

CITY OF FILLMORE
CITY COUNCIL
&
SUCCESSOR AGENCY

AGENDA



REGULAR MEETING

**TUESDAY, MAY 27, 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, MAY 27, 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. Ebell Club – Proclamation
 - B. Future Farmers of America – Proclamation
 - C. Fillmore Volunteer Fire Fighters Foundation – Proclamation
 - D. Moto Film Festival – Bryan Carroll
6. **Public Comments**
7. **Consent Calendar**

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

 - A. [Move that all ordinances presented tonight be read by title only and that all further reading be waived.](#)
 - B. [City Warrant List for MAY 27, 2014.](#)
 - C. [Successor Agency Warrant List for MAY 27, 2014.](#)
 - D. [Monthly Investment Report for APRIL 2014.](#)
 - E. [City Council and Successor Agency Minutes for MAY 13, 2014.](#)
 - F. [Special City Council and Successor Agency Minutes for MAY 21, 2014.](#)
 - G. [City Council and Successor Agency Amended Minutes for FEBRUARY 25, 2014.](#)
 - H. [Approval of Amendment of Contract Engineering Services with Hawks and Associates.](#)
 - I. [Approve Second Reading of an Ordinance 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.](#)
8. **New Business**
 - A. [Presentation of the Proposed 2014/2015 Budget](#)
 - B. [Review of Annual Storm Drain Maintenance Assessment District Report, Declaring Intent to Levy Assessments and Setting of a Public Hearing.](#)

Recommendation: 1) Adopt Resolution No. 14-3419 Declaring the intention to levy the annual assessment for Fiscal Year 2014/2015 for the Fillmore Storm

Drain Maintenance Assessment District Nos. 01, 01A, 03, 04, 05, 06 and 07; and 2) Set the Public Hearing for June 10, 2014 at the regularly scheduled City Council meeting to receive public comments regarding the Fillmore Storm Drain Maintenance Assessment Report and the levy of assessments.

- C. [Review and Initiation of Proceedings for the Annual Levy of Assessments for City of Fillmore Landscape and Lighting District No. 2 and Heritage Valley Landscape and Lighting District 2007-1; Seeking Approval of the Engineer's Report re the Proposed Increased Assessments; and Setting a Public Hearing to Consider this Proposal.](#)

Recommendation: 1) Adopt Resolution 14-3413 A Resolution of the City Council of the City of Fillmore, California Initiating Proceedings for the Annual Levy of Assessments for the Fillmore Landscape and Lighting District No. 2 for Fiscal Year 2014/2015 Pursuant to the Provisions of Part 2 of Division 15 of the California Streets and Highways Code; and 2) Adopt Resolution 14-3414 A Resolution of the City Council of the City of Fillmore, California Preliminarily Approving the Engineer's Annual Levy Report for Fillmore Landscape and Lighting District No. 2 for Fiscal Year 2014/2015; and 3) Adopt Resolution 14-3415 A Resolution of the City Council of the City of Fillmore, California Declaring its Intention to Levy and Collect Annual Assessments for Fillmore Landscape and Lighting District No. 2 for Fiscal Year 2014/2015 and Setting a Public Hearing to Consider this Proposal; and 4) Adopt Resolution 14-3416 A Resolution of the City Council of the City of Fillmore, California Initiating Proceedings for the Annual Levy of Assessments for the Heritage Valley Landscape and Lighting District No. 2007-1 for Fiscal Year 2014/2015, Pursuant to the Provisions of Part 2 of Division 15 of the California Streets and Highways Code; and 5) Adopt Resolution 14-3417 A Resolution of the City Council of the City of Fillmore, California Preliminarily Approving the Engineer's Annual Levy Report for the Heritage Valley Landscape and Lighting District No. 2007-1 for Fiscal Year 2014/2015; and 6) Adopt Resolution 14-3418 A Resolution of the City Council of the City of Fillmore, California Declaring its Intention to Levy and Collect Annual Assessments for the Heritage Valley Landscape and Lighting District No. 2007-1 for Fiscal Year 2014/2015 and Setting a Public Hearing to Consider this Proposal; and 7) Set the Public Hearing for June 10, 2014 at the regularly scheduled City Council meeting to receive public comments regarding the Engineer's Annual Assessment Report and the levy of assessments for each district.

9. **Committee, Commission, and Board Reports**

10. **City Council Reports, Recommendations, and Comments**

- A. Any Councilmember May Propose Items for Placement on Future Agenda
- B. Council Referrals/Brief Comments

11. **City Manager**

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

12. **Closed Sessions**

- A. 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 one case.

- B. 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 two cases.

13. **Adjournment:** Mayor adjourns this meeting to the next City Council meeting scheduled for June 10, 2014 at 6:30 p.m. at City Hall, 250 Central Avenue.

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Agenda Posted: May 23, 2014, 4:00 p.m.