

**CITY OF FILLMORE
CITY COUNCIL
&
SUCCESSOR AGENCY**

AGENDA



REGULAR MEETING

**TUESDAY, JANUARY 14, 2014
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 Successor 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/Successor Agency 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/SA is in session. Thank you.

Challenging City Council/Successor Agency Decisions: Any legal action by an applicant seeking to obtain a judicial review of the City Council/Successor 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/Successor Agency 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/Successor Agency 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/Successor Agency **after 11:30 p.m.** unless a majority of the legislative body determines to continue.

Public Input: If you wish to address the Council/Successor 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/Successor 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/ Successor 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/SA meetings will be re-broadcast on Channel 10 daily at 6:00 p.m.

FILLMORE CITY COUNCIL & SUCCESSOR AGENCY

REGULAR MEETING AGENDA

TUESDAY, JANUARY 14, 2014 - 6:30 P.M.

COUNCIL CHAMBERS – CITY HALL

1. **Call to Order:**
2. **Pledge of Allegiance**
3. **Roll Call:** Council/Successor Agency members Rick Neal, Diane McCall, Steven Conaway, Vice Chair/Mayor Pro Tem Douglas Tucker and Chair/Mayor Manuel Minjares
4. **Approval of Agenda**
5. **Presentations and Announcements**
 - A. Fire Pin Presentation – Fire Chief Rigo Landeros
 - B. Recognition – Fire Chief Rigo Landeros
 - C. Toy Give Away – Fire Chief Rigo Landeros and Police Chief Monica McGrath
 - D. Introduction of New Employees
 - E. Introduction of City of Fillmore Centennial Flag
6. **Public Comments**
7. **Consent Calendar**

Recommendation for Item A. through L. is to Approve by voice vote.

- A. [City Warrant List for JANUARY 14, 2014.](#)
- B. [Successor Agency Warrant List for JANUARY 14, 2014.](#)
- C. [Second Reading and Adoption of Ordinance 13-839](#)
- D. [Second Reading and Adoption of Ordinance 13-840](#)
- E. [Adopt Finance Committee Changes to the Down Payment Assistance Program](#)
- F. [Approval of FY 2014-15 Budget Development Guidelines and the Budget Development and Review Schedule](#)
- G. [Authorize the City Manager to Obtain Proposals to Operate the Equestrian Center](#)
- H. [Request that the City Council Accepts the Police Station and City Parking Lot Project PW 13-02](#)
- I. [Adoption of Resolution 14-3405 Fixing the Compensation, Benefits and Other Terms and Conditions of Employment of Non-Represented Management/Mid-Management and Part Time Employees of the City of Fillmore](#)
- J. [First Reading of Ordinance No. 14-844 and Adoption of Resolution No. 14-3404. Ordinance for regulation of State Video Franchises in accordance with the State Digital Infrastructure & Video Competition Act \(“DIVCA”\) and related Municipal Code Amendments and Resolution Establishing an appeal fee for the denial of an encroachment permit.](#)
- K. [Re-Adopt City Council Goals 2013-2014](#)

L. Formally adopt the 2014 Fillmore City Council Meeting Calendar.

8. Department Reports

City Manager

- A. [Review and approve ideas for City of Fillmore Centennial Celebration from Attached List.](#)

Recommendation: 1) Approve the ideas listed.

- B. [Appointments to City Council Committees, Commissions, Liaison, and Outside Agencies.](#)

Recommendation: 1) Appoint council representatives to the various positions listed; and 2) discuss whether any standing or ad-hoc committees are no longer necessary and should be dissolved.

Community Services

- C. [Introduction of Ordinance 14-841 First Reading to Adopt Revised Facility Use Policy and Adoption of Resolution 14-3406.](#)

Recommendation: 1) Introduce the Ordinance No. 14-841, and set a second reading for the City Council meeting on January 28, 2014; and 2) Approve resolution 14-3406 Adopting a Facilities Use Policy.

Finance

- D. [Adoption of Resolution 14-3403 Authorizing the Filing of a Claim for Transportation Development Act Funds for FY 2013-14 and Approval of Budget Modification.](#)

Recommendation: 1) Adopt the attached Resolution 14-3403 authorizing the City Manager to file a claim with the Ventura county Transportation Commission for allocation of Transportation Development Act Funds for Fiscal Year 2013-14; and 2) Approve the attached Budget Adjustment to recognize the additional TDA funding beyond what was projected in the FY 2013-14 budget.

Police

- E. [Introduction of Ordinance No. 14-842 First Reading to Adding Fillmore Municipal Code \(FMC\) Chapter 15.80 to Establish the Narcotics, Violent Crime, Unlawful Weapon or Ammunition Crime, and Gang-Related Crime, Eviction Program.](#)

Recommendation: 1) Introduce the Ordinance No. 14-842 and set a second reading for the City Council meeting on January 28, 2014.

- F. [Introduction of Ordinance No. 14-843 First Reading to Amending Fillmore Municipal Code \(FMC\) Chapter 15.32 and Adding Chapter 15.34 Relating to Daytime and Nighttime Curfews on Minors and Loitering on Public Rights of Ways and In and Around Public Places.](#)

Recommendation: 1) Introduce the Ordinance No. 14-843 and set a second reading for the City Council meeting on January 28, 2014.

Municipal Services

- G. [Progress Report on Portable Toilet Waste Program.](#)

Recommendation: 1) The Council receive and file this progress report and provide staff with any comments deemed appropriate.

9. Committee, Commission, and Board Reports

10. 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

11. City Manager

- A. [City Manager's Report](#)

12. Closed Sessions

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with legal counsel regarding one matter of litigation to which the City is a party. The title of such litigation is as follows: Peter Egedi v. City of Fillmore; VCSC Case Number 56-2010-00370727-CU-NP-VTA.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(2) and (d)(3), because there is significant exposure to litigation in two cases.
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(4) and (d)(3), because the City is considering whether to initiate litigation in one case.

13. **Adjournment:** Mayor adjourns this meeting to the next City Council meeting scheduled for January 28, 2014 at 6:30 p.m. at City Hall, 250 Central Avenue.

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Agenda Posted: January 10, 2014, 5:00 p.m.