

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

AGENDA



REGULAR MEETING

**TUESDAY, MARCH 25, 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, MARCH 25, 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**

6. **Public Comments**

7. **Consent Calendar**

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

Move that all ordinances presented tonight be read by title only and that all further reading be waived.

- A. [City Warrant List for MARCH 25, 2014.](#)
- B. [Successor Agency Warrant List for MARCH 25, 2014.](#)
- C. [Amended City Council and Successor Agency Minutes for DECEMBER 10, 2013.](#)
- D. [City Council and Successor Agency Minutes for MARCH 11, 2014.](#)
- E. [Monthly Investment Report for February 2014.](#)

8. **Continued Business**

- A. [Second Reading of Ordinance No. 14-846, Adopting Zoning Ordinance Amendment 14-01, Revising Fillmore Zoning Code Section 6.04.9610 and Adding a New Chapter 6.04.16 to Prohibit the Cultivation and Sale of Medical Marijuana Within the City and Making a Finding that this Matter is Not Subject to CEQA.](#)

9. **New Business**

- A. [Approve and Send Resolution 14-3411 to Ventura County Transportation Commission \(VCTC\) Ensuring That There Continues to be a Tourist Train and Filming Operator in Fillmore.](#)

Recommendation: 1) Approve Resolution 14-3411 and send to VCTC.

- B. [City Council Provide a Reward for Information Leading to the Conviction for a Crime.](#)

Recommendation: 1) Provide a \$1,000 reward for reward for information, which leads to the arrest and criminal conviction against the person(s) for this crime; or

2) increase award amount; or 3) decrease award amount; or 4) do not offer an award; or 5) provide further direction to staff.

C. [Intersection Study for Santa Clara and "B" Street.](#)

Recommendation: 1) Recommend Council approve the proposal and direct the City Manager to enter into a contract with ATE not to exceed \$4,000.00.

D. [Consideration of the Biennial Review of the City's Conflict of Interest Code and Review and Adoption of City Council Resolution No. 14-3410 Amending the City's Conflict of Interest Code.](#)

Recommendation: 1) Recommend Council review the proposed amendments to the City's Conflict of Interest Code and Adopt City Council Resolution No. 14-3410, amending the City's Conflict of Interest Code.

E. [Selection of Southern California Association of Government \(SCAG\) Delegate and Alternate.](#)

Recommendation: 1) staff recommends Council to select a delegate and alternate for SCAG; or 2) do not select a delegate and alternate for SCAG at this time.

F. [Request that the City Council Approve a Settlement Agreement with Ryan to Reimburse the City for Funds Reallocated from the City in Connection with Hawaiian Gifts.](#)

Recommendation: That the City Council approve the Release and Settlement Agreement by and Between City of Fillmore and Ryan, LLC.

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. [City Manager's Report](#)

13. **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 two matters of litigation to which the City is a party. The title of such litigation is as follows: El Dorado Estates v. City of Fillmore; VCSC Case Number 56-2013-00431300-CU-WM-VTA; and El Dorado Estates v. Fillmore; Ninth Circuit Case No. 12-55549.

14. **Adjournment:** Mayor adjourns this meeting to the next City Council meeting scheduled for April 8, 2014 at 6:30 p.m. at City Hall, 250 Central Avenue.

* * * * *

Agenda Posted: March 21, 2014, 4:00 p.m.