

**CITY OF FILLMORE
CITY COUNCIL**

AGENDA



REGULAR MEETING

**TUESDAY, AUGUST 24, 2010
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 Redevelopment 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/RDA 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/RDA is in session. Thank you.

Challenging City Council/Redevelopment Agency Decisions: Any legal action by an applicant seeking to obtain a judicial review of the City Council/Redevelopment 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/RDA 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/RDA 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/RDA **after 11:30 p.m.** unless a majority of the legislative body determines to continue.

Public Input: If you wish to address the Council/Redevelopment 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/Redevelopment 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/Redevelopment 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/RDA meetings will be re-broadcast on Channel 10 daily at 6:00 p.m.

1. **Call to Order:** 6:30 P.M.
2. **Pledge of Allegiance**
3. **Roll Call:** Councilmembers Brooks, Conaway, Hernandez, Washburn and Mayor Walker
4. **Approval of Agenda**
5. **Presentations and Announcements**
 - A. Proclamation Recognizing the 65th Anniversary of the United Way of Ventura County.
 - B. Presentation by Eve Liebman, Campaign Division Director from the United Way of Ventura County recognizing the City of Fillmore Employees for participation in the Workforce Campaign.
6. **Public Comments**
7. **Consent Calendar**

Recommendation for Items A. through I. is to Approve.

- A. [Warrant List for August 24, 2010.](#)
- B. [Minutes of June 8, 2010 Regular Meeting.](#)
- C. [Minutes of June 22, 2010 Regular Meeting.](#)
- D. [Request City Council Adoption of City Council Resolution #10-3260 in Support of Immediate Congressional Action to Authorize Legislation Allowing Property Assessed Clean Energy \(PACE\) Programs.](#)
- E. [Acceptance of Improvements: Proposition 1B Flex CAPE Seals Project.](#)
- F. [Acceptance of Improvements: B Street Extension 2nd to 3rd Street.](#)
- G. [Request City Council Approval for the Mayor to Sign Correspondence to the Ventura County Grand Jury in Response to the Findings and Recommendations included in their County-wide Report of May 20, 2010 entitled "Where are you Sleeping Tonight?"](#)
- H. [Notice of Destruction of Obsolete Records based upon City's Retention Schedule in Fillmore Municipal Code Section 2.63 and Adoption of City Council Resolution 10-3263 Approving Destruction of Obsolete Records.](#)
- I. [Request City Council Adoption of City Council Resolution 10-3264 Authorizing the City Manager to Execute Energy Efficiency Block Grant Subrecipient Contracts and Assignment of Utility Incentives to the County of Ventura.](#)

8. Public Workshop / Hearing

- A. [Public Meeting on Sewer Rate Increases and First Reading of Sewer Ordinance 10-822, Proposed Sewer Rate Increases, in Preparation for a Public Hearing for a Proposition 218 Protest Hearing.](#)

Recommendation: 1) Review, comment and conduct first reading of proposed Sewer Ordinance 10-822; and 2) Open the Public Meeting and receive questions from the public. Staff will provide answers during the meeting or if necessary at a later time.

- B. [Public Meeting on Water Rate Increases and First Reading of a Water Ordinance 10-821, Proposed Water Rate Increases, in Preparation for a Public Hearing for a Proposition 218 Protest Hearing.](#)

Recommendation: 1) Review, comment and conduct first reading of proposed Water Ordinance 10-821; and 2) Open the Public Meeting and receive questions from the public. Staff will provide answers during the meeting or if necessary at a later time.

- C. [Public Hearing: Increases to “Schedule of Fees and Charges for City Services” and Adoption of City Council Resolution 10-3262 Regarding Increase and Establishment of City Fees.](#)

Recommendation: 1) City Council receive proposed increases in existing fees and establishment of new fees on the “Schedule of Fees and Charges for City Services”; 2) Mayor to open the public hearing and obtain public comments concerning the proposed increases in existing fees and establishment of new fees on the “Schedule of Fees and Charges for City Services” after public comments and City Council discussions; and 3) Adopt City Council Resolution 10-3262 approving the recommended changes to the “Schedule of Fees and Charges of City Services,” effective immediately.

9. Department Reports

City Manager

- A. [Authorize City Manager or Her Designee to Sign a One-Year Extension to the Franchise Agreement with Santa Clara Valley Disposal Services, effective September 30, 2010 through September 30, 2011, in order to allow time to Review and Revise the Franchise Agreement.](#)

Recommendation: 1) Authorize City Manager or her designee to sign a one-year extension to the Franchise Agreement and Charges for Santa

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Clara Valley Disposal Company Refuse Collection and Disposal Services,” effective September 30, 2010 through September 30, 2011, in order to provide additional time to review and revise the franchise agreement.

- B. [Request City Council to Receive Six \(6\) Resolutions to be Considered at the League of California Cities Annual Conference and Provide Direction to their Voting Delegate on the City’s Position.](#)

Recommendation: 1) Review the six (6) resolutions provided by the League of California Cities, determine the City’s position on each resolution, and provide direction to the City’s Voting Delegate so that the City’s position can be represented at the Annual Conference.

Public Works Department

- C. [Approval of Work Order 38 and Continuation of Work Order 37 for AECOM to Complete the Water Recycling Program.](#)

Recommendation: 1) The Sewer Subcommittee recommends to the City Council that work identified in Work Order 37 be completed and that Work Order 38 be approved in the amount of \$101,750.

- D. [Consider Approval of Partial Release of Retention to American Water on the Water Recycling Plant Contract.](#)

Recommendation: 1) The Council Sewer Subcommittee recommends that the City Council authorize release of \$3,500,000 of retention monies to American Water pending receipt of releases from subcontractors.

Community Development Department

- E. [Consideration of a One-Hundred Dollar Temporary Use Permit Fee Waiver Request by the Fillmore Chamber of Commerce to Hold Six \(6\) Blood Drives on City Property Adjacent to City Hall.](#)

Options: 1) Consider authorizing the City to waive the \$100 Temporary Use Permit fee covering six (6) Blood Drives being coordinated by the Fillmore Chamber of Commerce; or 2) Authorize the City to absorb some portion of the Temporary Use Permit fee; or 3) Do not authorize the City to waive the \$100 Temporary Use Permit fee.

F. [Consideration of a One-Hundred Dollar Temporary Use Permit Fee Waiver Request by the Fillmore Women’s Service Club for their Annual Rummage Sale held in the Super A Foods Parking Lot.](#)

Options: 1) Consider authorizing the City to waive the \$100 Temporary Use Permit fee for the Fillmore Women’s Service Club’s Annual Rummage Sale; or 2) Authorize the City to absorb some portion of the Temporary Use Permit fee; or 3) Do not authorize the City to waive the \$100 Temporary Use Permit fee.

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. Follow-Up on Requests from the Public/City Council
- B. Announcements and Upcoming Issues

13. Closed Session – None.

14. Adjournment: City Council adjourns to a Joint City Council / Planning Commission Meeting scheduled for Tuesday, September 14, 2010 at 6:30 p.m. at City Hall, 250 Central Avenue.

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Upcoming Meetings and Related Agenda Items (Info Only)

- September 14, 2010 Public Hearing: Proposition 218, Proposed Increase Maximum Sewer Service Fee, Addition of Recycled Water Rate, Addition of RV Dump Station Fee and Addition of Sewer Standby Fee
- September 14, 2010 Public Hearing: Proposition 218, Proposed Increase in Maximum Water Service Fee, Create a New Reduced Fee for Leak Events, Increase Security Deposits of New Customers, Require the Property Owner to be Responsible for Payment of Bills, Addition of a Water Standby Fee and Addition of Charge for Street Sweeping

Agenda Posted: August 19, 2010, 6:30 p.m.