

City of Santa Paula

City Council Agenda

MAYOR RALPH J. FERNANDEZ

VICE MAYOR JIM TOVIAS

COUNCILMEMBER GABINO AGUIRRE, Ph.D.

COUNCILMEMBER ROBERT S. GONZALES

COUNCILMEMBER FRED W. ROBINSON



A REGULAR MEETING OF THE
SANTA PAULA CITY COUNCIL
MONDAY, FEBRUARY 2, 2009
6:30- Regular Matters

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

WALLY BOBKIEWICZ, CITY MANAGER
JUDY RICE, CITY CLERK
KARL H. BERGER, CITY 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.

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 AGENDA
REGULAR MEETING – MONDAY, FEBRUARY 2, 2009
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 of Santa Paula City Certificate of Appreciation by Building and Safety Director Steve Stuart for Recognition of Service to Albert Carnahan
- B. Presentation by Assistant to the City Manager Elisabeth Amador Proposition 63 Mental Health Services Act. Prevention and Early Intervention

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**

A. Water Recycling Facility Update

9. **APPROVAL OF FINAL AGENDA**

10. **CONSENT CALENDAR**

Background information was 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. **Planning Commission Action Report** - Pursuant to Resolution No. 6456, receive and file the Planning Director's report regarding Planning Commission actions taken on January 13, 2009. 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.

D. **Planning Commission Action Report** - Pursuant to Resolution No. 6456, receive and file the Planning Director's report regarding Planning Commission actions taken on January 27, 2009. 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 December 1, 2008.
- F. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of December 1, 2008.
- G. **Minutes**– Adopt the Minutes from the Regular City Council Meeting of December 15, 2008.
- H. **Adoption Resolution No. 6549 Approving the Plans and Specifications for the Craig Avenue Water Distribution Pipeline Installation Project**– It is recommended that the City Council 1) adopt Resolution No. 6549 approving the plans and specifications for the Craig Avenue Water Distribution Pipeline Installation Project; 2) authorize staff to advertise for bids; 3) take such additional, related, action that may be desirable. **RESOLUTION NO. 6549**– A RESOLUTION APPROVING THE PLANS FOR THE CRAIG AVENUE WATER DISTRIBUTION PIPELINE INSTALLATION PROJECT PURSUANT TO GOVERNMENT CODE SECTION 830.6. Interim Public Works Director Jon Turner’s report dated January 22, 2009.
- I. **Annual Financial Reports of the Local Transportation Development Act Fund for Article 3 and Article 8, Section 99400(a), Section 99400(c) and Section 99234 Funds for the City of Santa Paula for the Fiscal Year Ended June 30, 2008**– It is recommended that the City Council receive and place on file the Annual Financial Reports for the Local Transportation Development Act Fund, Article 3, Section 99234 Public Utilities Code and Article 8, Section 99400(a) & (c) Public Utilities Code Funds for the Fiscal Year Ended June 30, 2008 resulting from the audits by Rivera and Company, certified Public Accountants. Finance Director John Quinn’s report January 26, 2008.
- J. **Approval of a Three-Year On Call Services Agreement with Rincon Consultants, Inc.**–It is recommended that the City Council 1) authorize the City Manager to execute the attached Three-Year On-Call Services Agreement for professional environmental engineering services with Rincon Consultants, Inc. in a form approved by the City Attorney; 2) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner’s report dated January 23, 2009.
- K. **Lease Amendment with Chevron for Oil Museum Properties**– It is recommended that the City Council 1) authorize the City Manager to execute a lease amendment in a form approved by the City Attorney for the Santa Paula Oil Museum and adjacent parcel; 2) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner’s report dated January 27, 2009.

11. **PUBLIC HEARING**

A. **2008-MISC-04 Amendent to Development Agreement for Ridgeview at Vista Glen Single- Family Residential Subdivisions (05-CDP-02, Comstock Homes) to Reduce the Minimum Two- Story Dwelling Unit Size**

- 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) introduce and waive the first reading of Ordinance No. 1203 approving amendments to the Development Agreement for the Ridgeview at Vista Glen; 4) schedule a second reading and adoption of Ordinance No. 1203 for February 17, 2009; 5) adopt Resolution No. 6545 amending Resolution No. 6186; and 6) take such additional related action that may be appropriate. **ORDINANCE NO. 1203**– AN ORDINANCE AMENDING A DEVELOPMENT AGREEMENT ADOPTED BY ORDINANCE NO. 1137 BETWEEN SANTA PAULA DEVELOPMENT, LLC AND THE CITY OF SANTA PAULA AFFECTING THE RIDGEVIEW AT VISTA GLEN RESIDENTIAL SUBDIVISION. **RESOLUTION 6545**– A RESOLUTION AMENDING RESOLUTION NO. 6186 FOR THE RIDGEVIEW AT VISTA GLEN SINGLE FAMILY RESIDENTIAL SUBDIVISION. Planning Director Janna Minsk’s report dated January 27, 2009.

B. **Outdoor Displays**

- 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) introduce and waive the first reading of Ordinance No. 1201 approving amendments to title 16 of the SPMC; (4) schedule a second reading and adoption of Ordinance No. 1201 for

January 26, 2009; and (5) take such additional, related, action as may be appropriate. **ORDINANCE NO. 1201** – AN ORDINANCE AMENDING SANTA PAULA MUNICIPAL CODE §16.15.050 AND 16.40.080 TO AFFECT OUTDOOR MERCHANDISE DISPLAYS. Planning Director Janna Minsk’s report dated December 10, 2008.

C. **Declaration of Intent to Authorize the Assignment and Consolidation of Pipeline Franchise**

- 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) adopt Resolution No. 6532 declaring the City’s Intent to consider assigning and existing oil pipeline franchise to Crimson California Pipeline, LP (“Crimson”), and consolidating the franchise with an existing pipeline franchise owned by Crimson, at a public hearing scheduled for March 2, 2009; 2) take such additional, related, action that may be desirable.

RESOLUTION NO. 6532– A RESOLUTION DECLARING THE CITY COUNCIL’S INTENT TO ASSIGN AN OIL PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE, LP AND CONSOLIDATE IT WITH AN EXISTING OIL PIPELINE. Interim Public Works Director Jon Turner’s report dated January 9, 2009.

12. **ORDER OF BUSINESS**

A. **Planning Commission Membership Duties and Responsibilities**– It is recommended that the City Council 1) receive and file this report 2) take possible action regarding Planning Commission members including, without limitation, removing members; 3) take such additional, related, action as may be desirable. City Attorney Karl Berger’s report dated January 27, 2009.

B. **Presentation on Traffic Issues Near Boys and Girls Club** – It is recommended that the City Council 1) receive and file the presentation by staff; 2) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner’s report dated January 27, 2009.

C. **Mills Act Program**– It is recommended that the City Council 1) consider whether to amend the Santa Paula Municipal Code (“SPMC”) adopting tax incentives for the preservation and maintenance of historic properties pursuant of the Mills Act; 2) if desirable, direct staff to prepare an

ordinance amending the SPMC in accordance with City Council direction; 3) if an ordinance is drafted, direct staff to conduct environmental review and submit a draft Ordinance to the Design Assistance Committee and Historic Preservation Commission for a recommendation to the City Council; and 4) take such additional, related, action that may be desirable. Planning Director Janna Minsk's report dated January 22, 2009.

- D. **Presentation on the City of Santa Paula Solid Waste Division**– It is recommended that the City Council 1) receive the presentation on the solid waste program; 2) take such additional, related, action that may be desirable. Interim Public Works Director Jon Turner's report dated January 23, 2009.
- E. **Update on Street Projects/ Pot Hole Filling**– Interim Public Works Director Jon Turner's oral report dated January 28, 2009.

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
- B. City Attorney
- C. City Council

14. **REQUEST FOR FUTURE AGENDA ITEMS**

Any Councilmember may propose items for placement on a future agenda. Members may discuss whether or not the item should be agendaized and the description of the agenda item. Any direction to the City Manager to place an item on a future Council Agenda, do research, or a staff report must be accompanied with a majority vote of the City Council. The City Manager 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**

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: _____
Tiffany R. Leon
Acting Deputy City Clerk/Administrative Secretary