

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CA
MARCH 19, 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 54956.8 – Conference with Real Property Negotiators/Property: 200 N. “D” Street. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Ken Lansford. Under Negotiation: Terms and Price.
 - 2 - 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.
 - 3- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Dinuba et al. v. County of Tulare et al., Tulare County Superior Court Case No. 11-243161.
 - 4- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Hatcher v. City of Porterville et al., Tulare County Superior Court No. 11-244777.

5 - Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two cases concerning facts not yet known to potential plaintiffs.

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 Service Awards

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 Committee (LAFCO)
2. Tulare County Economic Development Corporation
3. Indian Gaming Local Community Benefit Committee

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 and Leisure Services Commission
 2. Youth Commission
 3. Library and Literacy Commission
 4. Transactions and Use Tax (“Measure H”) Oversight Committee

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.

1. **Minutes of March 5, 2013**
2. **Purchase of Police Ammunition**
Re: Considering approval to purchase ammunition in the amount of \$7,331.74.
3. **This Item Has Been Removed.**

- 4. Authorization to Advertize for Sludge De -Watering and Electric Blower Equipment**
Re: Considering approval of the Project Specifications and Analysis Matrix, and authorization to advertise for “pre-selection” of a sludge de-watering machine and three electric blowers.
- 5. Request to Accept \$69,640.56 in State Grant Funds and Increase Police Sworn Staffing Level to Sixty-Three (63)**
Re: Considering approval of a resolution increasing police sworn staffing levels from 62 to 63 positions, effective July 1, 2013, through June 30, 2016, for the purpose of committing a full-time officer to the “Post Release Community Supervision” program.
- 6. Smart Valley Places – Amendment to Subcontract Agreement with CSU Fresno Foundation**
Re: Considering approval of the Amendment to Subcontract Agreement with CSUFF to include within the scope of services the preparation of a Fair Housing and Equity Assessment.
- 7. Status Report – Developer Impact Fees**
Re: Considering acceptance of a Status Report on Developer Impact Fees for Fiscal Year ended June 30, 2012.
- 8. Approval of Porterville Golf Course Twilight Rate**
Re: Considering approval of proposed twilight nine-hole rates of \$5 for greens and \$9 for carts to begin at 3:00 p.m., Tuesday-Sunday during the months of daylight savings.
- 9. This Item Has Been Removed.**
- 10. This Item Has Been Removed.**
- 11. Approval for Community Civic Event – Porterville Unified School District – The Porterville Rotary Club and Burton School District – Porterville Celebrates Reading – April 13, 2013**
Re: Considering approval of an event to take place on April 13, 2013, at Veteran’s Park, from 10:00 a.m. to 2:00 p.m.
- 12. Approval for Community Civic Event – Porterville Chamber of Commerce – Iris Festival – April 27, 2013**
Re: Considering approval of an event to take place on Saturday, April 27, 2013, from 9:00 a.m. to 5:00 p.m. in Downtown Porterville.
- 13. Approval for Community Civic Event – Porterville Breakfast Rotary Cancer Run – May 4, 2013**
Re: Considering approval of an event to take place on Saturday, May 4, 2013, from 6:00 a.m. to 11:00 a.m. at Tulsa Street and Putnam Avenue.
- 14. This Item Has Been Removed.**

15. Response to Grand Jury Report – “War of the Horses”

Re: Consideration of a draft response to the Grand Jury’s report of findings regarding a charge of neglected horses in an area under Tulare County Animal Control’s jurisdiction and Porterville Animal Control’s subsequent response to the complaint.

16. 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

17. Consideration of Modification or Revocation of Conditional Use Permit 8-82 (Resolution 13-2008)

Re: Consideration of deviations from approved plans for the construction of a drive-through restaurant and drive-thru coffee kiosk located 815 E. Putnam Avenue.

SECOND READINGS

18. Ordinance 1796, Approving Zone Change 2012-002-Z

Re: Second reading of Ordinance No. 1796, An Ordinance of the City Council of the City of Porterville Approving Zone Change 2012-002-Z from RM-2 (Medium Density Residential), RM-3(High Density Residential), and CN (Neighborhood Commercial) to CMX (Commercial Mixed Use) for that 23.4± acre site located generally at the southwest corner of Henderson Avenue and Newcomb Street, was given first reading on March 5, 2013.

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 April 2, 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.