

**CITY COUNCIL AGENDA  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
JULY 16, 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 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: California Healthy Communities Network v. City of Porterville, Tulare County Superior Court Case No. VCU 246336.
  - 4-** Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Maria Dolores Santoyo, et al. v. City of Porterville, et al., Tulare County Superior Court Case No. 249462.

5- Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville City Employees Association; Public Safety Support Unit; Porterville Police Officers Association; Management and Confidential Series; Porterville City Firefighters Association; Fire Officer Series; and all Unrepresented Management Employees.

6- Government Code Section 54956.95 – Liability Claims: Claimant: Norma Fox. Agency claimed against: City of Porterville.

7- 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.

8- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.

### **6:30 P.M. RECONVENE OPEN SESSION**

### **REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Council Member Cameron Hamilton

Invocation

### **PROCLAMATIONS**

National Parks & Recreation Month – July 2013

### **PRESENTATIONS**

Employee of the Month – Rita Gilmer

### **AB 1234 REPORTS**

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

1. Tulare County Economic Development Corporation – June 26, 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 – July 3, 2013

II. Staff Informational Items:

1. 2013 Freedom Fest Report

Re: Informational report on the 3<sup>rd</sup> annual event held on June 29, 2013.

### **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 June 18, 2013**  
Re: Approval of the draft Minutes of the City Council Meeting of June 18, 2013.
2. **Request for Approval to Purchase Automatic External Defibrillators**  
Re: Approving purchase of five AEDs in the total amount of \$6,835 to be paid with funds from a Homeland Security Grant.
3. **Authorization to Advertise for Bids – Sports Complex Softball and Sports Field Lighting Project**  
Re: Approving staff's recommended plans and project manual and authorizing staff to advertise for bids for the project consisting of the lighting of two softball fields, and as an add alternate, perimeter lighting adjacent to the softball fields.
4. **Request to Advertise for Annual Contracts**  
Re: Approving request to advertise for miscellaneous services at the City's Wastewater Treatment Facility.
5. **This item has been removed.**
6. **Authorization to Advertise for Professional Services – Electrical Power Generation Alternatives**  
Re: Authorizing staff to advertise for professional services to analyze electric power generation alternatives at the Wastewater Treatment Facility.
7. **Acceptance of Irrevocable Offer to Convey Real Property for Public Street Rights of Way Related to Parcel Map No. 4996, Jaye Street and Vandalia Avenue – Tolladay Family Trust, Czem Partners, LLC and JLH Properties, LLC**  
Re: Accepting Irrevocable Offer to Convey Real Property for right of way.
8. **Laboratory Instrument Service Contracts**  
Re: Approving the one year service contracts with Thermo Electron, LLC in the amount of \$8,536, and Agilent Technologies in the amount of \$6,540 for instrument technical support at the City laboratory.
9. **Asphalt Overlay Program 2013/2014**  
Re: Approving the 2013/2014 Asphalt Overlay Program consisting of traditional curb to curb overlay and blade patching of selected City streets, and authorizing expenditure of the budgeted funds
10. **Joint Funding Agreement with Porterville Unified School District and Burton School District for School Resource Officers**

Re: Approving the agreement for the period July 1, 2013 through June 30, 2014.

**11. Sale of Surplus Vehicles to the City of Lindsay**

Re: Approving the sale of two surplus 2005 Ford Crown Victoria Sedans to the City of Lindsay for \$1,500 each.

**12. Preliminary Annual Engineer's Report of Assessments for Lighting and Landscape Maintenance Districts and Setting a Public Hearing**

Re: Considering approval of draft resolutions ordering the preparation of an engineer's report, giving preliminary approval of the engineer's report, and declaring the intent to levy and collect assessments for the Landscape and Lighting Maintenance Districts for Fiscal Year 2013/2014; and authorizing the scheduling of a public hearing on August 6, at 6:30 p.m.

**13. Review and Update Statement of Investment Policy**

Re: Referring the review and update of the City's Investment Policy to the Internal City Audit Committee.

**14. Adoption of Annual Appropriation Limit**

Re: Adopting the appropriation limit of \$55,405,944 for Fiscal Year 2013/2014.

**15. Amendment to Employee Pay and Benefit Plan – Porterville City Firefighters Association**

Re: Amending the City's Pay and Benefit Plan pertaining to Porterville City Firefighters Association employees.

**16. Budget Adjustment for the 2013-2014 Fiscal Year**

Re: Approving budget adjustments in the General Fund and Measure H Fund to account for a negotiated salary increase for employees in the Porterville City Firefighters Association.

**17. Approval for Community Civic Event – Boys and Girls Club of Porterville – Family Concert at Murry Park – August 24, 2013**

Re: Approving civic event to be held in Murry Park on August 24, 2013.

**18. Approval for Community Civic Event – Walmart Distribution and Valley Children's Hospital – Neon City 5K Run – September 21, 2013**

Approving civic event to be held in the vicinity of the Sports Complex on September 21, 2013.

**19. Approval of Refinancing Unfunded CalPERS Public Safety Plan Side Fund Obligation**

Approving the refinancing of the CalPERS Public Safety Side Fund obligation in the amount of \$3.6 million with Rabobank, for a savings of approximately \$315,000 over the next seven years.

**20. 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*

## **SCHEDULED MATTERS**

- 21. Consideration of the Process Whereby City Proclamations are Approved**  
Re: Considering process whereby City proclamations are approved.
- 22. Consideration Rescinding the City Proclamation of “LGBT Pride Month” for June 2013**  
Re: Considering the rescission of a City Proclamation for June 2013.
- 23. Consideration of Resolution of Support for June 2013 as “A Month of Community Charity and Goodwill to All in Porterville”**  
Re: Considering adopting a resolution for June 2013.
- 24. Appointments to Measure R Citizens’ Oversight Committee and Internal City Audit Committee**  
Re: Considering appointments to fill two vacancies.
- 25. Consideration of Request for Financial Support for the “Marching Through Time” Mural Project**  
Re: Considering request submitted by the Porterville Mural Committee.
- 26. Revised CDBG 2013/14 Action Plan**  
Re: Considering request by Continuum of Care for an allocation of \$5,000 for provision of services to the homeless; and adopting the revised 2013/2014 Action Plan reflecting \$717,586 in Entitlement allocation.
- 27. Consideration of Composition and Appointment Method of Charter Review Committee**  
Re: Consideration of composition and appointment method for nine member Committee to undertake a comprehensive review of the City’s Charter for potential amendments on the June 3, 2014 ballot.

## **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 6, 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](http://www.ci.porterville.ca.us).