

CITY OF FILLMORE  
CITY COUNCIL AND  
FILLMORE PUBLIC FINANCE AUTHORITY

**AGENDA**



**JOINT MEETING**

**TUESDAY, OCTOBER 26, 2010  
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 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](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/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.

Fillmore City Council & Public Finance Authority Meeting Agenda – October 26, 2010

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. Presentation by Vic Kamhi, Bus Transit Director for Ventura County Transportation Commission, regarding proposed VISTA fare increase and Public Hearing on November 5, 2010 at 9:00 am at Camarillo City Hall, 601 Carmen Drive.
6. **Public Comments**
7. **Consent Calendar**

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

- A. [Warrant List for October 12, 2010.](#)
- B. [Warrant List for October 26, 2010.](#)
- C. [Minutes of September 14, 2010 Joint City Council/Planning Commission Meeting.](#)
- D. [Minutes of September 28, 2010 Special Meeting.](#)
- E. [Minutes of September 28, 2010 Joint City Council/Fillmore Unified School District Board Meeting.](#)
- F. [Minutes of October 6, 2010 Joint City Council/North Fillmore Neighborhood Committee Meeting.](#)
- G. [Minutes of October 12, 2010 Regular Meeting.](#)
- H. [Request City Council Approve Operating and Use Agreement Between the City of Fillmore and The Boys and Girls Club of The Santa Clara Valley for The Community Center; Authorize the Mayor to Execute Agreement and the City Manager to Make any Minor Modifications as necessary to achieve the intent of the Council.](#)
- I. [Request that the City Council accept the "A" Street Water Line Replacement Improvements and being procedure to release the contract.](#)

*Recommendation for Item J. is to Receive and File Report.*

- J. [Receive and File the attached Report to Supplemental Law Enforcement Oversight Committee \(SLEOC\) for the period ending June 30, 2010.](#)

**8. Public Hearings – None.**

**9. Closed Session**

- A. Conference with Labor Negotiators: [Government Code Section 54957.6]  
Agency Designated Representatives: City Manager Yvonne Quiring, Jack Hoffman, Hoffman & Associates; Employee Organization: Union of Operating Engineers Local No. 501.

**10. Department Reports**

City Manager

- A. Approval of Memorandum of Understanding Between the City of Fillmore and International Union of Operating Engineers Local No. 501 for Fiscal Year 2010-2011

*Staff report regarding this item will follow in the event the item is to be heard on October 26, 2010.*

Community Services Department

- B. [Consider Recommendations From Pool Ad Hoc Committee and Provide Direction to Staff Regarding Proposed Closure of Aquatics Center from October 18, 2010 through February 7, 2011 and Concerning Proposed Fee Increases fro Recreation Swim, Lap Swim and Swim Lessons.](#)

*Recommendation: 1) City Council consider and adopt the Ad Hoc Committee's recommendation to close the Aquatics Center from October 18, 2010 to February 7, 2011 to realize an estimated savings of approximately \$25,000 to \$30,000; and 2) City Council consider and adopt the Ad Hoc Committee's recommendation to raise recreation swim from \$2 to \$3, lap swim from \$4 to \$5 and swim lessons from \$50 to \$60, direct staff to amend the Recreation Fee Schedule to reflect the new fees for FY 2010/2011; and direct staff to bring a revised Recreation Fee Schedule back for consideration by the Council.*

## 11. Public Finance Authority Business

### Finance Department

- A. [Adoption of Public Finance Authority Resolution 10-23, Establishing a Regular Meeting Schedule of the Public Finance Authority, and Adoption of Public Finance Authority Resolution 10-24, Election of Public Financing Authority Officers](#)

*Recommendation: 1) Adopt Public Finance Authority Resolution 10-23 of the Board of the Fillmore Public Financing Authority establishing a regular meeting schedule and providing for other matters related thereto; and 2) Adopt Public Finance Authority Resolution 10-24 of the Board of the Fillmore Public Financing Authority electing officers.*

## 12. Joint City Council / Public Finance Authority Business

### Finance Department

- A. [2002 Water System Certificates of Participation Refunding through the Authorization of the Fillmore Public Financing Authority Revenue Bonds \(Water System Refunding\) Series 2010.](#)

*City Council Recommendation: 1) Adopt City Council Resolution 10-3268 approving the issuance of revenue bonds (water system refunding), series 2010, to be issued by the Fillmore Public Financing Authority, authorizing and approving a trust agreement, an installment purchase agreement, an escrow agreement, a preliminary official statement, a final official statement, sale documents and a continuing disclosure agreement; approving the retention of certain professional firms; and authorizing the taking of certain other actions in connection therewith; and 2) Provide direction regarding the final maturity of the bonds.*

*Authority Board Recommendation: 1) Adopt Public Finance Authority Resolution 10-25 of the Board of the Fillmore Public Financing Authority approving the issuance of Revenue Bonds (Water System Refunding), Series 2010, in an aggregate principal amount not to exceed \$8,200,000, approving a trust agreement, an installment purchase agreement, a preliminary official statement, a final official statement, and sale documents; and authorizing official actions and execution of documents related thereto.*

Online Attachments as referenced in Item 12A staff report:

[Preliminary Official Statement](#)

[Notice of Sale](#)

[Notice of Intention](#)

[Installment Purchase Agreement](#)

[Trust Agreement](#)

Continuing Disclosure Agreement (attached as Appendix E to the Preliminary Official Statement)

[Escrow Agreement](#)

**13. Department Reports - Continued**

Public Works Department

- A. [Approval of Implementation Agreement for the Ventura Countywide Stormwater Quality Management Program.](#)

*Recommendation: 1) The City Council approve the attached NPDES Ventura County Stormwater Quality Management Program Implementation Agreement.*

City Attorney

- B. Discussion of Alleged Brown Act Violation by Councilmember Laurie J. Hernandez in Connection with Statements Attributed to Councilmember Hernandez in an Article Published in the Manteca Bulletin Newspaper on September 30, 2010.

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

**15. 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

**16. City Manager**

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

**17. Closed Session**

- A. Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 potential case.
- B. Public Employee Performance Evaluation pursuant to Government Code Section 54957 – Title: City Manager.
- C. Public Employee Performance Evaluation pursuant to Government Code Section 54957 – Title: City Attorney.

**18. Adjournment:** City Council adjourns to a Regular Meeting scheduled for Tuesday, November 9, 2010 at 6:30 p.m. at City Hall, 250 Central Avenue.

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**Upcoming Meetings and Related Agenda Items (Info Only)**

- November 23, 2010      City Council is dark – no meeting scheduled
- December 14, 2010      Joint Meeting with Parks & Recreation Commission and Regular City Council Meeting

Agenda Posted: October 21, 2010, 6:30 p.m.

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