

Amended 6/4/09 3:09 p.m. (Delete items 5A & 5C; Move item 9D to RDA agenda; 12. Adjourns to Special Meeting)

**FILLMORE CITY COUNCIL
TUESDAY, JUNE 9, 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 City Clerk'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 City Clerk'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 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

<u>ITEM</u>	<u>REFERENCE</u>
1. CALL TO ORDER & PLEDGE OF ALLEGIANCE	Oral
2. APPROVAL OF AGENDA	Oral
3. ORAL COMMUNICATIONS	Oral
4. CITY COUNCIL CONSENT CALENDAR	(6:40p)
4A. Warrant List for June 9, 2009.	Copy
4B. Trust Warrant List for June 9, 2009.	Copy
4C. Minutes of April 7, 2009 Special Meeting.	Copy
4D. Minutes of April 14, 2009 Joint Senior Center Board Meeting.	Copy
4E. Minutes of April 22, 2009 Joint Planning Commission Meeting.	Copy
4F. Minutes of April 28, 2009 Regular Meeting.	Copy
4G. Approval of Response Letter to 2008-09 Ventura County Grand Jury Report.	Copy
4H. Support of SB 346 Brake Pad Legislation Letter.	Memo
5. PRESENTATIONS	
5A. Commending Public Works Employees David Brown, Jose Mendez and Martin	Proc.

Lopez for Emergency CPR. (7:00p)

6. CITY COUNCIL PUBLIC HEARINGS

Deputy City Manager

6A. Fee Adjustment Rate Increase for Santa Clara Disposal Services. Memo (7:30p)

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

8. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BUSINESS ITEMS

8A. Request of Funds for Security at the 4th of July Sespe Creek Car Show and Festival. Oral (7:40p)

9. CITY COUNCIL BUSINESS ITEMS

City Clerk

9A. Request by Santa Clara River Valley Railroad Historical Society to Allow Late Application. Memo (7:55p)

9B. Award of Contract for City Legal Publications for Fiscal Year 2009/2010. Memo (8:05p)

City Attorney

9C. Budget Appropriation for Hawkins, Delafield & Wood LLP to Review Amendment No. 2 to Service Contract for Design, Construction and Operation of Water Recycling Facility between the City of Fillmore and American Water Operations and Maintenance, Inc. Memo (8:15p)

9D. *Item moved to Redevelopment Agency Agenda.* Memo (8:25p)

Assistant Planner

9E. Granting of Easement to Southern California Edison – Future Off-Street Utility Undergrounding Along Frontage of the Aquatics & Tennis Facility. Memo (8:35p)

Public Works Director

9F. Approve Plans and Budget for the 2009 July Fourth Community Fireworks Show. Memo (8:45p)

9G. Annual Update Amendment to the 2008 VISTA 126 Agreement. Memo (8:55p)

9H. Acceptance of Improvements on the Central Avenue Storm Drain Project. Memo (9:05p)

City Engineer

9I. Acceptance of Improvements on the River Street and Highway 23 Traffic Signal Project. Memo (9:15p)

City Manager

9J. Discussion and Possible Approval of City Manager Profile Recruitment Guidelines. Oral (9:25p)

9K. Discussion on Post Employment Health Care Benefits and Possible Termination of Program. Oral (9:35p)

10. CITY COUNCIL REPORTS, DISCUSSION AND APPOINTMENTS

- 10A. Direction to Staff to Report Back to the Council at a Subsequent Meeting. **Oral**
- 10B. City Council Member Travel Requests / Travel Reports. **Oral**
- 10C. Brief Reports from Council and City Staff on Activities. **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. CLOSED SESSION

(9:55p)

- 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 – Existing Litigation (Subdivision (a) of Section 54956.9): City of Industry and City of Livermore v. City of Fillmore, MTS Consulting, LLC, Owens & Minor, Inc., and Inspired Development, LLC; Case #: BC 411865.
- 11C. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9): City of Fillmore v. California State Board of Equalization, Petition for Writ of Mandate; Los Angeles County Superior Court No. BS 120799.

12. ADJOURNMENT – City Council adjourns to a Special Meeting, set for Tuesday, June 16, 2009 at 6:30 p.m. at Fillmore City Hall, 250 Central Avenue, Fillmore, California. **(10:45p)**

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 City Clerk 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.