

**AMENDED CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 20, 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.
 - 2-** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs 261-122-007 and 261-122-008. Agency Negotiator: John Lollis and Brad Dunlap. Negotiating Parties: Successor Agency to the Porterville Redevelopment Agency and Porterville Hotel Investors. Under Negotiation: Terms and Price.
 - 3-** Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

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: 200 N. “D” Street. Agency Negotiator: John Lollis and Brad Dunlap. Negotiating Parties: City of Porterville and Ken Lansford. Under Negotiation: Terms and Price.
 - 3-** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 197-090-005. Agency Negotiators: John Lollis and Chuck McMillan. Negotiating Parties: City of Porterville and City of Lindsay. Under Negotiation: Terms and Price.

- 4- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Azevedo v. City of Porterville, Tulare County Superior Court Case No. 252894.
- 5- Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case concerning facts not yet known to potential plaintiff.

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

Pledge of Allegiance Led by Vice Mayor McCracken
Invocation

PRESENTATIONS

Outstanding Business

AB 1234 REPORTS

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

1. Tulare County Local Agency Formation Commission (LAFCO) – August 7, 2013
2. Tulare County Economic Development Corporation – August 14, 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. Parks & Leisure Services Commission
 2. Library and Literacy Commission – August 13, 2013
 3. Arts Commission
 4. Youth Commission
 5. Transactions and Use Tax (“Measure H”) Oversight Committee – August 8, 2013
- II. Staff Informational Items
 1. Charter Review Committee Appointments
Re: Informational item identifying committee appointments.

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 2, 2013, May 21, 2013, June 4, 2013, and July 16, 2013**

- 2. Budget Adjustment for the 2013-14 Fiscal Year**
Re: Consideration of a budget adjustment in the amount of \$68,483 for OHV grant funds awarded to the City, and \$8,800 for implementation of smart phone application PublicStuff.
- 3. Purchase of Specialized Equipment**
Re: Consideration of authorization to purchase by negotiation various pieces of equipment using Equipment Replacement Funds.
- 4. Authorization to Purchase Servers and Server Rack Equipment**
Re: Consideration of authorization to purchase servers and server rack equipment from Dell at a cost of \$41,756.11.
- 5. Authorization to Advertise for Proposals – Revenue Sharing Transit Advertising**
Re: Consideration of authorization to distribute Requests for Proposals for an advertising contractor to administer and carry out the functions associated with the revenue sharing transit advertising program for a period of three years.
- 6. Acceptance of Project – 2013/2014 Micro-Surfacing Project (Henderson Avenue, Indiana Street, Leggett Street and Gibbons Avenue)**
Re: Consideration of a request from Intermountain Slurry Seal, Inc. to accept project as complete, and authorize the filing of the Notice of Completion for the project consisting of the installation of a thin asphalt overlay on several streets within the City.
- 7. Acceptance of Project – Digester Transfer Line Project**
Re: Consideration of a request from W.M. Lyles Co. to accept project as complete, and authorize the filing of the Notice of Completion for the project consisting of the removal and installation of lines and valves at the City’s Sewer Treatment Plant in the area of the digesters.
- 8. Approval of Fifth Amendment to the Agreement for Transit Services for College of Sequoia Students**
Re: Consideration of an agreement between the Tulare County Association of Governments and the City of Porterville for transit services during the Fall 2013 and Spring 2013 semesters, and the Summer 2014 session.
- 9. Approve a Request for a Five-Year Contract for Maintenance, Support, Design, Program and Repair of Specialized Equipment and Software**
Re: Consideration of a 5-year Service Contract to allow for the maintenance, upgrade and repair of the WWTF SCADA system by TESCO Controls, Inc.
- 10. Approval of Local Agency Hearing Agreement**
Re: Consideration of an agreement between the Office of Administrative Hearings and the City for costs associated with alternative dispute resolution proceedings as needed for a five year period.
- 11. Modification to License Agreement for Barn Theatre**
Re: Consideration of authorization to negotiate the modification to the Revocable License Agreement between the City and the Barn Theatre, and approval of the construction of permanent fencing.
- 12. This Item Was Removed.**

- 13. Request to Receive Office of Traffic Safety Sobriety Checkpoint Program Grant Award**
Re: Consideration of acceptance of the grant funding from the California Office of Traffic Safety in the amount of \$12,500 for personnel costs associated with the Sobriety Checkpoint Program.
- 14. Approval of Proposed Proclamation – Library Card Sign-Up Month – September 2013**
Re: Consideration of a proposed proclamation proclaiming September as “Library Card Sign-Up Month” in the City of Porterville.
- 15. Approval for Community Civic Event – Cocola Broadcasting Company and Family Healthcare Network – Fiesta de la Familia and Health Fair – October 13, 2013**
Re: Consideration of an event to take place on Sunday, October 13, 2013, from 11:00 a.m. to 6:00 p.m. at Veteran’s Park.
- 16. Request to Purchase Police Motorcycle**
Re: Consideration of a request to negotiate the purchase and outfitting of one police motorcycle for an estimated cost of \$26,701.84.
- 17. 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.
- 18. Council Member Requested Agenda Item – Request for the City Council to Consider Special Recognition of the Tule River Tribal Council and Sierra View District Hospital for Sponsorship of 2013 Freedom Fest**
Re: Consideration of a request to schedule on the September 3, 2013, Agenda consideration of special recognition for sponsorship of the 2013 Freedom Fest.

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

SECOND READINGS

- 19. Ordinance 1797, Arts Commission**
Re: Second Reading of Ordinance No. 1797, An Ordinance of the City Council of the City of Porterville Amending Chapter 5A of the Porterville Municipal Code Regarding the Formation of an Arts Commission, which was given first reading on August 6, 2013, and has been printed.

SCHEDULED MATTERS

- 20. Transactions and Use Tax (Measure H) Oversight Committee Vacancy and Consideration of Appointment**
Re: Considering acceptance of the resignation of Dr. Gary Mekeel from the Transactions and Use Tax Oversight Committee, and the appointment of an individual to the vacancy with an unexpired term ending in May 2014.
- 21. Consideration of Appointment to Arts Commission and Internal City Audit Committee**
Re: Considering the appointment of an individual to the Arts Commission, and one individual to the Internal City Audit Committee.

22. Assessment Districts

Re: Considering the future use of Lighting and Landscape Maintenance Districts or Benefit Assessment Districts, and the use thereof for infrastructure, pocket parks, and frontage improvements benefitting the assessed properties within a given district.

23. Consideration of Paperless Agenda Packets

Re: Considering going paperless and adopting policies providing for the electronic distribution of agenda packets.

24. Award of Contract – Sports Complex Softball and Sports Field Lighting Project

Re: Considering awarding contract to G&S Electric of Porterville for the base bid in the amount of \$318,551.29 for the lighting of two softball fields at the City's Sports Complex.

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 September 3, 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.