

CITY OF FILLMORE  
CITY COUNCIL  
&  
SUCCESSOR AGENCY

**AGENDA**



**REGULAR MEETING**

**TUESDAY, NOVEMBER 18, 2014  
6:30 P.M.**

FILLMORE CITY HALL  
CENTRAL PARK PLAZA  
250 CENTRAL AVENUE  
FILLMORE, CALIFORNIA 93015-1907  
(805) 524-3701 ♦ [www.fillmoreca.com](http://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](http://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, November 18, 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. Presentation – Javier Saucedo, Energy Analyst, Ventura County Regional Energy Alliance
  - B. Certificate of Awards – The Fillmore Women’s Service Club and The Fillmore Ebell club
  - C. Proclamation – Natividad Cano
  - D. Proclamation – Steve Conaway
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 NOVEMBER 18, 2014.](#)
  - C. [Successor Agency Warrant List for NOVEMBER 18, 2014.](#)
  - D. [City Council and Successor Agency Minutes for OCTOBER 28, 2014.](#)
8. **New Business**
  - A. [Adopt a City Communication Plan.](#)

*Recommendation: 1) Staff recommends city council adopt the communication plan; or in the alternative, 2) Do not adopt communication plan and provide additional direction to staff.*
  - B. [End of Fiscal Year 2013/14 General Fund Carry Over.](#)

*Recommendation: 1) Staff recommends City Council/Successor Agency Board Approve a modification to the FY 2014-15 General Fund budget in the amount of \$2,033,000 as detailed in Attachment A.*
  - C. [Enter into an Agreement with “The Retail Coach” for a Retail Market and Consumer Analytics Study.](#)

*Recommendation: 1) Staff recommends entering into a contract with The Retail Coach for one year with options for a second and third year, in a form approved by the City Attorney's office, authorizing the Mayor to execute the contract, and approve an appropriation in the amount of \$43,000 to fund the costs to be incurred during this fiscal year.*

D. [Public Hearing: Modification #4 to Development Permit 07-03 and Conditional Use Permit 14-05; Consideration of an Impact Fee Deferral Agreement](#)

*Recommendation: City staff recommends the City Council take the following actions: 1) Adopt City Council Resolution 14-3444, approving Modification #4 to Development Permit 07-03 subject to conditions of approval; 2) Adopt City Council Resolution 14-3445, approving Conditional Use Permit 14-05 permitting off sale of beer and wine to building A3, Dollar General; 3) Adopt City Council Resolution 14-3446, approving Business Park EIR Addendum; and 4) Approve and authorize the Mayor to execute The City of Fillmore Development Impact Fee Agreement.*

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 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. (Successor Agency Item) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – The Successor Agency Board will conduct a closed session, pursuant to Government Code section 54956.8, to enable the Board to consider negotiations and to give direction to its negotiators regarding that certain real property, 533 Santa Clara Ave, Fillmore, CA, APN 053-0-060-435 with the Fillmore Senior Center, Inc. The City's real property negotiators, the City Manager and City Attorney, will seek direction from the City Council regarding the price and terms for this property.

13. **Adjournment:** Mayor adjourns this meeting to the next City Council meeting scheduled for December 9, 2014 at 6:30 p.m. at City Hall, 250 Central Avenue.

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