

CITY OF FILLMORE

CITY COUNCIL

AGENDA



SPECIAL MEETING

**TUESDAY, JULY 20, 2010
6:30 P.M.**

FILLMORE CITY HALL
CENTRAL PARK PLAZA
250 CENTRAL AVENUE
FILLMORE, CALIFORNIA 93015-1907
(805) 524-3701 ♦ www.fillmoreca.com

WELCOME TO THE CITY OF FILLMORE CITY COUNCIL MEETING! Your participation at this public meeting is valued and appreciated. Please note the City Council and Redevelopment Agency convene concurrently.

Agenda/Packet: The Agenda/Packet is available for review at Fillmore City Hall and online at www.fillmoreca.com/cityhall/agendas 72 hours before the scheduled meeting (but generally available the Thursday prior to the scheduled Tuesday meeting). Materials related to an item on this agenda submitted to the City Council/RDA after distribution of the agenda packet are available for public inspection in the City Clerk's Office during regular business hours and on the City's website subject to staff's ability to post the documents before the meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at 534-3701. Notification 48 hours prior to 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)

Audible Devices: Please ensure all audible devices (pagers, telephones, etc.) are off or otherwise not audible when the City Council/RDA is in session. Thank you.

Challenging City Council/Redevelopment Agency Decisions: Any legal action by an applicant seeking to obtain a judicial review of the City Council/Redevelopment Agency's decision on a hearing or issue listed on this Agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure § 1094.6. Additionally, if you challenge the actions of the City Council/RDA in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notice, or in written correspondence delivered to the City Council/RDA at, or prior to, the public hearing pursuant to California Government Code § 65009.

Consent Calendar: Items listed on the Consent Calendar are considered to be routine in nature, not discussed individually, and are normally approved by one motion. If a Councilmember or member of the public wishes to comment on a particular item, that item shall be removed for separate action.

No New Business will be considered by the City Council/RDA **after 11:30 p.m.** unless a majority of the legislative body determines to continue.

Public Input: If you wish to address the Council/Redevelopment Agency regarding an item listed **on this agenda**, please complete and submit an Audience Participation Form to the City Clerk prior to consideration of that agenda item. Public Comments is the time for presentations/comments **not on this agenda** but within the subject-matter jurisdiction of the City Council/Redevelopment Agency. Please complete and submit an Audience Participation Form to the City Clerk prior to the beginning of Public Comments. Pursuant to California Government Code/Brown Act, the City Council/Redevelopment Agency ordinarily cannot take action on any item that is not listed on the agenda. As a result, matters identified during Public Comment will be referred to staff for follow-up or considered on a future agenda. In accordance with Resolution No. 09-3175, speakers are provided five (5) minutes for items listed on the agenda and no more than five (5) minutes to speak during Public Comments. Please stay within the time allotment indicated by the Mayor.

Replay Schedule: City Council/RDA meetings will be re-broadcast on Channel 10 daily at 6:00 p.m.

1. **Call to Order:** 6:30 P.M.
2. **Pledge of Allegiance**
3. **Roll Call:** Councilmembers Brooks, Conaway, Hernandez, Washburn and Mayor Walker
4. **Approval of Agenda**
5. **Presentations and Announcements – None.**
6. **Public Comments**
Pursuant to Government Code § 54954.3(a), Only Issues Listed on This Agenda Shall Be Heard During this Special Meeting
7. **Consent Calendar – None.**
8. **Public Hearings – City Council**

Community Development Department

- A. [Public Hearing: Modifications to Four projects within the Business Park; \(1\) Modification #4 to TTR 5785, DP 07-01, \(2\) Modification #2 to 5784, DP 07-02, \(3\) Modification #2 to TTR 5803, and \(4\) Modification #3 to DP 07-03, CUP 08-03, LLA 08-02.](#)

Recommendation: 1) Adopt Resolution 10-3256, to approve Modification #4 to Development Permit (DP) 07-01 and Tentative Tract Map (TTR) 5785 for “Perry Ranch” site subject to the revised conditions of approval; 2) Adopt Resolution 10-3257 to approve Modification #2 to DP 07-02 and TTR 5784 for the “Coe” property subject to the revised conditions of approval; 3) Adopt Resolution 10-3258 to approve Modification #2 to TTR 5803 for the “Maxwell” property subject to the revised conditions of approval; 4) Adopt Resolution 10-3259 to approve Modification #3 to DP 07-03, LLA 08-02 for the “Stop”; and 5) Adopt Resolution 10-3260 to approve a one-year time extension to DP 07-03 associated with the “Stop” property.

Public Hearings – Joint City Council / Redevelopment Agency

City Manager / Finance Department

- B. [Adoption of Annual Budget Resolution 10-3261 For FY 2010-2011 and the Redevelopment Agency Budget Resolution 10-246 For FY 2010-2011.](#)

Recommendation: 1) Receive and accept the proposed Municipal and Redevelopment Agency budget changes memorialized in the staff report; 2) Adopt City Council Resolution 10-3261 Adopting the Proposed Budget for Fiscal Year 2010/11; and 3) Adopt Redevelopment Agency Resolution 10-246 Approving the Proposed Fiscal Year 2010/11 Agency Budget.

9. Department Reports – None.

10. Committee, Commission, and Board Reports

11. City Council Reports, Recommendations, and Comments

- A. City Councilmember Travel Requests/Brief Reports
- B. Any Councilmember May Propose Items for Placement on Future Agenda
- C. Council Referrals/Brief Comments

12. City Manager

- A. Follow-Up on Requests from the Public/City Council
- B. Announcements and Upcoming Issues

13. Closed Session

- A. Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential cases.
- B. Conference with Legal Counsel – Existing Litigation (subdivision (a) of Section 54956.9): El Dorado Estates v. City of Fillmore, Case No. 56-2009-00358555-CU-WM-VTA, Ventura Superior Court.
- C. Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 potential case.

14. **Adjournment:** City Council adjourns to a Regular Meeting scheduled for Tuesday, August 24, 2010 at 6:30 p.m. at City Hall, 250 Central Avenue.

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Upcoming Meetings and Related Agenda Items (Info Only)

July 21 through August 23 City Council Summer Recess

August 24, 2010 6:30 pm Regular City Council Meeting

Agenda Posted: July 16, 2010, 6:00 p.m.

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