

City of Santa Paula

City Council

MAYOR JENNY CROSSWHITE
VICE MAYOR ANDY SOBEL
COUNCILMEMBER RICHARD ARAIZA
COUNCILMEMBER CARLOS JUAREZ
COUNCILMEMBER LESLIE CORNEJO



CITY COUNCIL SPECIAL MEETING OF THE
SANTA PAULA CITY COUNCIL

WEDNESDAY, JUNE 29, 2022

4:00 PM - City Council Special Meeting

VIRTUAL MEETING
(VARIOUS TELECONFERENCE LOCATIONS)

JULIE LATSHAW, CITY CLERK
DAN SINGER, CITY MANAGER
JOHN C. COTTI, CITY ATTORNEY

VIRTUAL MEETING

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. Special and Closed Sessions vary by date and time.

In response to COVID-19 and in accordance with AB 361, this meeting will be held remotely via Zoom teleconference. Pursuant to AB 361, a local legislative body is authorized to hold public meetings via teleconferencing to promote social distancing. All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

We urge residents who wish to participate in City Council meetings by utilizing any of the following options:

HOW TO VIEW THE MEETING: (Note - "Special" meetings are not available on the local Channel 10 or by live feed on the city website.) Members of the public are encouraged to view and listen to this virtual Special City Council meeting by attending the meeting through a computer or telephone.

BY COMPUTER:

Zoom Meeting Webinar ID: 881 5572 7165

Passcode: 058465

or the following Link: [https://us02web.zoom.us/j/88155727165?](https://us02web.zoom.us/j/88155727165?pwd=NvYmOzcREPBLWPyaHWmg2HqdA667mA.1)

[pwd=NvYmOzcREPBLWPyaHWmg2HqdA667mA.1](https://us02web.zoom.us/j/88155727165?pwd=NvYmOzcREPBLWPyaHWmg2HqdA667mA.1)

BY TELEPHONE:

+1 669 900 6833

HOW TO PARTICIPATE DURING THE MEETING: Members of the public are encouraged to participate under PUBLIC COMMENTS for any item appearing on this Agenda only. To facilitate effective and efficient remote meetings, people wishing to address the Council should submit, by 2pm, on the day of the Council meeting, an email to cityclerk@spcity.org, indicating what item you would like to speak. The Council will also permit public comment through the "raise hand" feature on Zoom. Members of the public may address the Council on items on this agenda only. **Public Comments are limited to 3 minutes.**

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 correspondences received by 2 pm, on the day of the Council meeting, will be provided to the legislative body before the meeting. Public Comments received after, will be provided to the legislative body the next day.

Your participation in this meeting is in the public domain; meetings are cable cast; 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.

Spare Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the Office of the City Clerk and are available for public inspection. If you have any questions regarding any agenda item, contact the City Clerk at (805) 933-4208.

SPECIAL MEETING - VARIOUS TELECONFERENCE LOCATIONS

The following meeting is held via teleconference only pursuant to Government Code Section 54953(e), as amended by AB 361. All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

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. ROLL CALL

3. PUBLIC COMMENT

At this time, members of the public may comment on any item appearing on the agenda only. Individual Councilmembers may briefly respond to Public Comments or ask questions for clarification. **Public Comments are limited to three minutes.**

4. CONSENT CALENDAR

4.A EXTEND APPROVAL TO HOLD VIRTUAL CITY COUNCIL, COMMISSION, COMMITTEE, BOARD AND OTHER CITY BODIES, 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 Bodies Meetings Pursuant to AB 361.

5. ACTION ITEMS

5.A CONFLICT OF INTEREST CODE - BIENNIAL REVIEW

RECOMMENDATION:

Staff recommends that the City Council:

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

6. 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 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 BODIES,
MEETINGS PURSUANT TO AB 361

Date: June 29, 2022

Agenda Item: 4.A

RECOMMENDATION:

Staff recommends that the City Council:

1. Extend Approval to hold Virtual City Council, Commission, Board, and other City Bodies 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 meetings under AB 361 by adopting Resolution No. 7384.

In order to extend the ability to hold virtual City Council, Commission, Board, and other City Bodies 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.

ANALYSIS:

In order to continue to qualify for AB 361's exception to in-person 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) state or local officials continue to recommend measures to promote social distancing, or that (b) an in-person meeting would constitute an imminent risk to the safety of attendees.

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 meeting virtually under AB 361 is optional. If the City Council wishes, it may meet in person.

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, to extend the time, 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: Julie Latshaw, City Clerk

Subject: CONFLICT OF INTEREST CODE - BIENNIAL REVIEW

Date: June 29, 2022

Agenda Item: 5.A

RECOMMENDATION:

Staff recommends that the City Council:

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

BACKGROUND:

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

The Act requires that the following City officers file Statements of Economic Interests with the City Clerk: City Council Members; the City Manager; the City Attorney; and Planning Commissioners. In addition to these positions, the Act requires each city to adopt a local conflict of interest code designating other city positions that are involved in making or participating in the making of city decisions at all levels of city government.

ANALYSIS:

The Act requires that agencies, including cities, regularly review and update their codes as necessary or when change is necessitated by changed circumstances. The Act provides that no later than July 1 of each even-numbered year, code-reviewing bodies shall direct the review of all agency codes under their jurisdiction and requires that the agency head, no later than October 3, file a statement regarding the results of that review. The City Council is the code-reviewing body for the City's conflict of interest code and on or before July 1 it must direct the City Manager to conduct the biennial review of the conflict of interest code.

The City Manager must file a statement regarding the results of the review no later than October 3 of the same year. If it is determined that no changes are needed, a report from the City Manager to this effect will be provided to Council. If modifications to the code are necessary, the City Clerk will return to the City Council with a modified conflict of interest code

for the Council's consideration. A copy of the City's 2018 Conflict of Interest Code, which includes designated employees not included as mandated filers under Government Code §87200 is attached.

STRATEGIC PLAN:

None.

FISCAL IMPACTS:

Minimal staff time is required to perform the review of the City's conflict of interest code. There are no fiscal impacts associated with this item.

OPTIONS:

ATTACHMENTS:

[Reso 7161 Conflict of Interest Code 2018.pdf](#)

RESOLUTION NO. 7161

A RESOLUTION ADOPTING THE 2018 CONFLICT OF INTEREST CODE FOR THE CITY OF SANTA PAULA IN ACCORDANCE WITH THE POLITICAL REFORM ACT, GOVERNMENT CODE §81000 *et seq.*

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

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

- A. The Political Reform Act (PRA; Gov't Code 81000, *et seq.*) and regulations adopted pursuant to the PRA (FPPC Regs.; 2 Cal Code of Regs. 18700, *et seq.*) require local governments to adopt conflict of interest codes.
- B. Section 18730 of the FPPC Regs. Sets forth a standard conflict of interest code that may be adopted by local agencies.
- C. The City Clerk's office has conducted a review of the City's conflict of interest code in accord with Government Code §87306.5 and made recommendations.
- D. To fulfill its obligations under the PRA and FPPC Regs., the City Council will adopt the conflict of interest code as set forth below.

SECTION 2: Pursuant to FPPC Regs. §8730, the City of Santa Paula adopts a Conflict of Interest Code to read as follows:

"CONFLICT OF INTEREST CODE FOR THE CITY OF SANTA PAULA"

- A. Incorporation of Standard Code.

Under the terms of the Political Reform Act (Gov't Code §81000 *et seq.*) and regulations promulgated by the Fair Political Practices Commission (2 Cal. Code of Regs. §18700 *et seq.*), the City is required to adopt a conflict of interest code. The City of Santa Paula incorporates by reference 2 Cal. Code of Regs. §18730, and its amendments, into this Conflict of Interest Code including, without limitation, the designation of officials and employees and the disclosures categories set forth below (collectively, "the Conflict of Interest Code").

- B. Filing of Statements.

Designated officials, officers and employees must file Statements of Economic

Interest (Form 700) with the City Clerk or Deputy City Clerk. After receiving Statements of Economic Interests from the City Council members, City Attorney, and City Manager, the City Clerk or Deputy City Clerk, must forward the original to the Fair Political Practices Commission and retain a copy for the City's files.

C. Review Procedure

Under Government Code §87306.5, no later than July 1 of each even numbered year, the City Council must direct the City Clerk or Deputy City Clerk, to review the Conflict of Interest Code. The City Clerk or Deputy City Clerk must submit an amended Conflict of Interest Code to the City Council if a change in the Conflict of Interest Code is necessitated by changed circumstance. If changes are not required, the City Clerk or Deputy City Clerk must submit a written statement to that effect to the City Council no later than October 1 of the same year.

D. Designated Positions

The following positions entail the making or participation in the making of decisions that may have a foreseeable material effect on the officials or officer's financial statements.

COUNCIL, COMMISSIONS, COMMITTEES & BOARDS**

- Members of the City Council
- Members of the Planning Commission
- Members of the Mobilehome Rent Review Commission
- Members of the Building Appeals Board
- Members of the Administrative Appeals Hearing Board
- Members of the Measure T Oversight Committee

OFFICE OF THE CITY MANAGER

- City Manager
- Assistant City Manager
- Human Resources Manager

OFFICE OF THE CITY ATTORNEY

- City Attorney
- Assistant City Attorney

OFFICE OF THE CITY CLERK

- City Clerk
- Deputy City Clerk

OFFICE OF THE CITY TREASURER

- City Treasurer
- Deputy City Treasurer

COMMUNITY SERVICES DEPARTMENT

- Community Services Director
- Recreation Supervisor

FINANCE DEPARTMENT

- Finance Director
- Assistant Finance Director
- Accountant
- Purchasing Agent

COMMUNITY DEVELOPMENT DEPARTMENT

- Planning Director
- Planning Manager
- Assistant Planner
- Associate Planner
- Chief Building Official

POLICE DEPARTMENT

- Police Chief
- Assistant Police Chief
- Police Commander

PUBLIC WORKS DEPARTMENT

- Public Works Director/City Engineer
- Assistant Public Works Director

- Senior Engineering Technician
- Water Operations Superintendent

**Listed in the code for information purposes only. These positions file under Government Code Section 87200 with the Fair Political Practices Commission.

CONSULTANTS:

All consultants except those included by the City Manager in accordance with the following procedure:

The City Manager may determine in writing that particular consultant, although a "designated position," is hired to perform a range of duties that requires the consultant to fully comply with the disclosure requirements described in this section. Such written determination must include a description of the consultant's duties and, based upon that description a statement of the extent of disclosure requirement. The City Manager determination is a public record and must be retained for public inspection in the same manner and location as this conflict of interest code.

E. Disclosure Requirements

Designated employees must disclose all interests as required by the Political Reform Act and regulations promulgated thereto. When a new position classification is created, the City Council will decide whether the new position will be required to file a Statement of Economic Interest and be included as a designated position in the Conflict of Interest Code. When the City Council establishes a Commission, Committee, or Board, the City Council will decide whether the members of the Commission, Committee or Boards be included as designated position in the Conflict of Interest Code and the members of the Commission, Committee or Board so designated by the City Council, will be required to file a Statement of Economic Interest.

E. Disclosure Obligations

All designated employees and consultants are required to file under the City of Santa Paula Conflict of Interest Code must disclose in the following categories as defined by the FPPC:

- Investments (Stocks, bonds and other interests)
- Investments, Income and Assets of Business Entities/Trusts
- Interests in Real Property
- Income, Loans and Business Positions (Income other than gifts and

- travel payments)
- Income-gifts
- Travel Payments, Advances and Reimbursements"

SECTION 3: Resolution No. 7008(adopted October 3, 2016) and any other resolution or policy purporting to establish a conflict of interest code, is superseded by this Resolution and thus repealed in its entirety.

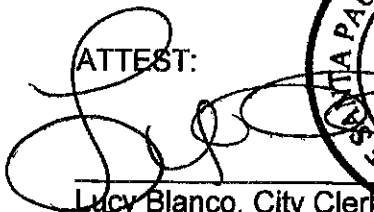
SECTION 4: Repeal of any provision of any resolution or policy herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 5: The City Clerk will certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

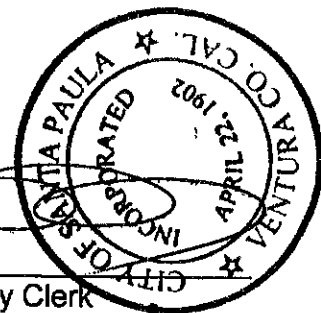
SECTION 6: This Resolution will become effective upon adoption.

PASSED AND ADOPTED THIS 5th day of September, 2018.

ATTEST:



Lucy Blanco, City Clerk




Ginger Gherardi
Mayor

APPROVED AS TO FORM:


John C. Cotti, City Attorney

APPROVED AS TO CONTENT:


Michael K. Rock, City Manager