

**FILLMORE CITY COUNCIL  
TUESDAY, JANUARY 13, 2009**

**REGULAR MEETING  
CITY COUNCIL CHAMBERS  
6:30 P.M.**

**FILLMORE CITY HALL  
CENTRAL PARK PLAZA  
250 CENTRAL AVENUE  
FILLMORE, CALIFORNIA 93015-1907**

**AGENDA**

**IF YOU WISH TO SPEAK:** Oral Communications is the time for citizen presentations or comments on items **not on the agenda**, but within the responsibility of the City Council. Please complete an Audience Participation Form prior to the beginning of oral communications and hand it to the clerk if you wish to speak. Please stay within the time limit indicated by the Mayor. If you wish to speak on an item **on this agenda**, please fill out an Audience Participation Form and hand it to the clerk prior to that item.

**AUDIBLE DEVICES:** Please ensure all audible devices (pagers, telephones, etc.) are off or otherwise not audible when the Council is in session. Thank you.

**AGENDA TIMES:** Please note the time listed for each agenda item is the **suggested/estimated time for that item to begin**. Items may be heard earlier or later than the listed time. The estimation includes providing an occasional 10-minute break. No new business will be considered by the City Council **after 11:30 p.m.** unless a majority of the Council determines to continue.

**MEMORANDUMS:** Memorandums relating to agenda items are on file in the Administrative Assistant's Office. If you have questions regarding the agenda you may call City Hall at (805) 524-3701 or come to City Hall for information. Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the Administrative Assistant's office at City Hall during normal business hours. Such documents are also available on the City of Fillmore's website at [www.fillmoreca.com](http://www.fillmoreca.com) subject to staff's ability to post the documents before the meeting.

**City Council and Redevelopment Agency Agendas are posted on the Web at: [www.fillmoreca.com/cityhall/agendas](http://www.fillmoreca.com/cityhall/agendas)**

<b><u>ITEM</u></b>	<b><u>REFERENCE**</u></b>
<b>1. CALL TO ORDER &amp; PLEDGE OF ALLEGIANCE</b>	<b>Oral</b>
<b>2. APPROVAL OF AGENDA</b>	<b>Oral</b>
<b>3. ORAL COMMUNICATIONS</b>	<b>Oral</b>
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<b>4. CITY COUNCIL CONSENT CALENDAR</b>	<b>(6:50p)</b>
4A. Warrant List for January 13, 2009.	<b>Copy</b>
4B. Trust Warrant List for January 13, 2009.	<b>Copy</b>
4C. Minutes of October 28, 2008 Regular City Council Meeting.	<b>Copy</b>
4D. Progress Report on Brine Discharging Water Softener Buyback Program.	<b>Memo</b>
4E. Termination of Suncal Remedial Grading Agreement Dated June 12, 2007.	<b>Memo</b>
4F. 4H Group Identification for 2009 Use of the Closed Landfill/Equestrian Center Facilities.	<b>Memo</b>
4G. Adopt <u>City Council Resolution No. 09-3173</u> : Increasing Building Permit Fees	<b>Memo/</b>

for Review of “Greenbuiding” Standards per Senate Bill 1473 as Mandated by the State of California. **Reso.**

- 4H. Approval of Plaque for New Water Recycling Plant. **Memo**
- 4I. Proposition 50 Grant Reimbursement Status for the Water Recycling Program. **Memo**
- 4J. Authorization to Advertise for Bids for the Effluent Disposal and Reuse System For Fillmore High School, Specification No. 08-06. **Memo**
- 4K. Approval of Amendment to County Wide Storm Water NPDES Implementation Agreement. **Memo**

**5. PRESENTATIONS**

5A. Recognizing the Fillmore Flashes Football Team for an Outstanding Season. **Proc.**

**6. CITY COUNCIL PUBLIC HEARINGS – None.**

**7. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARINGS – None.**

**8. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BUSINESS ITEMS**

**Community Development Director**

8A. Authorize the City Manager to Enter into Contract Amendment #2 to HDR Engineering for the Housing Element. **Memo (7:00p)**

**9. CITY COUNCIL BUSINESS ITEMS**

**Councilmember Brooks**

9A. Presentation on a Neighborhood Park Outreach Program. **Oral (7:15p)**

**City Clerk/City Manager**

9B. Fillmore City Clerk Proposed Responsibilities/Response to Proposal. **Memo (7:45p)**

**City Attorney**

9C. Introduce Unnumbered Ordinance by Title Only “Amending Fillmore Municipal Code Title 15, Adding New Chapter 15.75 Regarding Regulations for Use of City Skateboard Park and Requiring Users to Wear Helmets, Elbow Pads and Knee Pads”, and Pass to Second Reading to be Held at the January 27, 2009 City Council Meeting. **Memo (8:15p)**

**Deputy City Manager**

9D. Progress Report on Request for Direction Regarding Placement and Permitting of a City Owned Sign and The City’s Downtown District Response to Current Economic Impacts. **Memo (8:20p)**

**Public Works Director**

9E. Acceptance of Caltrans Bicycle Transportation Account Grant for the Santa Clara River Bicycle Trail Gap Closure Right-of-Way Acquisition; Authorize City Manager to Sign Caltrans Agreement No. BTA 08/09-07-VEN-01; Approve Contract with Hamner Jewell to Provide the Right-of-Way Acquisition Services Including Title Report and Appraisal; Direct Staff to Apply for TDA Art. 3 Grant For Conceptual Design and Environmental Document Preparation for Hwy 23 **Memo (8:35p)**

Infill Bike Path; Select Options for Conceptual Design and Environmental Analysis To Connect Bike Path from Hwy 23 to KB Homes Levee Bike Path.

- 9F. Exploring the Possible Purchase of Sespe Creek River Bottom Property APN #041-0-050-110; Appropriate Funds for an Appraisal, Title Report, and City Attorney Time to Participate in Negotiations for the Purchase of Property; Direct City Manager to Begin Negotiations with the Owner for Possible Purchase of Property by the City. **Memo (8:45p)**
- 9G. Approve Contract Amendment with Hawks and Associates to Revise the Plans And Specifications for the Permeable Weirs on the Waste Water Treatment Plant and Riverwalk Levee Sites. **Memo (9:00p)**
- 9H. Sodding Recycled Water Line Trench in Riverwalk Park; Recommendation to Not Replace the Hydro Seed with Sod. **Memo (9:15p)**
- 9I. Approval to Update Traffic Counts for the City Wide Traffic Study Update. **Memo (9:25p)**

**Community Development Director**

- 9J. Reconveyance of 0.52 Acres of Unused Property Located along the Sespe Creek Levee, South of Highway 126 back to Fillmore Riverview LLC. **Memo (9:30p)**

**10. CITY COUNCIL REPORTS, DISCUSSION AND APPOINTMENTS**

- 10A. Information/Direction to Staff on Legislative Matters and Emerging Issues. **Oral**
- 10B. City Council Member Travel / Travel Reports. **Oral**
- 10C. Other Discussion/Information from Mayor, City Council and City Staff. **Oral**
- 10D. Any Council Member may propose items for placement on a future agenda. **Oral**  
Members may discuss whether or not an item should be placed on a future agenda and the description of the agenda item. Any direction to 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.

**11. EXECUTIVE SESSION (9:45p)**

- 11A. Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: 2 Potential Cases.
- 11B. Conference with Legal Counsel – Anticipated Litigation: Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9: 1 Potential Case.

**12. ADJOURNMENT – City Council adjourns to a Regular Meeting, set for Tuesday, January 27, 2009 at 6:30 p.m. at Fillmore City Hall, 250 Central Avenue, Fillmore, California. (11:00p)**

PLEASE NOTE: If you challenge the actions of the City Council 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 at, or prior to, the public hearing. (Calif. Gov't Code §65009).

Any legal action by an applicant seeking to obtain a judicial review of the City Council's decision on a Hearing listed on this Agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure Section 1094.6

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administrative Assistant at (805) 524-3701. 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)

**City Council Replay Schedule:** City Council meetings will re-broadcast daily at 6 p.m.