

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

AGENDA



**TUESDAY, NOVEMBER 10, 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 ILLMORE 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
TUESDAY, NOVEMBER 10, 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. Public Comments

6. Presentations and Announcements

- A. Presentation - Firework Study Results – Fire Chief Rigo Landeros

7. Consent Calendar

Recommendation for Item A. through F. 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 10, 2015.](#)
- C. [Successor Agency Warrant List for NOVEMBER 10, 2015.](#)
- D. [City Council and Successor Agency Regular Meeting Minutes for OCTOBER 13, 2015.](#)
- E. [City Council and Successor Agency Special Meeting Minutes for OCTOBER 27, 2015.](#)
- F. [Humane Living Ordinance – 2nd Reading](#)

8. Successor Agency

- A. [Approval of Resolution Number 15-7 of the Successor Agency to the Former Redevelopment Agency of the City of Fillmore, Approving the Preliminary Official Statement in Connection with the Issuance of its Tax Allocation Refunding Bonds, Series 2015, and Taking Other Related Actions](#)

Recommendation: 1) Adopt Resolution 15-7 approving the preliminary official statement and continuing disclosure certificate in connection with the issuance of the Successor Agency's Tax Allocation Refunding Bonds, Series 2015, and taking other actions related thereto; or in the alternative 2) Do not approve Resolution 1507; or 3) Provide other direction to staff.

9. Public Hearings

- A. [Public Hearing: Conduct Public Hearing on the City of Fillmore Commercial and Residential Refuse Collection Charges and Proposed Increases to These Rates](#)

Recommendations: 1) Conduct the public hearing on the City's commercial and residential refuse collection and disposal fees charged to property owners and/or commercial customers for solid waste disposal services; or in the alternative 2) Not approve conduct the public hearing; and 3) Provide other direction to staff.

- B. [Public Hearing: Request for Council to approve Zoning Ordinance Amendment 15-01 \(ZOA 15-01\), amending the City of Fillmore Zoning Ordinance Section 6.04.38 "SIGN STANDARDS" to allow digital signs and consideration of finding of exemption from CEQA](#)

Recommendation: 1) Open public hearing; 2) Receive Public Testimony; and 3) Approve the first reading of Zoning Ordinance Amendment (ZOA 15-01) amending the City of Fillmore Zoning Ordinance Section 6.04.3850, "PROHIBITED SIGNS" and adding new Section 6.04.3893, "DIGITAL SIGNS" and finding that the adoption of the ordinance is exempt from CEQA.

- C. [Public Hearing: Zoning Ordinance Amendment 15-03 \(ZOA 15-03\) proposing to amend City of Fillmore Zoning Ordinance Section 6.04.28 "LANDSCAPING STANDARDS" to allow artificial turf within residential front yard setbacks and consideration of CEQA Categorical Exemption](#)

Recommendation: 1) Open the public hearing; 2) Receive Public Testimony; and 3) Approve the first reading of Zoning Ordinance Amendment (ZOA 15-03) amending City of Fillmore Zoning Ordinance Section 6.04.2820, Landscape Development Standards, and adding Section 6.04.2823, Artificial Turf, and make the finding that the adoption of this ordinance is exempt from CEQA.

10. New Business

- A. [Receive and File Report from Pasteurization Technology Group, PTG, and Provide Direction on Next Steps](#)
- B. [Authorize City Manager to Obtain Proposals to Operate the Fillmore Equestrian Center - FEC](#)

Recommendation: 1) Accept staff recommendation to solicit proposals to operate the Fillmore Equestrian Center; or in the alternative 1) Continue to have the City operate the FEC; 2) Seek alternative uses for the FEC; or 3) Do not seek proposals to operate the Equestrian Center.

- C. [First Amendment to the Development Impact Fee Agreement with the Stop Development](#)

Recommendation: 1) Approval of the First Amendment to the Agreement.

- D. [Adoption of Investment Policy](#)

Recommendation: 1) Adopt the attached Investment Policy; or in the alternative 2) Adopt the Investment Policy with changes; 3) Not adopt the Investment Policy; or 4) Provide other direction to staff.

- E. [End of Fiscal Year 2014/15 General Fund Carry Over](#)

Recommendation: 1) Approve the allocation of \$1.9 million to a General Fund Reserve and a modification to the FY 2015-16 General Fund Budget by reallocating \$700,000 from this reserve account to the General Fund revenue and approve \$12,790 to be used for one time only expenses.

F. [Request for Award of Contract to General Pump Company for the Well No. 9 Production Testing Project](#)

Recommendation: 1) Award the contract for the Well No. 9 Production Testing Project, Specification No. 2015-1, to the lowest reasonable bidder, General Pump Company Incorporated, in the amount of ninety-nine thousand nine hundred and thirty-nine dollars and thirty-seven cents (\$99,939.37); 2) Approve a ten percent contingency in the amount of \$9,994; and 3) Authorize staff to issue a notice-to-proceed for the project.

G. [Holiday Events](#)

Recommendation: 1) Have staff move forward with free children’s holiday movie, refreshments, Santa visit, and possible snow event on December 5th and tree lighting ceremony with refreshments on December 8th; or in the alternative 2) Provide further direction to staff; or 3) Do not have any City holiday activities.

11. Committee, Commission, and Board Reports

12. City Council Reports, Recommendations, and Comments

A. City council member Brief Reports

B. Any Councilmember May Propose Items for Placement on Future Agenda

13. City Manager

A. [City Manager’s Report](#)

14. Closed Session

A. **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 one matter of litigation to which the City is a party. The titles of such matter is as follows: Southwest Jet Fuel BOE Case No. 486732.

B. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.**
The City Council and 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 (one for each entity).

15. Adjournment: Mayor adjourns this meeting to the next City Council meeting scheduled for December 8, 2015 at 6:30 p.m. at City Hall, 250 Central Avenue.

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