

CITY OF FILLMORE
CITY COUNCIL
&
SUCCESSOR AGENCY

AGENDA



REGULAR MEETING

**TUESDAY, SEPTEMBER 23, 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, SEPTEMBER 23, 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. Proclamation – Fillmore Search and Rescue
 - B. Proclamation – October Breast Cancer Awareness month
 - C. Proclamation – November Domestic Violence awareness month
 - D. Presentation – Rachel Scott with Ventura County Regional Energy Alliance will provide a presentation on the new emPower Program, a County wide residential energy efficiency program
 - E. Presentation – Ride Share Week 2014
6. **Public Comments**
7. **Consent Calendar**

Recommendation for Item A. through D. 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 SEPTEMBER 23, 2014.](#)
 - C. [Successor Agency Warrant List for SEPTEMBER 23, 2014.](#)
 - D. [City Council and Successor Agency Minutes for SEPTEMBER 9, 2014.](#)
 - E. [City Manager Contract.](#)
 - F. [Authorization to Purchase Bullet Proof Vest for Firefighters](#)
 - G. [Approval of the Office of Traffic Safety Equipment Deployment Memorandum of Understanding and Federal Emergency Management Agency Assistance to Firefighters Grants \(AFG\) Memorandum of Understanding](#)
8. **New Business**
 - A. [Request City Council Approve the Operating and Use Agreement Between the City of Fillmore and the Boys and Girls Club of the Santa Clara Valley for the Community Center.](#)

Recommendation: 1) Staff recommends the City Council approve the attached agreement and authorize the Mayor to execute the agreement and the City Manager to make any minor modifications, in a form approved by the city attorney, as necessary to achieve the intent of the Council.

B. [Review and Provide Direction Regarding Options for Regulating Abandoned Shopping Carts.](#)

Recommendation: 1) Request that staff bring back legislation to add a new chapter 11.24 to the Fillmore Municipal Code to regulate abandoned shopping carts; and revise FMC Chapter 1.08.040 to make it a misdemeanor for any person removing an identified cart without permission of the business owner from the premises and/or parking lot of the business; or 2) Provide further direction to staff.

C. [Allowance of Synthetic Grass with an Amendment of the Zoning Ordinance.](#)

Recommendation: 1) Determine if the City should pursue a Zoning Ordinance Amendment process to allow for synthetic grass.

D. [Consideration of a Reimbursement Agreement Between Fillmore, MTS Consulting, and Owens & Minor Relating to Funds being disputed by San Diego.](#)

Recommendation: 1) That the City Council approve the Reimbursement Agreement Between City of Fillmore, MTS Consulting and Owens & Minor, LLC.

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

11. **City Manager**

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

12. **Closed Sessions**

A. CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION – The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(4), because the City is considering whether to initiate litigation in 3 cases.

B. 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.

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

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