

### **CALL TO ORDER**

Mayor Fernandez called the meeting to order at 6:42 p.m. and Councilmember Gonzales led the flag salute.

### **ROLL CALL**

Councilmember Gabino Aguirre, Councilmember Robert S. Gonzales, Councilmember Fred W. Robinson, Vice Mayor Jim Tovias, and Mayor Ralph J. Fernandez respond to roll call vote. City Manager Wally Bobkiewicz, City Attorney Karl H. Berger, City Clerk Judy Rice, Human Resources Specialist Lorena Alvarez, Peggy Kelly from the Santa Paula Times and Kathleen Wilson from the Ventura County Star were also present.

### **CLOSED SESSION REPORT**

No Closed Session.

### **PRESENTATION**

- A. Presentation of Santa Paula City Certificate of Appreciation by Building and Safety Director Steve Stuart for Recognition of Service to Albert Carnahan

Building & Safety Director Steve Stuart presented a certificate of appreciation to Albert Carnahan and wished him well in his future endeavors.

- B. Presentation by Assistant to the City Manager Elisabeth Amador Regarding Proposition 63 Mental Health Services Act: Prevention and Early Intervention

Presentation was re-scheduled to a future Council Meeting.

City Manager Wally Bobkiewicz added a presentation from the Chamber of Commerce.

John Blanchard, Chamber of Commerce, invited the community to attend the Annual Award Dinner on February 22, 2008 at the Glen Tavern.

**PUBLIC COMMENT**

Jess Victoria, 134 Moultrie Place, expressed his discontent with Continental Wind not being present during the joint City Council and Board of Trustees meeting.

Lizet Valdovinos, Clinicas del Camino Real, invited the community to attend the "Spreading the Word" event on February 12, 2009 to discuss early prevention and teen pregnancy.

Tom Malley, Cabrillo Economic Development Corporation (CEDC), expressed CEDC's willingness to meet with the Council to come to an agreement.

**STAFF COMMUNICATIONS**

City Manager Wally Bobkiewicz announced the City Council will be touring the Water Recycling Facility on January 29, 2009 and invited the public to attend. Mr. Bobkiewicz also reported Building & Safety Director Stephen Stuart has officially announced he will be retiring on May 22, 2009.

Councilmember Aguirre invited the community to attend the Parent School Conference on February 2, 2009 at Barbara Webster School.

**APPROVAL OF FINAL AGENDA**

It was moved by Mayor Fernandez, seconded by Councilmember Gonzales moved Item 12C prior to Item 12A and followed by Item 12B. All were in favor under roll call vote and the motion carried.

**CONSENT CALENDAR**

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to approve the Consent Calendar as presented. All were in favor under roll call vote and the motion carried.

- 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.

### **PUBLIC HEARING**

- A. 2008-MISC-04 Amendment 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

Planning Director Janna Minsk's report dated January 27, 2009.

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:11 p.m.

City Manager Wally Bobkiewicz and Councilmember Aguirre declared conflicts and recused themselves.

Mayor Fernandez, Vice Mayor Tovias and Councilmember Robinson declared ex parte contacts.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovias to (1) introduce and waive the first reading of Ordinance No. 1203 approving the amendments to the Development Agreement for the Ridgeview at Vista Glen; (2) schedule the second reading and adoption of Ordinance No. 1203 for February 17, 2009; and (3) adopt Resolution No. 6545 amending Resolution No. 6186. Under roll call vote Mayor Fernandez, Vice Mayor Tovias, Councilmember Gonzales and Councilmember Robinson were in favor. Councilmember Aguirre abstained. The motion carried.

Mayor Fernandez closed the public hearing at 7:25 p.m.

B. Outdoor Displays

Planning Director Janna Minsk's report dated December 10, 2008.

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:27 p.m.

Councilmember Robinson declared a conflict and recused himself.

Jess Victoria, 134 Moultrie Place, commented on the citations he received for displaying merchandise outside his business and expressed his discontent on the way City staff addressed this issue.

It was moved by Councilmember Gonzales, seconded Councilmember Aguirre to (1) introduce and waive the first reading of Ordinance No. 1201 approving the amendments to title of Santa Paula Municipal Code; and (2) schedule the second reading and adoption of Ordinance No. 1201 for the Regular City Council meeting of February 17, 2009. Under roll call vote Councilmember Aguirre, Councilmember Gonzales, Vice Mayor Tovias, and Mayor Fernandez were in favor. Councilmember Robinson abstained. The motion carried.

Mayor Fernandez closed the public hearing at 7:35 p.m.

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

Interim Public Works Director Jon Turner's report dated January 9, 2009.

Upon verification of proper notification and posting by the City Clerk, Mayor Fernandez opened the Public Hearing at 7:36 p.m.

It was moved by Councilmember Robinson, seconded by Councilmember Aguirre to adopt Resolution No. 6532. All were in favor under roll call vote and the motion carried.

**RESOLUTION NO. 6532**

A RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO ASSIGN AN OIL PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE, LPP AND CONSOLIDATE IT WITH AN EXISTING OIL PIPELINE.

Mayor Fernandez closed the public hearing at 7:38 p.m.

**ORDER OF BUSINESS**

C. Mills Act Program

Planning Director Janna Minsk's report dated January 22, 2009.

Tom Jennett, 134 N. Mill Street, spoke in support the City Council amending the Santa Paula Municipal Code to include adopting tax incentives for the preservation and maintenance of historic properties.

It was moved by Councilmember Aguirre, seconded by Vice Mayor Tovas to (1) amend the Santa Paula Municipal Code (SPMC) to include tax incentives for the preservation and maintenance of historic properties pursuant of the Mills Act; (2) direct staff to prepare an Ordinance amending the SPMC in accordance with City Council direction; and (3) direct staff to conduct an environmental review and submit a draft Ordinance to the Design Assistance Committee and Historic Preservation Commission for a recommendation to the City Council. All were in favor under roll call vote and the motion carried.

A. Planning Commission Membership Duties and Responsibilities

City Attorney Karl Berger's report dated January 27, 2009.

Gary Nasalroad, 756 Montclair Drive, spoke against the City Council removing any members of the Planning Commission.

Andrew Castaneda, 432 Sycamore Street, spoke in support of the City Council removing Jesse Ornelas from the Planning Commission.

Steve Smead, 513 Howie Court, spoke in support of the City Council removing Jesse Ornelas from the Planning Commission.

It was moved by Councilmember Aguirre to receive and file the report. Motion died for lack of a second.

It was moved by Mayor Fernandez, seconded by Vice Mayor Tovas to remove Commissioner Jesse Ornelas from the Planning Commission. Under roll call vote Mayor Fernandez and Vice Mayor Tovas were in favor. Councilmember Aguirre was opposed. Councilmember Gonzales and Councilmember Robinson abstained. The motion passed.

**RECESS TO A BREAK**

Mayor Fernandez recessed the City Council to a break at 8:45 p.m.

**RECONVENED TO REGULAR MEETING**

Mayor Fernandez reconvened the City Council at 9:01 p.m.

D. Presentation on the City of Santa Paula Solid Waste Division

Interim Public Works Director Jon Turner's report dated January 23, 2009.

Charlotte Craven, 2238 Via del Suelo, Camarillo, spoke in support of Santa Clara Valley Disposal and the outstanding service they have provide the City of Camarillo with since 1969.

James Pledger, Consolidated Disposal Services, expressed his companies commitment to working with the City to reach the State's mandated goals and asked the Council for an opportunity to continue serving the City of Santa Paula.

Nan Drake, Santa Clara Valley Disposal, introduced the Harrison Industries team and expressed her companies' commitment to providing the City with excellent service.

Jim Harrison, Santa Clara Valley Disposal, expressed his companies commitment to working with the City to reach the State's mandated goals and asked the Council for an opportunity to continue serving the City of Santa Paula.

Lynn Harrison, Santa Clara Valley Disposal, spoke in regards to the 4<sup>th</sup> quarter report and communicated Santa Clara Valley Disposal had met 50% of the goal during the 4<sup>th</sup> quarter.

Evan Edgar, Santa Clara Valley Disposal, expressed Santa Clara Valley Disposal is committed to help the Council meet their goals and stop incurring fines.

Larry Sagely, 585 Ridgecrest, spoke in support of Santa Clara Valley Disposal and encouraged the Council to continue working with Santa Clara Valley Disposal to solve the problem.

Marter Fraser, asked the Council to consider the wages and benefits that are paid to the employees of Santa Clara Valley Disposal prior to making a decision.

Bill Camarillo, AGROMIN, spoke in support of Santa Clara Valley Disposal.

Morey Navarro, J.T. Rubbish & Recycling, spoke in regards to his companies background and expressed interest in being considered towards obtaining the hauling contract.

Sam Hishmeh, 431 N. Ojai Road, spoke in support of Santa Clara Valley Disposal.

Jose Rangel, Santa Clara Valley Disposal, expressed the commitment of the employees at Santa Clara Valley Disposal in helping the City Council reach their goals.

Mike Mobley, 673 Westfield Court, Ventura, spoke in support of Santa Clara Valley Disposal.

Al Escobedo, 250 Lucada Street, spoke in support of Santa Clara Valley Disposal.

### **COUNCIL CONSENSUS TO EXTEND THE MEETING**

As business had not concluded at 10:30 p.m., and pursuant to Section 11 of the City Council's Rules of Procedure, it was moved by Councilmember Gonzales, seconded by Councilmember Aguirre, to suspend the rules and continue the meeting. All were in favor under roll call vote, and the motion carried.

It was moved by Councilmember Robinson, seconded by Councilmember Aguirre to (1) direct the City Attorney to work with both haulers towards extending the existing agreement to June 30, 2010; and (2) direct staff to provide the Council with an update of the progress being made every couple of months. All were in favor under roll call vote and the motion carried.

### **RECESS TO A BREAK**

Mayor Fernandez recessed the City Council to a break at 10:39 p.m.

### **RECONVENED TO REGULAR MEETING**

Mayor Fernandez reconvened the City Council at 10:49 p.m.

#### **E. Update on Street Project/Pot Hole Filling**

It was the consensus of the Council to continue the item to the next Regular City Council Meeting.

B. Presentation on Traffic Issues Near Boys and Girls Club

Interim Public Works Director Jon Turner's report dated January 27, 2009.

It was moved by Councilmember Gonzales, seconded by Vice Mayor Tovas to receive and file the report. All were in favor under roll call vote and the motion carried.

**COMMUNICATIONS**

No communications.

**FUTURE AGENDA ITEMS**

It was moved by Councilmember Gonzales, seconded by Mayor Fernandez to discuss the pending lawsuit with Cabrillo Economic Development Corporation in closed session. All were in favor under roll call vote and the motion carried.

It was moved by Councilmember Gonzales, seconded by Councilmember Aguirre to direct staff to provide the Council with a report on citations being issued in conjunction with the violations of the street sweeper. All were in favor under roll call vote and the motion carried.

**ADJOURNMENT**

Mayor Gonzales adjourned the meeting at 11:03 p.m.

ATTEST:

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Judy Rice  
City Clerk