

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

AGENDA



**TUESDAY, OCTOBER 27, 2015
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 ILLMORE 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 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 (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)

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
TUESDAY, OCTOBER 27, 2015 – 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, Manuel Minjares, Carrie Broggie, Vice Chair/Mayor Pro Tem Diane McCall and Chair/Mayor Douglas Tucker

4. Approval of Agenda

5. Public Comments

6. Presentations and Announcements

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 OCTOBER 27, 2015.](#)

C. [Successor Agency Warrant List for OCTOBER 27, 2015.](#)

D. [Monthly Investment Report for SEPTEMBER.](#)

8. Old Business

A. [Conduct First Reading of an Ordinance Adding Fillmore Municipal Code Chapter 5.10 – Humane Living Standards Residential Property Inspection Program](#)

Recommendation: Approve first reading of Ordinance 15-853 adding Chapter 5.10 to the Fillmore Municipal Code “Humane Living Standards Residential Inspection Program”; or in the alternative 1) Do not move forward with a pre-sale inspection program; or 2) Direct staff to meet with local real estate brokers to obtain feedback and present those findings to City Council.

9. New Business

A. [Approve Contract with Joe A. Gonsalves & Son for Lobbying Efforts on Behalf of the City of Fillmore](#)

Recommendation: Authorize the mayor to sign a contract with Joe A. Gonsalves and Son for lobbying efforts on behalf of the City in a form approved by the City Manager and city Attorney and approve a budget adjustment as described in the staff report; or in the alternative 1) Do not enter into a contract; 2) Solicit proposals from another firm; or 3) Provide further directions to staff.

B. [Tolling Agreement with KB Homes](#)

Recommendation: 1) Approve Tolling Agreement with KB Homes.

C. [First amendment to the contract with Willdan for the Mountain View St. and Hwy 126 traffic signal design and appropriation of funds](#)

Recommendation: Authorize the Mayor to sign the First Amendment to the contract with Willdan and approve the appropriation of funds described.

D. [Public Hearing: request for Council to approve Zoning Ordinance Amendment 15-01 \(ZOA 15-01\), amending the City of Fillmore Zoning Ordinance Section 6.04.38 "SIGN STANDARDS" to allow digital signs and consideration of finding of exemption from CEQA](#)

Recommendation: 1) Open public hearing; 2) Receive Public Testimony; and 3) Approve the first reading of Zoning Ordinance Amendment (ZOA 15-01) amending the City of Fillmore Zoning Ordinance Section 6.04.3850, "PROHIBITED SIGNS" and adding new Section 6.04.3893, "DIGITAL SIGNS" and finding that the adoption of the ordinance is exempt from CEQA.

E. [Adoption of Resolution 15-3497 for City of Fillmore Community Facilities District No. 5 \(Heritage Valley Parks\) on behalf of improvement Area A, approving the Preliminary Official Statement and Continuing Disclosure Certificate in connection with the issuance of its special tax bonds, 2015 Series to finance public facilities, and taking certain other actions in connection therewith](#)

Recommendation: 1) Adopt Resolution 15-3497 for the City of Fillmore Community Facilities District No. 5 on behalf of Improvement Area A approving the Preliminary Official Statement and Continuing Disclosure Certificate in connection with the issuance of its special tax bonds, 2015 Series to finance public facilities, and taking certain other actions in connection therewith; or in the alternative 2) Not approve Resolution 15-3497 for the City of Fillmore Community Facilities District No. 5 on behalf of Improvement Area A approving the Preliminary Official Statement and Continuing Disclosure Certificate in connection with the issuance of its special tax bonds, 2015 Series to finance public facilities, and taking certain other actions in connection therewith; or 3) Provide other direction to staff.

F. [Consideration of a Subdivision Improvement Agreement with Hearthstone](#)

Recommendation: 1) Approve the Subdivision Improvement Agreement in a form approved by the City Manager and City Attorney and authorize the mayor to sign the agreement.

10. Committee, Commission, and Board Reports

11. City Council Reports, Recommendations, and Comments

A. City council member Brief Reports

B. Any Councilmember May Propose Items for Placement on Future Agenda

12. **City Manager**

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

13. **Closed Session**

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 four matters of litigation to which the City is a party. The titles of such matters are as follows: CalFuel, BOE Case No. 486732, Southwest Jet Fuel BOE Case No. 486732; Fillmore Senior Center, Inc. vs. City of Fillmore, et al.; Case Number 56-2015-00466382-CU-BC-VTA; Superior Court of California County of Ventura; and City of Fillmore vs. Ramon M. Becerra and Trinidad C. Becerra et al; Case Number CIV245419; County of Ventura – Oxnard Division Superior Court.

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 one case.

C. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.**
The Board of Directors of the Successor Agency to the Fillmore Redevelopment Agency will conduct a closed session, pursuant to Government Code section 54956.9(d)(4), to consider whether to initiate litigation in one case.

14. **Adjournment:** Mayor adjourns this meeting to the next City Council meeting scheduled for November 10, 2015 at 6:30 p.m. at City Hall, 250 Central Avenue.

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