

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

AGENDA



REGULAR MEETING

**TUESDAY, AUGUST 11, 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 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 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
REGULAR MEETING AGENDA
TUESDAY, August 11, 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. **Presentations and Announcements**
 - A. Proclamation - One Step a la Vez
 - B. Presentation - Fillmore Equestrian Center Update
6. **Public Comments**
7. **Consent Calendar**

Recommendation for Item A. through I. 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 AUGUST 11, 2015.](#)
 - C. [Successor Agency Warrant List for AUGUST 11, 2015.](#)
 - D. City Council and Successor Agency Minutes for JULY 14, 2015.
 - E. [Approval of Contract Services Agreement for Engineering Consultant Services with David Burkhart.](#)
 - F. [Approval of Third Amendment to City Manager's Contract.](#)
 - G. [Approval of Management/Mid-Management Unrepresented Resolution No. 15-3485.](#)
 - H. [One-year time extension for Tentative Tract Map 5785.](#)
 - I. [Report to the City Council Regarding the Emergency Repairs for Well #5 and a Request that the City Council Determine that the Emergency Remains Consistent with California Public Contract Code Sections 22050](#)
8. **Successor Agency**
 - A. [Approval of a Lease Agreement Between the Successor Agency to the City of Fillmore Redevelopment Agency as Lessor and the Fillmore City Council as Lessee for Operation of the Fillmore Active Adult Center.](#)

Recommendation: 1) Approve the attached lease agreement as amended; 2) Do not approve the lease agreement; or 3) Provide other direction to staff.

9. New Business

A. [Approval of FY 2015-16 – 2017-18 CDBG Cooperation Agreement](#)

Recommendation: 1) Elect to continue to be included in the Urban County program and authorize the City Manager to execute the new 3 year CDBG Cooperation Agreement; or in the alternative; 2) Do not elect to be included in the Urban County program and not authorize the approval of the agreement; and 3) Provide other direction to staff.

B. [Approval of a contract with Patrick Maynard to provide information technology management services to the City of Fillmore](#)

Recommendation: 1) Approve the contract for a one year time period with Patrick Maynard, a sole proprietor, to provide information technology management and support services; or in the alternative; 2) Do not approve the contract with Patrick Maynard, sole proprietor; and 3) Provide other direction to staff.

C. [Adoption of Resolution 15-3482 Authorizing the Filing of a Claim for Transportation Development Act \(TDA\) Funds for FY 2015-16 and Approval of Budget Modification](#)

Recommendation: 1) Adopt the attached Resolution 15-3482 authorizing the City Manager to file a claim with the Ventura County Transportation Commission for the allocation of Transportation Development Act Funds for Fiscal Year 2015-16; and 2) Approve the attached budget Adjustment to recognize the actual TDA funding to be received for the FY 2015-16 budget; or in the alternative; 3) Do not adopt Resolution 15-3482; 4) Do not approve the attached Budget Adjustment to recognize the additional TDA funding; and/or 5) Provide other direction to staff.

D. [Provide Direction and Receive Report on the Fillmore Works Project \(Chevron\)](#)

Recommendation: 1) Discuss proposed use for the Chevron property and provide direction to city staff.

E. [Provide Direction and Receive Report on the Establishment of a Residential Property Pre-sale Inspection Program](#)

Recommendation:

1. *That the City Council provide staff input on the proposed process and direct staff to move forward with the establishment of pre-sale inspection program and by preparing an ordinance to add this program to the FMC and to prepare a resolution establishing a fee for the program. Input is requested on the following items:*

- A. *Should this program apply to residential sales or all transfers of residential property?*
- B. *How long should an inspection report be valid?*
- C. *Should violation of this section be an infraction, misdemeanor or a wobbler (a misdemeanor that can be reduced to an infraction)?*

2. *Do not move forward with a pre-sale inspection program.*
3. *Direct staff to meet with local real estate brokers to obtain feedback and present those findings to City Council.*

F. [Fillmore Fireworks Sales](#)

Recommendation: 1) Staff recommends that the City Council discuss this item and provide direction to staff.

G. [Consideration of Adopting a Resolution Urging the State to Provide New Sustainable Funding for State and Local Transportation Infrastructure and Consideration of Joining the “Fix Our Roads Coalition”](#)

Recommendation: 1) Adopt Resolution 15-3484 urging the State to provide new sustainable funding for State and local transportation infrastructure and join the “Fix Our Roads Coalition” as requested by the League of California Cities; or in the alternative 2) Approve the proposed Resolution with modifications; or 3) Decline to act.

H. [Designation of Voting Delegate and Two Alternates for League of California Cities Annual Conference](#)

Recommendation: 1) Designate a primary voting delegate; and 2) Appoint two alternate delegates.

I. [Opposition Letter to Honorable Tom Daly, California State Assembly in Opposition of AB 1217 Orange County Fire Authority](#)

Recommendation: 1) All Council members sign the attached letter to Honorable Tom Daly, California State Assembly opposing AB 1217; or in the alternative 2) Do not send a letter opposing AB 1217; or 3) Provide further instruction to staff.

J. [Expediting Permitting Procedures for Small Residential Rooftop Solar Energy Systems. Adding to FMC Chapter 5.45](#)

Recommendation: 1) Approve the first reading of Ordinance 15-852 adding Fillmore Municipal Code Chapter 5.45 to create expedited, streamlined permitting procedures for small residential rooftop solar systems as mandated by State Assembly Bill No. 2188 (September 21, 2014) codified in Section 65850.5 of the California Government Code.

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 LABOR NEGOTIATOR** - The City Council will conduct a closed session, pursuant to Government Code Section 54957.6, with the City Attorney and Mayor, the City's negotiators, to discuss the salary, compensation, and benefits provided to an unrepresented employee, the City Manager.

- B. **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 litigation to which the City is a party. The title of such litigation is as follows: 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.

- 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 two cases.

14. **Adjournment:** Mayor adjourns this meeting to the next City Council meeting scheduled for August 25, 2015 at 6:30 p.m. at City Hall, 250 Central Avenue.

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