

**FILLMORE CITY COUNCIL MEETING
250 CENTRAL AVENUE
FILLMORE, CALIFORNIA**

**AUGUST 23, 2005
6:30 P.M.
REGULAR MEETING**

CALL TO ORDER Mayor Villegas called the Fillmore City Council to order at 6:30 p.m. City Council Members Present: Mayor Ernie Villegas, Mayor Pro-tem Ken Smedley, Councilmember M. Cecilia Cuevas, Councilmember Steve Conaway; City Council Members Absent: Councilmember Raymond Dressler. City Staff Present: City Manager Tom Ristau, City Attorney J. Roger Myers, Fire Chief Pete Egedi, Administrative Services Manager Steve McClary, Finance Director Barbara Smith, Public Works Superintendent John Kozar, City Engineer Bert Rapp, Police Captain Randy Pentis, Assistant Planner Manuel Minjares, and Deputy City Clerk Angela Mendez.

ORAL COMMUNICATIONS - None.

CITY COUNCIL CONSENT CALENDAR

ACTION Motion: Cuevas, Second: Smedley; MOTION PASSES by the
CITY CONSENT following voice vote to adopt the City Council Consent
CALENDAR Calendar, consisting of the following items:

- 3A. City Council Resolution No. 05-2851: Extending Declaration of Local Emergency (January 2005 Floods and February 2005 Floods).
- 3B. Warrant List for August 23, 2005.
- 3C. Trust Warrant List for August 23, 2005.

AYE: Cuevas, Conaway, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

CITY COUNCIL BUSINESS ITEMS

ITEM 8D AND Mayor Villegas pulled items 8D (Discussion on Ventura
ITEM 8E PULLED Council of Governments Resolution from the Ventura County Agricultural Water Coalition), and item 8E (Amendment to City Travel Reimbursement Policy) from the agenda.

APPROVAL OF City Engineer Bert Rapp said Mr. Glen Hille is present
WATER to answer any questions. Staff is requesting that
RECYCLING PLANT council take the following actions: Approve the Water
REPORT/RFPs/ Recycling Plant (WRP) project report; Approve the
DBO PROPOSERS three candidate teams; and Approve the Request for Proposals (RFP); Approve Contract Amendment #14 which calls for getting the permits processed. The permits

for the recycled water plant need to get going. These are time sensitive items that need to be started.

Councilmember Cuevas said the permitting issues were not addressed in the contract. Mr. Rapp said the City did not know the scope of the tasks that would come about at the time of the contract. The agreement is that as the City desires more work, the issues will be addressed as they come up. We have realized that we need to start the permitting process now to avoid delays.

Mr. Rapp said Councilmember Conaway has some ideas regarding salvaging equipment. Councilmember Conaway said the existing plant has equipment that can be salvaged and used at the new plant. He raised concerns at the workshop. He does not want the team to salvage equipment to reduce expenses. There is equipment that can be reutilized. Some of the equipment may have residual value if sold on the market. He said the council should list priorities of importance, such as energy savings.

Mayor Villegas asked if the type of equipment that can be salvaged has been looked at. Mr. Rapp said yes, possibly \$300,000 or more worth of equipment can be salvaged. He said the reuse of equipment should be encouraged. He gave examples of city equipment being reused. He said it is important for the firms to know what is important to council. He said energy efficiency and salvaging of equipment will be noted as important items to council. He said the efficient use of land should also be noted as important to the council. Councilmember Conaway said this was an excellent idea.

Councilmember Smedley said service equipment should be considered. Mr. Rapp said we will have the ability to replace every component in the plant. They will have to have a 5 year life span on all equipment remaining at the end of the contract.

Councilmember Conaway said he would like a non proprietary digital control system to be considered. Mr. Rapp said he agreed. He said it should be a public system.

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**ACTION
APPROVE WATER
RECYCLING
PLANT PROJECT
REPORT**

Motion: Cuevas; Second: Conaway; MOTION PASSES by the following vote to approve the "Water Recycling Plant (WRP) Project Report" prepared by Boyle Engineering Corporation, dated June 2005.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None; ABSENT: Dressler; ABSTAIN: None.

**ACTION
APPROVE FIRMS
WATER RECYCLE
PLANT DESIGN**

Motion: Cuevas; Second: Conaway; MOTION PASSES by the following vote to approve the following three firms that responded to the Request for proposals: American Water Services, Inc., CH2M HILL Constructors, Inc., and ECO Resources, Inc.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None; ABSENT: Dressler; ABSTAIN: None.

**ACTION
APPROVE RFP/
CONTRACT FOR
DESIGN-BUILD
OF WATER
RECYCLING
PLANT**

Motion: Cuevas; Second: Smedley; MOTION PASSES by the following vote to approve the Request for Proposals (RFP) and contract for the 20 year Water Recycling Plant Design-Build-Operated Contract.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None; ABSENT: Dressler; ABSTAIN: None.

**ACTION
APPROVE
CONTRACT
AMENDMENT NO.
14 ENGINEERING
SERVICES-
WATER PLANT**

Motion: Cuevas; Second: Conaway; MOTION PASSES by the following voice vote to approve Contract Amendment #14 with Boyle Engineering Corporation to provide engineering services to support the permit process of the WRP project levee and bike path under HWY 126 in the amount of \$79,500.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None; ABSENT: Dressler; ABSTAIN: None.

**APPROVE WATER
TREATMENT
ALTERNATIVES
PROJECT REPORT/
AWARD CONTRACT**

City Engineer Bert Rapp said staff would like council to take the following actions: Approve "Water Treatment Alternatives Project Report" prepared by Boyle Engineering Corporation, dated July 19, 2005 and the recommended nanofiltration softening process; Approve Contract Amendment #12 with Boyle Engineering Corporation to provide engineering services for the compilation of the project report and environmental documentation (EIR) for the Centralized Water Softener Project utilizing nanofiltration process in the amount of \$289,800; and Approve Contract Amendment #13 with Boyle Engineering Corporation to provide engineering services for the compilation of the Public Irrigation Master Plan in the amount of \$63,600.

Mr. Rapp said staff is proposing working with the membrane filter and determine the most economic way to deal with the brine. Amendment # 13 is to prepare the Public Irrigation Master Plan. The first part consists of using recycled water and then to look at the ground water irrigation system in North Fillmore. This will save the cost of building a larger water recycling plant. It will also maximize the ability of disposing treated recycled water.

Councilmember Conaway said he appreciates the amount of thought that has gone into this project. Councilmember Smedley said this is a progressive approach to this project.

Mr. Rapp said at the Edison Energy Efficiency Center sub-surface drip saves energy.

Mayor Villegas said he hopes we will continue to keep an open mind and think outside the box.

ACTION
APPROVE WATER
TREATMENT
ALTERNATIVES
PROJECT REPORT

Motion: Conaway; Second: Smedley; MOTION PASSES by the following vote to approve the "Water Treatment Alternatives Project Report" prepared by Boyle Engineering Corporation, dated July 19, 2005 and the recommended nanofiltration softening process.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

ACTION
APPROVE
CONTRACT
AMENDMENT NO.
12 WITH BOYLE

Motion: Conaway; Second: Smedley; MOTION PASSES by the following vote to approve Contract Amendment #12 with Boyle Engineering Corporation to provide engineering services for the compilation of the project report and environmental documentation (EIR) for the Centralized Water Softener Project, utilizing nanofiltration process, in the amount of \$289,800.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

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ACTION Motion: Conaway; Second: Smedley; MOTION PASSES by the
APPROVE following vote to approve Contract Amendment #13 with
CONTRACT Boyle Engineering Corporation to provide engineering
AMENDMENT 13 services for the compilation of the Public Irrigation
WITH BOYLE Master Plan in the amount of \$63,600.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

Mr. Rapp asked about the review committee. The two members from council will be Councilmember Conaway and Councilmember Cuevas on the review committee.

IMPROVEMENTS City Engineer Bert Rapp said this item was previously
FOR 2005 pulled due to certified payrolls. He said the
SIDEWALK, CURB certified payrolls have been checked. He said Mr. Roy
& GUTTER Arnold has done exceptional work on this project.
MAINT. PROJECT

ACTION Motion: Cuevas; Second: Smedley; MOTION PASSES by the
ACCEPT 2005 following vote to accept the work as completed.

SIDEWALK MAINT.
PROJECT AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

ACTION Motion: Cuevas; Second: Smedley; MOTION PASSES by the
FILE NOTICE following vote to instruct the City Clerk to file a
OF COMPLETION Notice of Completion for the project.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

ACTION Motion: Cuevas; Second: Smedley; MOTION PASSES by the
AUTHORIZE following vote to authorize the final payment to the
FINAL PAYMENT contractor for the 10% retention pending clearance of
TO CONTRACTOR the 35-day lien period in the amount of \$24,199.33.

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

DESIGNATION OF Administrative Services Manager Steve McClary said this
VOTING item was carried over from the last meeting. Staff is
DELEGATE FOR asking council to designate a voting delegate and
LEAGUE OF CA alternate for the 2005 League of California Cities
CITIES ANNUAL Annual Conference.
CONFERENCE

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ACTION Motion: Cuevas; Second: Smedley; MOTION PASSES by the
DESIGNATE following vote to designate Mayor Ernie Villegas as the
MAYOR VILLEGAS voting delegate for the 2005 League of California
AS VOTING Cities Annual Conference.
DELEGATE

AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
ABSENT: Dressler; ABSTAIN: None.

ACTION Motion: Conaway; Second: Cuevas; MOTION PASSES by the
DESIGNATE following vote to designate Mayor Pro-tem Ken Smedley
MAYOR PRO-TEM as the alternate voting delegate for the 2005 League of
SMEDLEY AS California Cities Annual Conference.
ALTERNATE

VOTING AYE: Conaway, Cuevas, Smedley, Villegas; NO: None;
DELEGATE ABSENT: Dressler; ABSTAIN: None.

CITY COUNCIL REPORTS, DISCUSSION and APPOINTMENTS

UPDATE ON Councilmember Conaway said he received a telephone call
YOUTH TASK from the Fillmore Family Coalition. They continue to
FORCE move forward with the Youth Task Force. Mayor Villegas
said a meeting needs to be set up with the coalition.

UPDATE ON Councilmember Smedley asked Mr. Rapp for an update on
TRADITIONS the Traditions Tract hillside. Mr. Rapp said
TRACT construction is rapid. Reinforcement steel is being
placed in the wall. One of the foundations of the wall
has been poured. It is incredible to see.

GOAL STATUS Councilmember Smedley asked City Manager Tom Ristau
about the status of the 2005 council goals. Mr. Ristau
said this item will be brought to council at the first
meeting in September.

FILMING UPDATE Administrative Services Manager Steve McClary said the
television show "Invasion" filmed downtown. It came
together very well. HBO will be filming the television
show "Big Love" at the Traditions Tract. He said a
request by the Film Commission has been made to
reschedule the upcoming joint meeting with council.
Council said that was fine.

RETIREMENT Public Works Superintendent John Kozar said on
PARTY September 9, Betty Carpenter's retirement party will be
held in front of City Hall. Councilmember Cuevas said
she will be in Denver and will be unable to attend.

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PLANNING COMMISSION MEETING DATE CHANGED City Attorney Roger Myers said at the last Planning Commission meeting, Commissioner Mark Austin requested that the meetings be rescheduled to the third Wednesday of the month. The resolution can be adopted. There have not been any conflicts so far. There were no conflicts recognized, so the change will be made.

DAIS SEATING Mayor Villegas said he had a discussion with Mr. Ristau and both agreed with changing the seating order on the dais. He said he would like the City Manager and the City Attorney to be seated next to each other.

ADJOURNMENT Mayor Villegas adjourned the city council at 7:45 p.m. to a special meeting set for Tuesday, August 30, 2005 at 4:30 p.m. at City Hall, 250 Central Avenue, Fillmore, California.

ANGELA MENDEZ, Deputy City Clerk