

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 6, 2013, 5:30 P.M.**

Call to Order
Roll Call

Adjourn to a Joint Meeting of the Porterville City Council and Successor Agency to the Porterville Redevelopment Agency.

**JOINT CITY COUNCIL / SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA**

Roll Call: Agency Members/Chairman

ORAL COMMUNICATIONS

This is the opportunity to address the City Council and/or Successor Agency on any matter scheduled for Closed Session. Unless additional time is authorized by the Council/Agency, all commentary shall be limited to three minutes.

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:

- A. Closed Session Pursuant to:
- 1-** Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: County of Tulare v. All Persons Interested in the Matter of the Addition of the 2010 Amendment to Redevelopment Plan for the Redevelopment Project Area No. 1, as Adopted by Ordinance 1765 on June 15, 2010, by the City of Porterville, et al., Tulare County Superior Court Case No. 249877.

During Closed Session, the Joint Council/Successor Agency Meeting shall adjourn to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:

- B. Closed Session Pursuant to:
- 1** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No. 249043.
 - 2** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 466 East Putnam Avenue and 280 North Fourth Street. Agency Negotiators: John Lollis. Negotiating Parties: City of Porterville, Comision Honorifica Mexicana Americana, Porterville Senior Council, Kings/Tulare County Area Agency on Aging, and CSET. Under Negotiation: Terms and Price.
 - 3-** Government Code Section 54956.95 – Liability Claims: Claimant: Antonio Lara. Agency claimed against: City of Porterville.
 - 4-** Government Code Section 54956.95 – Liability Claims: Claimant: Catherine Lawlor. Agency claimed against: City of Porterville.
 - 5-** Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case concerning the May 9, 2013 written request by Tulare County Council on behalf of the Tulare County Local Community Benefit Committee for the City to return the 2011 and 2012 grant funds awarded to it totaling \$217,313.
 - 6-** Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Three Cases.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Brian Ward
Invocation

PRESENTATIONS

Employee of the Month – Jesus Guzman
Swearing In Ceremony – Police Officer Enrique Lara
Citrus Pest and Disease Prevention Program – Asian Citrus Psyllid

AB 1234 REPORTS

This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Tulare County Association of Governments (TCAG)—July 22, 2013
2. Consolidated Waste Management Authority (CWMA) – July 18, 2013
3. Tulare County Economic Development Corporation – July 24, 2013

REPORTS

This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

- I. City Commission and Committee Meetings:
 1. Library & Literacy Commission
 2. Parks & Leisure Services Commission – August 1, 2013
 3. Arts Commission – July 17, 2013

- II. Staff Informational Items:
 1. Building Permit Activity – May 1, 2013 to June 30, 2013
 2. Street Performance Measure – 4th Quarter Report
 3. Report on Charitable Car Washes
 4. Code Enforcement Report
 5. Attendance Report for City Commissions and Committees – 4th Quarter

ORAL COMMUNICATIONS

This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

CONSENT CALENDAR

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar. All items removed from the Consent Calendar for further discussion will be heard at the end of Scheduled Matters.

1. **Minutes of April 16, 2013, May 7, 2013, and July 30, 2013**
Approving draft City Council Minutes of April 16, 2013, May 7, 2013 and July 30, 2013.

- 2. Authorization to Advertise for Bids – Jaye Street and Montgomery Avenue Roundabout Project**
Re: Approving staff’s recommended plans and project manual; authorizing staff to proceed with advertising for bids; and identifying funding sources for the project consisting of the construction of a roundabout.
- 3. Authorization to Advertise for Bids – Rehabilitation of Runway 25-7**
Re: Approving staff’s recommended plans and project manual; and affirming staff’s decision to begin advertisement for bids on July 25, 2013 for the project consisting of the rehabilitation of a runway, the construction of a 15,000 sq. ft. concrete heliport, and storm drain improvements at the Municipal Airport.
- 4. Reject all Bids – Main Street Bus Turnout and Authorization to Advertise for Bids – Main Street and Plano Street Bus Turnouts**
Re: Rejecting all bids, and authorizing staff to combine the Main Street Bus Turnout and Plano Street Bus Turnout projects into one, and directing staff to re-advertise for bids.
- 5. Award of Contract – Olive Avenue Rehabilitation Project – Main Street to Plano Street**
Re: Awarding contract to Bowman Asphalt of Bakersfield in the amount of \$503,600, plus contingency and construction management, for the project consisting of the rehabilitation of Olive Avenue between Main and Plano Streets.
- 6. Award of Contract – Six (6) Compressed Natural Gas Trucks**
Re: Awarding contracts to GCS Environmental Equipment Services of Sacramento for one new CNG PM10 Street Sweeper in the amount of \$282,547.02; to EM Tharp of Porterville for one CNG Dump Truck in the amount of \$180,183.36 and four CNG Refuse Collection Trucks in the amount of \$1,097,004.32.
- 7. Award of Contract – Island Sewer Annexation (Area 455A)**
Re: Awarding contract to Todd Companies of Visalia in the amount of \$1,095,325.68, plus contingency and construction management, for the project consisting of the installation of new sewer infrastructure in the area generally bounded by W. North Grand Ave. to the north, Mulberry Ave. to the south, Beverly St. to the west and SR 65 to the east.
- 8. Award of Contract – W. North Grand Avenue Reconstruction Project – Prospect Street to State Route 65**
Re: Awarding contract to Seal Rite Paving & Grading of Clovis in the amount of \$598,586, plus contingency and construction management, for the project consisting of the reconstruction to collector standards of W. North Grand between SR 65 and Prospect Street.
- 9. Request for Authorization to Repair Pneumatic Wheel Roller**
Re: Authorizing the repair, by Pape Machinery in an amount not to exceed \$17,000, of equipment utilized in the City’s asphalt overlay program
- 10. Pre-Purchase of Pre-Selected Sludge Dewatering Equipment and Electric Blowers**
Re: Authorizing the issuance of purchase orders to Huber Technologies in the amount of \$390,000 for a screw press, and Piller TSC in the amount of \$772,599 for three electric blowers, for an upcoming capital project at the City’s Wastewater Treatment Facility.

- 11. Request to Purchase Solar Powered Bus Stop Lighting**
Re: Authorizing the purchase of 160 solar powered bus stop lighting modules from UrbanSolar in the amount of \$171,964, utilizing Prop 1B grant funds.
- 12. Approval to Purchase Specialized Equipment**
Re: Authorizing the purchase of the Cellebrite System, a cell phone data extraction devise in the amount of \$8,083.99.
- 13. Approval to Purchase Undercover Vehicles**
Re: Authorizing the purchase of two vehicles and associated emergency equipment utilizing \$80,000 in funds received from the Tulare County Auto Theft Fund.
- 14. Request to Purchase Animal Control Vehicle**
Re: Authorizing staff to negotiate the purchase and outfitting of a 2013 Ford F-350 truck from Downtown Ford Sales in Sacramento quoted at \$53,408.63.
- 15. Request to Purchase Three Marked Police Vehicles**
Re: Authorizing the negotiated purchase and outfitting of three 2013 Dodge Chargers from McPeek's Dodge in Anaheim quoted at \$126,138.87 for all three vehicles.
- 16. Approval to Purchase Unmarked Vehicle**
Re: Approving the negotiated purchase of a vehicle at a cost not to exceed \$40,000.
- 17. Request for Approval to Purchase Microsoft Office 2013 and Windows 8 Licensing**
Re: Approving the purchase of 190 licenses of Office 2013 and Windows 8 from Dell at a cost of \$69,838.80.
- 18. Authorization to "Piggy Back" on Existing Contracts**
Re: Authorizing the purchase of refuse containers utilizing the City of Lompoc's contract with Rehrig-Pacific Company in the amount not to exceed \$110,000; and authorizing the purchase of cold mix asphalt for the City's 2013/2014 Asphalt Overlay Program utilizing Tulare County's contract with Jaxson Enterprises.
- 19. Notice of Termination of Pioneer Water Company Agreement**
Re: Authorizing the submission of a six-month notice of intent to terminate the City's agreement with the Pioneer Water Company, and authorizing staff to negotiate a new agreement for Council's approval before February 2014.
- 20. Intent to Set a Public Hearing to Consider the Formation of a Sewer Utility District for Area 455**
Re: Setting a public hearing for October 15, 2013 pursuant to Proposition 218 Guidelines for the consideration of forming a Sewer Utility District; approving the Engineer's Report; and directing staff to notify all affected property owners.
- 21. Intent to Set a Public Hearing for Concrete Improvement Construction by the City – W. North Grand Reconstruction Project – Prospect Street to State Route 65**
Re: Setting a public hearing for September 3, 2013 to discuss the proposed construction of concrete improvements on W. North Grand, and authorizing staff to notify all affected property owners.

22. **Retirement of Police Service Dog “Diago”**
Re: Retiring Police Service Dog “Diago” due to health concerns, and authorizing the sale of Diago for \$1.00 to his former handler.
23. **Authorization to Roll Weed Abatement Balances, Delinquent Development Fee Payment Plan Agreements and Miscellaneous Loan Agreements to the Property Tax Rolls**
Re: Adopting a resolution authorizing the County Auditor to place items on the property tax rolls for the Fiscal Year 2013-2014.
24. **Preliminary Interim Financial Status Reports**
Re: Acceptance of preliminary reports for the 4th Quarter ended June 30, 2013.
25. **Quarterly Portfolio Summary**
Re: Accepting the City’s quarterly investment portfolio summary for the period ended June 30, 2013.
26. **Approval of Community Civic Event – Kiwanis Club of Porterville - American Crown Circus, Inc. – August 8 – 12, 2013**
Re: Approving civic event consisting of a circus to be held at the ball field area of the Heritage Center, behind Vallarta Market.
27. **Review of Local Emergency Status**
Re: Reviewing the City’s status of local emergency pursuant to Article 14, Section 8630 of the California Emergency Services Act.

A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible

PUBLIC HEARINGS

28. **Modification to Conditional Use Permit 1-79 to Amend the Specific Plan for Wendy’s Restaurant at 860 West Henderson Avenue and Allow Complete Demolition of the Current Building and Construction of a New Wendy’s Restaurant and Drive Through**
Re: Considering the modification to provide for the demolition and reconstruction of a Wendy’s Restaurant on Henderson Avenue.
29. **Landscape & Lighting Districts Annual Assessments**
Re: A public hearing on the proposed 2013/2014 assessments; consideration of the adoption of a resolution to continue maintenance; and confirming the Engineer’s Report and Assessments.
30. **Arts Commission Ordinance Amendment**
Re: Consideration of amendments to Ordinance 1767 regarding the composition of the Arts Commission and the terms of office for its Commissioners.

SCHEDULED MATTERS

31. **Letter of Map Revision – “Monache” Special Flood Hazard Area (SFHA)**
Re: Consideration of a funding source for the \$5,300 Letter of Map Revision Application for the area south of Westfield, north of Henderson Avenue, west of Prospect Street, and east of Newcomb Street.

- 32. Acceptance of the State Route 190 Corridor Study and Commencement of Near Term Projects**
Re: Considering acceptance of CalTran’s study, approving associated projects designated as “near term,” and authorizing the City to enter into the necessary agreements to proceed.
- 33. Determination of Zoning Conformance – Definition of Personal Land Use Classification**
Re: Considering whether a florist constitutes a personal service and/or is an approved use in the D-PO and PO Zones.
- 34. Consideration of Options for City Smart Phone App**
Re: Considering options for a City of Porterville application to allow the public to interface with City government and to report non-emergency issues.
- 35. Dinner and Arts on Main Street**
Re: Considering approval of the Arts Commission’s recommendation to sponsor an event promoting the arts, with the City providing insurance liability and staff support.
- 36. Appointments to the Charter Review Committee and City’s Internal Audit Committee**
Re: Considering appointments to fill vacancies on two City committees.
- 37. Consideration of Request for Financial Support for the “Marching Through Time” Mural Project**
Re: Considering a request for financial support for the mural located in Centennial Park on Main Street.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

Any Closed Session Items not completed prior to 6:30 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of August 20, 2013.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Office of City Clerk at (559) 782-7464. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection during normal business hours at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, and on the City’s website at www.ci.porterville.ca.us.