

**CITY OF FILLMORE
CITY COUNCIL**

AGENDA



REGULAR MEETING

**TUESDAY, APRIL 10, 2012
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 Conaway, Gonzalez, Sipes, Mayor Pro Tem Brooks and Mayor Washburn
4. **Approval of Agenda**
5. **Presentations and Announcements**
6. **Public Comments**
7. **Consent Calendar**

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

- A. [Warrant List for APRIL 10, 2012.](#)
- B. [Minutes of MARCH 13, 2012, Regular Meeting](#)
- C. [Minutes of MARCH 27, 2012, Special Meeting.](#)
- D. [Adopt Resolution No. 12-3332, Supporting William L. Morris Dealership in Maintaining Its Current Design Character Which is Consistent With the Adopted Ventura Street Design Guidelines.](#)
- E. [Authorization and Approval to Release Warrant Payments to Vendors during Council Dark Periods.](#)

8. Public Hearings

- A. Request for Modification #3 to Tentative Tract map 5784 – Item continued to a date to be determined.
- B. Request for Modification #6 to Tentative Tract Map 5785 – Item continued to a date to be determined.
- C. Requests for Modifications: 1) #4 to TTR 5785, DP 07-01; 2) #2 to 5784, DP 07-02; 3) #2 to TTR 5803, and 4) #3 to DP 07-03, CUP 08-03, LLA 08-02 – Item continued to a date to be determined.

9. Department Reports

Community Development

- 9A. [Request City Council to Review and Provide an Interpretation of the Zoning Ordinance Regarding Chickens.](#)

*Recommendation: 1).Recognize that the Zoning Ordinance does no allow chickens or any agricultural animal in Residential medium designation; and
2) Direct the Code Enforcement Department that roosters are not permitted in any residential designation due to incompatibility with residential uses; and
3) Direct the Code Enforcement Department that chicken are allowed in Residential Low designation but chickens are to be limited to three per yard like domestic animals and chickens must be confined to the yards.*

City Manager

9B.[Consideration of and Direction to Staff Concerning the Volunteer Coordinator Position.](#)

Recommendation: 1) Provide direction concerning the Volunteer Coordinator position.

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

13. Closed Session

- A. Conference with Legal Counsel – Existing Litigation [subdivision (a) of Section 54956.9]: City of Industry and City of Livermore v. City of Fillmore, et. al. Case No. BC411865, Los Angeles County Superior Court.
- B. Conference with Legal Counsel - Existing Litigation (subdivision (a) of Section 54956.9). El Dorado Estates v. City of Fillmore, Case No. CV11-07562 SJO, United States District Court for the Central District; and El Dorado Estates v. City of Fillmore, Case No. 56-2009-00358555-CU-WM-VTA, Ventura Superior Court.

- 14. Adjournment:** City Council adjourns. The next City Council meeting is a Joint Meeting with the Senior Center scheduled for Tuesday, April 24, 2012, at 6:30 p.m. at City Hall, 250 Central Avenue.

Agenda Posted: April 6, 2012, 5:00 p.m.