

City of Santa Paula

*City Council/Redevelopment Agency
Agenda*

MAYOR/CHAIR JAMES A. TOVIAS
VICE MAYOR/VICE CHAIR FRED W. ROBINSON
COUNCILMEMBER/DIRECTOR GABINO AGUIRRE, Ph.D.
COUNCILMEMBER/DIRECTOR RALPH J. FERNANDEZ
COUNCILMEMBER/DIRECTOR ROBERT S. GONZALES



A REGULAR MEETING OF THE
SANTA PAULA CITY COUNCIL
REDEVELOPMENT AGENCY
MONDAY, MARCH 15, 2010

6:30 PM – Regular Matters

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

JUDY RICE, CITY CLERK/ AGENCY SECRETARY
JAIME M. FONTES CITY MANAGER/ EXECUTIVE DIRECTOR
KARL H. BERGER, CITY ATTORNEY/ AGENCY ATTORNEY

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

WELCOME TO THE CITY OF SANTA PAULA CITY COUNCIL MEETING

You are invited to attend all City Council, Redevelopment Agency, commission, and board meetings. Agendas are posted in the front of City Hall in advance of the scheduled meetings. Information for commission and board meetings may be obtained by contacting the City Clerk's Office. The Santa Paula City Council's regular meetings start at 5:30 p.m. the first and third Monday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula. The regular meetings of the City Council are also regular meetings of the Redevelopment Agency.

BRINGING ITEMS BEFORE THE CITY COUNCIL

If you wish to speak at a City Council meeting, please fill out a yellow **Public Comment Form** noting your name and address and submit the form to the City Clerk. Include the Agenda item number, when appropriate.

1. **Items Not on the Agenda:** If you wish to discuss an item which is not scheduled on the Agenda, you may address the City Council during *Public Comment*. Please realize that due to the limitations placed on the City Council by provisions of the *California Government Code*, the City Council ordinarily cannot take action on any item that is not on the agenda. Because of these restrictions, expect that matters that you identify during public comment will be referred to staff or considered on a future agenda.
2. **Agenda Items:** Items being considered by the City Council may appear on the Consent Calendar, as an Order of Business, or as a Public Hearing. Public comments on each type of item are handled differently, as explained below:
 - a. For items appearing on the Consent Calendar, please submit a Public Comment Form before the Council takes action on the Consent Calendar. Items that receive a Public Comment Form may be pulled from the Consent Calendar by the Mayor and discussed separately by the City Council.
 - b. For items appearing as an Order of Business, the Mayor will announce the Agenda item and request the staff report, the staff member responsible will give a brief summary of the report; the City Council will have an opportunity to ask questions of staff; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); and the City Council will discuss the item and then take appropriate action.
 - c. For items on which a Public Hearing is scheduled, the Mayor will open the public hearing and receive the staff report; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); the City Council will discuss the item; and the Mayor will close the public hearing after City Council action.

Your Participation in this meeting is in the public domain; meetings are cablecast; minutes of this meeting will reflect your participation in this meeting and are posted on the city's website.

PLEASE NOTE: *Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the City Council at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.*

In compliance with the **Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk at (805) 933-4208. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II). Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office.

SANTA PAULA CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA
REGULAR MEETING – MARCH 15, 2010
MONDAY – 6:30 P.M. – COUNCIL CHAMBERS

1. **CALL TO ORDER**

2. **INVOCATION**

3. **FLAG SALUTE**

4. **ROLL CALL**

5. **CLOSED SESSION REPORT**

6. **PRESENTATIONS**
 - A. **Presentation by the Grand Jury Regarding Grand Jury Service**
 - B. **COMPACT for Sustainable Ventura County**– Mary Ann Krause
 - C. **Update on Citrus Balloon Classic**– Carla Edwards

7. **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.

8. **CITY COUNCIL, STAFF COMMUNICATIONS**

9. **APPROVAL OF FINAL AGENDA**

10. **CONSENT CALENDAR**

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

SUGGESTED MOTION: *Motion/Second to adopt the Consent Calendar as presented.*

- A. **Waiver of Reading of Ordinances and Resolutions**– Waive reading of Ordinances and Resolutions appearing on the Agenda.
- B. **Receive and File Reimbursement Reports**– In accordance with Government Code §§ 53232.2, 53232.3, and Resolution No. 6258, receive and file reimbursement reports as specified.
- C. **Warrants and Certifications**– Review, approve, and file the attached warrants and certifications. Finance Director John T. Quinn’s report dated March 1, 2010.

Invoices	02/25/10		
Wire Transfer	02/24/10		
Subtotal		\$	488,546.49
Invoices	03/05/10		
Wire Transfers	03/03/10		
Subtotal		\$	65,664.23
	Grand Total	\$	554,210.72

- D. **Planning Commission Action Report**– Pursuant to Resolution No. 6456, receive and file the Planning Director’s report regarding Planning Commission actions taken on March 9, 2010. Alternatively, in accordance with SPMC § 16.206.060, the City Council may place an item on a future agenda to consider issuing an order of review regarding an action.
- E. **Minutes**– Adopt the Minutes from the Special City Council Meeting of February 24, 2010. Deputy City Clerk Peggy Higgins’ report dated March 9, 2010.
- F. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of March 1, 2010. Deputy City Clerk Peggy Higgins’ report dated March 9, 2010.
- G. **Approve Change in Format of Warrants Prepared for the Council Agenda Packet Consent Calendar**– It is recommended that the City Council: 1) approve a new format for presentation of the warrants included in the Council Meeting Agenda Packet; or 2) return recommendation to staff with comment and further direction. Finance Director John Quinn’s report dated March 7, 2010
- H. **Request for Out-of-State Travel**– It is recommended that the City Council approves the out-of-state travel for the Chief of Police to attend training in Las Vegas, NV on March 23, 2010. Chief of Police Stephen MacKinnon’s report dated March 8, 2010

11. PUBLIC HEARINGS

- A. **Adopt Resolution No. 6660 to Abandon a Portion of Santa Cruz Street between Steckel Drive and Vernon Place**–
- Verification of posting by City Clerk
 - Declaration of conflicts (if any)
 - Declaration of ex parte contacts (if any)
 - Open public hearing
 - Staff presentation
 - Public testimony
 - Discussion and action
 - Close public hearing

Suggested Action: It is recommended that the City Council: 1) open the public hearing; 2) take testimonial and documentary evidence; 3) continue the public hearing until April 5, 2010; and 4) take such additional, related action that may be desirable. Public Works Director Clifford G. Finley’s report dated March 9, 2010

B. **City Council Order of Review of Planning Commission Resolution No. 3656 Denying Project 2009-CDP-03 Requesting Two Growth Management Unit Allocations, Conditional Use Permit, and Variance to Construct a Two-Unit Residential-Commercial Mixed Use Development at 132- 134- 136 N. Ojai Street–**

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

Suggested Action: It is recommended that the City Council: 1) open the public hearing and take evidence; 2) consider the evidence received during the public hearing; 3) adopt Resolution No. 6659 to either uphold or overturn the Planning Commission decision; and 4) take such additional, related action as may be appropriate. Planning Director Janna Minsk's and Deputy Planning Director Stratis Perros' report dated March 9, 2010

C. **Review of Project No. 2009-MISC-03: Appeal of Planning Commission Decision that Sustained Building Official Action and Denied an Appeal Regarding an Unlawful Change of Occupancy of an Existing Commercial Building Located at 136 N. Ojai St.–**

- Verification of posting by City Clerk
- Declaration of conflicts (if any)
- Declaration of ex parte contacts (if any)
- Open public hearing (continued from December 7, 2009)
- Staff presentation
- Public testimony
- Discussion and action
- Close public hearing

Suggested Action: It is recommended that the City Council: 1) reopen the continued public hearing and take evidence; 2) consider the evidence received during the public hearing; 3) adopt Resolution No. 6608 (Exhibit A) denying the appeal and sustaining the Planning Commission decision; and 4) take such additional, related action as may be appropriate.

RESOLUTION NO. 6608– A RESOLUTION TO DENY AN APPEAL AND SUSTAIN PLANNING COMMISSION'S ACTION REGARDING AN ILLEGAL CHANGE OF OCCUPANCY OF A COMMERCIAL UNIT TO A RESIDENTIAL USE (PROJECT NO. 2009-MISC-03). Deputy Planning Director Stratis Perros' report dated March 9, 2010

12. **ORDER OF BUSINESS**

- A. **FY 2009-10 February Monthly Update**– It is recommended that the City Council: 1) receive and file this Summary Report of Budget Revenues & Expenditures; 2) request additional information and/or provide direction to staff as appropriate. Finance Director John Quinn's report dated March 7, 2010

13. **COMMUNICATIONS**

Items of interest that are not on the agenda, such as conference or meeting reports, may be discussed under this item. No action other than "receive or refer to staff" may be taken.

- A. City Manager/Executive Director, Staff, Employees
- B. City/Agency Attorney
- C. City Council/Redevelopment Agency

14. **REQUEST FOR FUTURE AGENDA ITEMS**

Any Councilmember/Director may propose items for placement on a future agenda. Members may discuss whether or not the item should be placed on a future agenda and the description of the agenda item. Any direction to the City Manager/Executive Director to place an item on a future Council/Agency Agenda, do research, or a staff report must be accompanied with a majority vote of the City Council/Redevelopment Agency. The City Manager/Executive Director shall have discretion as to when the item will come back on the Agenda, unless the City Council identifies a specific meeting for the item's return.

15. **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: _____
Deputy City Clerk/Administrative Secretary Peggy Higgins