

**FILLMORE CITY COUNCIL
TUESDAY, SEPTEMBER 22, 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 September 22, 2009.	Copy
4B. Trust Warrant List for September 22, 2009	Copy
4C. Minutes of July 23, 2009 Special Meeting.	Copy
4D. Minutes of July 28, 2009 Regular Meeting.	Copy
4E. Letter to Governor in support of AB 566: mobile home park conversion	Memo
4F. 334 & 336 Clay Street Demolition & Hazardous Material Abatement – Acceptance of Work	Memo
5. PRESENTATIONS – None.	
6. CITY COUNCIL PUBLIC HEARINGS – None.	
7. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARINGS – None.	

8. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BUSINESS ITEMS – None.

9. CITY COUNCIL BUSINESS ITEMS

City Engineer

- 9A. Authorize an Amendment to the existing Consulting Service Contract between the City of Fillmore and Entrix, Inc. (City Agreement 901) for Construction Services, Testing and Well Report for Well #9. **Memo (6:45p)**

City Manager

- 9B. Report and Minute Action appointing City Auditor. **Memo (7:05p)**

City Attorney

- 9C. Introduce Unnumbered Ordinance by Title Only “Amending Fillmore Municipal Code Title 2, Chapter 2.04, Regarding City Manager Powers and Duties” and Pass to Second Reading to be Held at the City Council Meeting on October 13, 2009. **Memo (7:25p)**
- 9D. Review of prior Demand for Cure on alleged Brown Act violation. **Memo (7:40p)**

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 (8:30p)

- 11A. Public Employee Performance Evaluation – Title: City Attorney.
- 11B. Conference with Legal Counsel -- Anticipated Litigation: Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (1 potential case)

12. ADJOURNMENT – City Council adjourns to a Joint Meeting with the Fillmore Unified School Board, set for Tuesday, September 29, 2009 at 6:30 p.m. at the Fillmore High School Cafeteria, 555 Central Avenue, Fillmore, California.

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.