATION

COMMISSION (VCTC) – Stipend, \$100 per

Meeting (2 meeting maximum per month)

Jenny Crosswhite, Member

1st Friday of month, 10:00 a.m. – Camarillo City Hall

VENTURA COUNTY TRANSPORTATION

COMMITTEE (Heritage Valley)

Jenny Crosswhite, Member

1-3 meetings per year, around mbrs. Schedule

VENTURA REGIONAL SANITATION DISTRICT

(VRSD) – Stipend, \$186 per meeting

Carlos Juarez, Member

Pedro Chavez, Alternate

1st and 3rd Thursdays of monthly, 8:30 a.m.

EXHIBIT A -
2023 City Council
Commission/Committee
Appointments and Mayor's
Standing Committees

2023 CHART OF CITY COUNCIL COMMITTEES		Sobel	Cornejo	Juarez	Crosswhite	Chavez
1	All Children Thrive (ACT) Design Committee				X	
2	Broadband and Technology Standing Committee	X				X
3	California Joint Powers Insurance Authority			A		X
4	Cannabis Standing Committee			X		X
5	Citizen's CORP Liaison			X		
6	City Facilities and Infrastructure Needs Committee			X		X
7	Clean Power Alliance Board					
8	Development Agreement Negotiating Team (Harvest Proj) Ad Hoc		X		X	
9	Economic Development Collaborative - Ventura County (EDC-VC)	A				X
10	Economic Development Standing Committee	X	X			
11	Finance Committee	X	X			
12	Fish Ladder Authority		X			
13	Harding Park Advisory Board Liaison		X			
14	Homeless and Housing Standing Committee			X		X
15	Property Business Improvement District Liaison (PBID)		X			
16	Parks and Recreation Commission Liaison			A		X
17	Santa Paula Basin Pumpers Association		X			
18	Santa Paula Blue Ribbon Advisory Committee (Santa Paula Hospital)	X		X		
19	Santa Paula Unified School District/City Council Joint Committee (2x2)	X	X			
20	Senior Advisory Committee Liaison			X		
21	Social Justice Ad Hoc Committee	X			X	
22	Union Oil Building Use Ad Hoc Committee	X	X			
23	VCTC Committee (Heritage Valley)				X	
24	Ventura County Air Pollution Control District Advisory Committee (VCAPCD)			X		
25	Ventura County Council of Governments (VCOG)			A	X	
26	Ventura County Regional Energy Alliance (VCREA)	X				A
27	Ventura County Transportation Commission (VCTC)				X	
28	Ventura Regional Sanitation District (VRSD)			X		A
	Appointments	8	9	8	6	7
	Alternantes	1	0	3	0	2

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: James Mason, Community & Economic Development Director

Subject: ADOPTION OF RESOLUTION ESTABLISHING A CANNABIS STANDING COMMITTEE

Date: February 1, 2023

Agenda Item: 10.C

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No.7442 establishing the Cannabis Standing Committee to evaluate and make recommendations regarding City's cannabis regulations.

Presented by: Monica Castillo, Interim City Attorney

BACKGROUND:

Advisory bodies in general and all "standing committees" must comply with the open meeting requirements of the Brown Act. (Gov. Code, § 54952.) Standing committees have either some "continuing subject matter jurisdiction" or a meeting schedule fixed by the legislative body's formal action. Standing committees exist to make routine and regular recommendations on a specific subject matter, they survive resolution of any one issue, and are a regular part of the governmental structure.

On the other hand, the Brown Act does not apply to "ad hoc" committees consisting solely of less than a quorum of the legislative body, provided they are composed solely of members of the legislative body and provided that these ad hoc committees do not have some "continuing subject matter jurisdiction," and do not have a meeting schedule fixed by formal action of a legislative body. Thus, ad hoc committees generally serve only a limited or single purpose, they are not perpetual, and they are dissolved when their specific task is completed.

The City of Santa Paula has several "standing" and "ad hoc" committees. Santa Paula Municipal Code section 30.03 states that the City Council may establish standing committees and the Mayor may appoint members to the standing committees for a one year term.

Adoption of the attached Resolution would formally establish the Cannabis Standing Committee.

ANALYSIS:

The City's Cannabis Committee has operated as an "ad hoc" committee for several years. At the December 21, 2022 regular City Council meeting, the City Council voted to reestablish the Cannabis Ad Hoc Committee as a standing committee, as the City continues to evaluate its cannabis regulations, the cannabis industry, state law, public safety concerns, and experiences from other jurisdictions. The Mayor appointed Councilmembers Carlos Juarez and Pedro Chavez to the Cannabis Standing Committee.

The proposed Resolution would formally establish the Cannabis Standing Committee subject to the Brown Act.

The Cannabis Standing Committee would have the following responsibilities:

- Evaluate and make recommendations regarding City's current cannabis regulations.
- Evaluate and make recommendations as to whether cannabis cultivation, manufacturing, distribution and/or retail would be appropriate uses for the City.
- Evaluate and make recommendations regarding City's current regulations related to smoking, vaping and e-cigarettes, including regulations relating to the smoking and vaping of cannabis.
- Evaluate and make recommendations regarding the cultivation of industrial hemp.
- Evaluate and make recommendations regarding public safety and community impacts.
- Evaluate and make recommendations regarding the City's cannabis business tax, including making tax rate recommendations pursuant to Santa Paula Municipal Code Chapter 37.

The Cannabis Standing Committee would be advisory and may provide periodic reports to the City Council, upon request. The City Council may set a date, time, and place for each committee meeting. Otherwise, the Cannabis Standing Committee may meet as necessary.

STRATEGIC PLAN:

Developing a standing Cannabis Committee will provide the opportunity for a collaborative effort focusing on opportunities for economic diversity and ways to identify best practices and local applicability related to an emerging industry. This is in alignment with the following Strategic Goal and Objective:

B. Economic Development

Goal: 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.

4. Create a positive business environment that promotes longevity and expansion by utilizing focus groups, surveys, outreach to existing businesses and collaboration with other cities to learn best practices

FISCAL IMPACTS:

There are no direct fiscal impacts associated with this action.

PERSONNEL IMPACTS:

Staff liaison for the committee would be James Mason, Economic & Community Development Director.

OPTIONS:

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

1. Decide not to establish a Cannabis Standing Committee and eliminate the focused evaluation and oversight that would be provided to the City Council regarding City's cannabis regulations.
2. Provide staff further direction.

ATTACHMENTS:

[Reso No. 7442 Establishing Cannabis Standing Committee](#)

RESOLUTION NO. 7442

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, ESTABLISHING A CANNABIS STANDING COMMITTEE.

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

SECTION 1: Recitals.

- A. At its regular meeting on December 21, 2022, the City Council voted to create a Cannabis Standing Committee.
- B. Santa Paula Municipal Code Section 30.03 authorizes the City Council to establish standing committees and delegate to those committees authority to make recommendations to the Council on the various matters presented to it.
- C. Pursuant to that authority, the City Council now desires to establish the Cannabis Standing Committee as an advisory standing committee subject to requirements contained in the Ralph M. Brown Act, Government Code §§54950 *et seq.*, and define the Committee 's responsibilities.

SECTION 2: Establishment of a Cannabis Standing Committee. The City Council establishes the Cannabis Standing Committee as an advisory standing committee of the City Council pursuant to Santa Paula Municipal Code §30.03 and subject to the provisions of the Ralph M. Brown Act, California Government Code §§54950, *et seq.*, as amended.

SECTION 3: The City Council assigns to the Cannabis Standing Committee the following responsibilities:

- Evaluate and make recommendations regarding City's current cannabis regulations.
- Evaluate and make recommendations as to whether cannabis cultivation, manufacturing, distribution and/or retail would be appropriate uses for the City.
- Evaluate and make recommendations regarding City's current regulations related to smoking, vaping and e-cigarettes, including regulations relating to the smoking and vaping of cannabis.
- Evaluate and make recommendations regarding the cultivation of industrial hemp.
- Evaluate and make recommendations regarding the City's cannabis business tax, including making tax rate recommendations pursuant to Santa Paula Municipal Code Chapter 37.
- Evaluate and make recommendations regarding public safety and community impacts.

- Evaluate the legal cannabis industry, cannabis-related state law and regulations, and experiences of other jurisdictions in regulating cannabis businesses.

SECTION 4: The Mayor is authorized to appoint two members to the Cannabis Standing Committee and, upon the City Council's approval of this Resolution, appoints Councilmember Carlos Juarez and Councilmember Pedro Chavez to the committee. Committee members are required to serve for at least one year.

SECTION 5: This Resolution becomes effective immediately upon adoption and will remain effective until superseded by a subsequent resolution.

PASSED AND ADOPTED this 1st day of February, 2023.

Andy Sobel, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, Interim City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA)
CITY OF SANTA PAULA)

ss

I, Julie Latshaw, City Clerk of the City of Santa Paula, California, DO HEREBY CERTIFY that above RESOLUTION NO. _____ was duly passed and adopted by the City Council of the City of Santa Paula at a regular meeting thereof held on the 1st day of February, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this _____ day of February, 2023.

Julie Latshaw, City Clerk
Of the City of Santa Paula,
California
(SEAL)

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Monica Castillo, Interim City Attorney

Subject: ADOPTION OF RESOLUTION ESTABLISHING A BROADBAND AND
TECHNOLOGY STANDING COMMITTEE

Date: February 1, 2023

Agenda Item: 10.D

RECOMMENDATION:

Staff recommends City Council:

Adopt Resolution No. 7443 establishing a Broadband and Technology Standing Committee to address and make recommendations regarding city broadband and infrastructure needs.

Presented by: Monica Castillo, Interim City Attorney

BACKGROUND:

Advisory bodies in general and all “standing committees” must comply with the open meeting requirements of the Brown Act. (Gov. Code, § 54952.) Standing committees have either some “continuing subject matter jurisdiction” or a meeting schedule fixed by the legislative body’s formal action. Standing committees exist to make routine and regular recommendations on a specific subject matter, they survive resolution of any one issue, and are a regular part of the governmental structure.

On the other hand, the Brown Act does not apply to “ad hoc” committees consisting solely of less than a quorum of the legislative body, provided they are composed solely of members of the legislative body and provided that these ad hoc committees do not have some “continuing subject matter jurisdiction,” and do not have a meeting schedule fixed by formal action of a legislative body. Thus, ad hoc committees generally serve only a limited or single purpose, they are not perpetual, and they are dissolved when their specific task is completed.

The City of Santa Paula has several “standing” and “ad hoc” committees. Santa Paula Municipal Code section 30.03 states that the City Council may establish standing committees and the Mayor may appoint members to the standing committees for a one year term.

Adoption of the attached Resolution would formally establish the Broadband and Technology Standing Committee.

ANALYSIS:

The City's Broadband and Technology Committee has operated as an "ad hoc" committee for several years. At the December 21, 2022 regular City Council meeting, the City Council voted to reestablish the Broadband and Technology Ad Hoc Committee as a standing committee, as the City continues to address the City's broadband technology needs, and guidance regarding increasing broadband and technological access to residents of the City. The Mayor appointed himself and Councilmember Pedro Chavez to the Broadband and Technology Standing Committee.

The accompanying proposed Resolution would formally establish the Broadband and Technology Standing Committee subject to the Brown Act.

The Broadband and Technology Standing Committee would be responsible for making recommendations to City Council on the following issues:

- Resident access to reliable and affordable internet access, including necessary infrastructure.
- Funding opportunities in broadband and technology infrastructure, including funding to improve public access to computers.
- Identifying critical areas in the City where conduit installation in the ground or wireless technology could be beneficial for future infrastructure needs or assist in providing future revenue opportunities.
- Exploration of City facilities and infrastructure for opportunities to ensure broadband redundancy.
- Exploring the creation of a broadband roadmap or "dig once" policy that aligns with current or anticipated Public Works CIP projects (e.g. Harvard Blvd.). The policy is intended to help secure funding for the placement of conduit or other technologies at the same time work is being performed for a fraction of the price.
- Partnership and collaboration with the Ventura County Broadband Consortium to support construction of the Ventura County Fiber Network.
- Exploring opportunities to stimulate economic development by using broadband technologies to assist or attract businesses to Santa Paula through partnership with the Economic Development Collaborative (EDC).

The Broadband and Technology Standing Committee would be advisory and may provide periodic reports to the City Council, upon request. The City Council may set a date, time, and place for each committee meeting. Otherwise, the Broadband and Technology Standing Committee may meet as necessary.

STRATEGIC PLAN:

Approval of this item moves the City closer to completing City Council's two-year Strategic Plan, Section C. Infrastructure, Transportation & Mobility, Objective #4, "Explore opportunities for Broadband High-Speed Internet," by establishing a standing committee dedicated to exploring broadband opportunities across Santa Paula for both residents and City facilities and infrastructure.

FISCAL IMPACTS:

There are no direct fiscal impacts associated with the creation of a standing committee. The Broadband and Technology Standing Committee will, however, oversee the progress of the \$192,050 Local Area Technical Assistance grant funding, which will help staff hire consultants

to create a Broadband Masterplan provided under separate cover earlier in Council's packet this evening.

PERSONNEL IMPACTS:

Staff liaison for the committee would be Jonathan Royas, Management Analyst.

OPTIONS:

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

1. Decline to approve Staff's recommendation.
2. Provide staff further direction.

ATTACHMENTS:

[Resolution No. 7443 - Broadband and Tech Standing Committee.pdf](#)

RESOLUTION NO. 7443

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, ESTABLISHING A BROADBAND AND TECHNOLOGY STANDING COMMITTEE.

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

SECTION 1: Recitals.

- A. At its regular meeting on December 21, 2022 the City Council voted to create a Broadband and Technology Standing Committee.
- B. Santa Paula Municipal Code §30.03 authorizes the City Council to establish standing committees and delegate to those committees authority to make recommendations to the Council on the various matters presented to it.
- C. Pursuant to that authority, the Council now desires to establish the Broadband and Technology Standing Committee as a standing committee subject to requirements contained in the Ralph M. Brown Act, Government Code §§54950 *et seq.*, and define the committee 's responsibilities.

SECTION 2: Establishment of a Broadband and Technology Standing Committee. The City Council establishes the Broadband and Technology Standing Committee as a standing committee of the City Council pursuant to Santa Paula Municipal Code §30.03 and subject to the provisions of the Ralph M. Brown Act, Government Code §§54950 *et seq.*, as amended.

SECTION 3: The City Council assigns to the Broadband and Technology Standing Committee the responsibility to make recommendations and provide information to the full City Council on the following issues:

- Resident access to reliable and affordable internet access, including necessary infrastructure.
- Funding opportunities in broadband and technology infrastructure, including funding to improve public access to computers.
- Identifying critical areas in the City where conduit installation in the ground or wireless technology could be beneficial for future infrastructure needs or assist in providing future revenue opportunities.
- Exploring City facilities and infrastructure for opportunities to ensure broadband redundancy.
- Exploring the creation of a broadband roadmap or "dig once" policy that aligns with current or anticipated Public Works CIP projects (e.g. Harvard Blvd.). The policy is intended to help secure funding for the placement of

conduit or other technologies at the same time work is being performed for a fraction of the price.

- Partnership and collaboration with the Ventura County Broadband Consortium to support construction of the Ventura County Fiber Network.
- Exploring opportunities to stimulate economic development by using broadband technologies to assist or attract businesses to Santa Paula through partnership with the Economic Development Collaborative (EDC).

SECTION 4: The Mayor is authorized to appoint two members of the City Council to the Broadband and Infrastructure Standing Committee and, upon the City Council's approval of this Resolution, appoints himself and Councilmember Pedro Chavez to the committee. Committee members are required to serve for at least one year.

SECTION 5: This Resolution becomes effective immediately upon adoption and will remain effective until superseded by a subsequent resolution.

PASSED AND ADOPTED this 1st day of February, 2023.

Andy Sobel, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, Interim City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager

CERTIFICATION

**STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS
CITY OF SANTA PAULA)**

I, Julie Latshaw, City Clerk of the City of Santa Paula, California, DO HEREBY CERTIFY that above RESOLUTION NO. _____ was duly passed and adopted by the City Council of the City of Santa Paula at a regular meeting thereof held on the 1st day of February, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this _____ day of February, 2023.

Julie Latshaw, City Clerk
Of the City of Santa Paula,
California
(SEAL)

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Management Analyst

Subject: CONSIDERATION OF A RESOLUTION PROCLAIMING A STATE OF
EMERGENCY IN REPONSE TO SEVERE STORMS

Date: February 1, 2023

Agenda Item: 10.E

RECOMMENDATION:

1. Staff recommends City Council adopt a resolution proclaiming a state of emergency as a result of severe storms.
2. If the proposed resolution is adopted, direct the City Clerk to bring back to City Council every 60 days an item on the continuing existence of the local emergency until the resolution is rescinded.

Presented by: Monica Castillo, Interim City Attorney

BACKGROUND:

Recent severe winter storms have caused damage within the City, including damage to property and private residences.

On January 4, 2023, the Governor of the State of California declared a state of emergency as a result of the winter storms related to a series of atmospheric river systems that occurred.

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 for federal assistance to supplement the local response efforts and authorizes the Department of Homeland Security and Federal Emergency Management Agency to coordinate all disaster relief efforts.

ANALYSIS:

Under the State Emergency Services Act and the City's local implementing ordinance, declaring a state of local emergency when a crisis situation exists provides emergency powers and authorities to the City and provides some additional liability protections for the City. In many cases, this local declaration is also the first step in seeking State and Federal declarations that provide for reimbursement and other financial assistance.

The California Disaster Assistance Act (CDAA) authorizes the California Governor's Office of Emergency Services Director to provide financial assistance to repair and restore damaged

public facilities and infrastructure. This resolution will allow the City to request assistance under the CDAA for repairs to City facilities and infrastructure of which damages are still being assessed as of the writing of this report. At this time, the City has identified a number of downed trees throughout the City which will require staff service and time to remedy. The City Corporate Facility Yard has also sustained damage.

Declaring a state of local emergency provides extraordinary powers to the City. As such, if declared by the City Council, the City Council must re-confirm the state of local emergency every 60 days thereafter.

In light of the property damage to City facilities, downed trees, and the City's continuing evaluation of such damage, it is requested that the City Council proclaim a state of local emergency. In addition, if a local emergency is declared, the City Clerk is directed to schedule City Council's consideration of a continuing state of local emergency at least every 60 days hereafter until terminated.

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 recover from the damages of this severe weather emergency is fiscally prudent to Santa Paula taxpayers.

FISCAL IMPACTS:

While the fiscal impact is unknown at this time, this emergency declaration will assist in allowing staff to recoup costs related to this emergency event via federal and state funds, should they become available.

OPTIONS:

City Council has the following options available:

1. Reject Resolution No. 7445, thereby relinquishing any opportunities for the City to recover funds spent on damages sustained to infrastructure and facilities from the emergency event; or
2. Modify or change the language or terms of Resolution No. 7445.

ATTACHMENTS:

[Resolution No. 7445 - Emergency Declaration](#)

RESOLUTION NO. 7445

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY REGARDING SEVERE STORMS

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

- A. Santa Paula Municipal Code Section 34.05 empowers the City Manager to request the City Council to proclaim the existence, or threatened existence, of a local emergency, if the City Council is in session, or to issue a proclamation if it is not.
- B. Severe storms commencing on or about January 4, 2023, created conditions of extreme peril to the safety of persons and property within the City of Santa Paula ("City").
- C. On January 4, 2023, California Governor Newsom declared a state of emergency to provide assistance to local governments, formalize emergency actions across multiple state agencies and departments, and help the state respond to flooding, power outages, and damage caused by severe winter storms beginning December 27, 2022.
- D. On January 8, 2023, President Biden declared a state of emergency in the State of California and ordered federal assistance to supplement state, tribal, and local response efforts due to the emergency conditions resulting from successive and severed winter storms, flood, and mudslides.
- E. The severe storms caused damaged within the City including flooding of the Public Works Corporate Yard, loss of several mature trees, and the need to remove dangerous trees due to creek undermining. Staff's preliminary estimate of repairs and remediation costs ranges between \$115,000 and \$140,000.
- F. California Government Code Section 8630 and Santa Paula Municipal Code Section 34.05 empowers the City Council to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity.
- G. The City Council desires to declare a local emergency based on its finding that the severe storms caused property damage within the City and areas are still recovering from heavy flooding.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA PAULA
DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 2: Proclamation of Emergency. Pursuant to California Government Code section 8630 and Santa Paula Municipal Code section 34.05, the City Council hereby finds and proclaims a local emergency caused by conditions or threatened conditions of severe winter storms in Santa Paula, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

SECTION 3: Duration. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council. The City Council shall review the need for the continuing local emergency at least once every 60 days until the City Council terminates the local emergency.

SECTION 4: City Manager Authority. The City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

SECTION 5: Price Control. Pursuant to California Penal Code section 396, it is unlawful for any person or business of the City of Santa Paula to charge more than 10% higher than the price charged by that person or business 30 days after the proclamation of this local emergency. The statute also authorizes the City Council to extend the price controls for additional 30-day period as needed to protect the lives, property or welfare of the citizens.

SECTION 6: During the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City of Santa Paula.

PASSED AND ADOPTED this 1st day of February, 2023.

Andy Sobel, Mayor

ATTEST:

Julie Latshaw, City Clerk

APPROVED AS TO FORM:

Monica Castillo, Interim City Attorney

APPROVED AS TO CONTENT:

Dan Singer, City Manager



Santa Paula City Council Tentative Agenda Schedule

DEPARTMENT	MEETING DATE	Wednesday, February 15, 2023
Admin	February 15, 2023	City Manager Department Report
PW		Asset Management System Implementation Report and Presentation
HR		Social Media Policy – Resolution #7432
PD		Annual Cops Grant
P&R		Security Fence Contract Award
Admin		District-Based Elections –Ordinance Intro 1 st Read
		Wednesday, March 1, 2023
P&R	March 1, 2023	Arbor Day Proclamation
PD		Police Department Report
Finance		Investment Report
Finance		Finance Mid-year Report
Admin		Police Chief Selection Process
Admin		District Based Elections Final Map
PW		Plans & Specifications for 8 th Street Streetlight Repair Project
PW		5-year CIP Budget Adjustments
Admin		Legislative Platform Update
		STUDY SESSION TOPICS
Admin		No Smoking Ordinance
Admin	Feb/March	Diversity, Equity and Inclusion Workshop
Admin	Jan/Feb	Legislative Platform Update
P&R		Oil Museum Use Option
		FUTURE AGENDA ITEMS
Admin		SoCal Edison discussion on rates
CDD	Jan/Feb	Review of City Street Naming Policy
CDD		VCTC Update on Railroad
CDD		Cultural Arts Update
Finance		Travel Policy Update
HR/CM	Jan/Feb	IT Manager Reclassification
CDD		Housing In-lieu Funding Expansion
Admin		211 Presentation
PW		Main Street Crosswalk Project Plans & Specifications
CED		Façade Improvement Program