

CALL TO ORDER

Mayor Tovias called the meeting to order at 6:35 p.m. The invocation was led by Pastor Ron Dybvig and Councilmember Gonzales led the flag salute.

ROLL CALL

Councilmember Robert S. Gonzales, Councilmember Ralph J. Fernandez, Councilmember Gabino Aguirre, Vice Mayor Fred W. Robinson, and Mayor James A. Tovias responded to roll call. City Manager Jaime M. Fontes, City Attorney Karl H. Berger, City Clerk Judy Rice and Deputy City Clerk Peggy Higgins were also present.

CLOSED SESSION REPORT

No closed session.

PRESENTATIONS

A. Presentation by the Grand Jury Regarding Grand Jury Service

Lou Cunningham informed Council of the duties of the Grand Jury and indicated that there is a need for a representative from Santa Paula.

B. COMPACT for Sustainable Ventura County

Former Mayor Mary Ann Krause gave a Power Point presentation informing the Council of COMPACT's function and upcoming meetings.

C. Update on Citrus Balloon Classic

Carla Edwards gave a Power Point presentation updating the Council on the fund raising efforts of the Citrus Balloon Classic.

Vice Mayor Robinson presented a proclamation to Boys & Girls Club CEO Sheila Tate in honor of Boys & Girls Club Week, March 25-31, 2010.

PUBLIC COMMENT

Former Mayor John Procter, representing SCAG informed Council of the upcoming SCAG General Assembly.

Pastor Ron Dybvig, 117 N. 7th St., representing the Santa Paula Ministerial Assoc. invited the Council to Reinventing the Future!, a conference regarding homelessness, hunger and poverty and asked the Council to co-sponsor the event.

CITY COUNCIL, STAFF COMMUNICATIONS

Councilmember Gonzales announced that he and Mayor Tovias attended the Fillmore City Council meeting where the Greenbelt Ordinance was introduced. Mayor Tovias indicated that there was a 5-0 vote of the Council and the Ordinance will go back to Council for a second reading.

Councilmember Gonzales toured the Santa Paula Oil Museum with friends and said that they had a great time. Councilmember Gonzales complemented Docent Barry Cooper and Museum Administrator Jeanne Orcutt on the good work they do.

Councilmember Fernandez informed the Council of a joint VCOG/VCTC meeting being held on March 25th at California Lutheran University regarding SB375.

Councilmember Fernandez reminded the Council that the Public Hearing regarding school district reorganization is being held on Wednesday, March 17th at the Community Center.

Councilmember Aguirre encouraged the community to participate in the Reinventing the Future! Conference on Saturday, March 27th at the Universalist Unitarian Church.

Vice Mayor Robinson attended the Blanchard Library Centennial along with Councilmember's Fernandez and Aguirre. Mr. Robinson stated that it was a great event that was well attended.

Councilmember Aguirre reminded the Council and Santa Paula citizens that the Census questionnaire will be arriving in their mailbox and that it is very important for all citizens to participate in the Census.

Councilmember Aguirre stated that certain income brackets are eligible for free income tax preparation help at the Ventura County Job and Career Center.

City Manager Jaime Fontes thanked the Council and the people of Santa Paula for their condolences at the death of his mother-in-law.

APPROVAL OF FINAL AGENDA

Mayor Tovias requested that Item 12A to be heard before Public Hearings.

It was moved by Mayor Tovias, seconded by Vice Mayor Robinson to approve the agenda as amended. All were in favor vote and the motion carried.

CONSENT CALENDAR

Councilmember Fernandez requested Item 10G be pulled for discussion.

It was moved by Councilmember Fernandez, seconded by Councilmember Aguirre to approve the Consent Calendar as amended. All were in favor 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. **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.
- 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

CONSENT CALENDAR (SEPARATE ACTION ITEM)

- G. **Approve Change in Format of Warrants Prepared for the Council Agenda Packet Consent Calendar**

Finance Director John Quinn's report dated March 7, 2010

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to continue the same method of presentations of the warrants. Under roll call vote Councilmember Fernandez, Councilmember Gonzales, Councilmember Aguirre and Vice Mayor Robinson were in favor. Mayor Tovias was opposed. The motion carried.

ORDER OF BUSINESS

- A. **FY 2009-10 February Monthly Update**

Finance Director John Quinn's report dated March 7, 2010

It was moved by Vice Mayor Robinson, seconded by Councilmember Aguirre to receive and file this Summary Report of Budget Revenues & Expenditures. All were in favor and the motion carried.

PUBLIC HEARINGS

- A. **Adopt Resolution No. 6660 to Abandon a Portion of Santa Cruz Street between Steckel Drive and Vernon Place**

Public Works Director Clifford G. Finley's report dated March 9, 2010

Upon verification of proper notification and posting by the City Clerk, Mayor Tovias opened the Public Hearing at 8:14 p.m. There was no public testimony.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales continue it until April 5, 2010. All were in favor and the motion carried.

- 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

Deputy Planning Director Stratis Perros' report dated March 9, 2010

Upon verification of proper notification and posting by the City Clerk, Mayor Tovas opened the Public Hearing at 8:15 p.m.

Attorney Dave Romney spoke on behalf of Mr. Azarmehr's project.

PUBLIC COMMENT

Julia Snyder, Santa Paula property owner asked the Council to uphold the Planning Commission's decision to deny the project.

Mr. Shahin Azarmehr addressed the Council and spoke in favor of his project.

City Attorney Karl Berger suggested language for the draft resolution to read as follows:

Condition No. 34: All persons utilizing the property for commercial purposes must comply with the spmc and obtain a business license. The City may verify compliance with this condition by annually inspecting the project at applicant's cost.

Condition No. 35: The City Council will review these conditions one year from the date it is issued to confirm compliance or take such additional action, if any, that may be appropriate at that time.

Condition No. 36: Applicant must design a common play area and landscaping in a design approved by the Planning Director. Any area unnecessary for parking spaces must be used for common play area and landscaping.

Condition No. 37: There must be a minimum of two onsite parking spaces on the property.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to adopt Resolution No. 6659 as amended. Councilmember Fernandez, Councilmember Gonzales, Councilmember Aguirre approved the motion. Vice Mayor Robinson and Mayor Tovas were opposed. The motion carried.

- 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.

Deputy Planning Director Stratis Perros' report dated March 9, 2010

Upon verification of proper notification and posting by the City Clerk, Mayor Tovas reopened the Public Hearing at 9:45 p.m. There was no public testimony.

Attorney Dave Romney spoke on behalf of Mr. Azarmehr's project.

Appellant Shahin Azarmehr spoke on his own behalf.

It was moved by Vice Mayor Robinson, seconded by Councilmember Aguirre to adopt Resolution No. 6608 denying the appeal and sustaining the Planning Commission decision.

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).

COMMUNICATIONS

None.

REQUEST FOR FUTURE AGENDA ITEMS

It was moved by Vice Mayor Robinson, seconded by Councilmember Gonzales to bring back the Citrus Classic Balloon Festival for discussion to see if the City could provide financial support for the event. All were in favor and the motion carried.

It was moved by Councilmember Fernandez, seconded by Councilmember Gonzales to have staff review school safety issues. All were in favor and the motion carried.

It was moved by Mayor Tovas, seconded by Councilmember Aguirre to have staff report back on City provided trash service.

It was moved by Councilmember Aguirre, seconded by Councilmember Gonzales to have the City co-sponsor in name only the Reinventing the Future! Conference. All were in favor and the motion carried.

ADJOURNMENT

Mayor Tovas adjourned the meeting at 10:20 p.m.

ATTEST:

Judy Rice
City Clerk