

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 1, 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: APN: 261-020-010. Agency Negotiator: John Lollis and Baldo Rodriguez. Negotiating Parties: City of Porterville and Lynda Mourton. Under Negotiation: Terms and Price.
 - 3-** Government Code Section 54956.95 – Liability Claim: Claimant: Premier Properties. Agency claimed against: City of Porterville.
 - 4-** Government Code Section 54956.95 – Liability Claim: Claimant: Myers Funeral Home. Agency claimed against: City of Porterville.
 - 5-** Government Code Section 54956.95 – Liability Claim: Claimant: Larry Eberhardt. Agency claimed against: City of Porterville.

6- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – Allstate Insurance Company v. City of Porterville, Tulare County Superior Court Case No. PCL158272.

7- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Virginia Gurrola
Invocation

PROCLAMATIONS

Domestic Violence Awareness Month – October 2013

PRESENTATIONS

Employee of the Month – Fernando Rios

AB 1234 REPORTS

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

1. Consolidated Waste Management Authority (CWMA) – September 26, 2013
2. Tulare County Economic Development Corporation – September 25, 2013
3. Joint City/School Committee – September 30, 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 & Literacy Commission
 3. Arts Commission
 4. Youth Commission
 5. Transactions and Use Tax (“Measure H”) Oversight Committee
 6. Charter Review Committee

- II. Staff Informational Items:
 1. **Building Permit Activity - August 2013**
Re: Informational report regarding building permit activity for the month of August.

 2. **Collection Events for October**
Re: Informational report regarding coordinated solid waste collection and clean up events taking place in Tulare County.

3. SAFER Grant Annual Report

Re: Informational report regarding program achievements and expenditures during the first annual performance period of a four-year grant that was awarded to the City by the Department of Homeland Security totaling \$138,700.

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. Request for Approval to Purchase a PowerVault TL2000 Tape Library

Re: Considering approval of the purchase of an automated tape backup and archiving solution from Dell at a cost of \$7,178.46

2. Authorization to Advertise for Bids – Mathew Street Shoulder Stabilization Project

Re: Considering approval of Staff's Plans and Project Manual for the project consisting of the installation of curb and gutter, sidewalks, driveways, asphalt concrete paving, and other appurtenances along Mathew Street between Olive Avenue and Tomah Avenue; and authorizing an appropriation of \$20,888 in CMAQ funds.

3. Authorization to Negotiate a Contract – Materials Testing Services for the Jaye Street and Montgomery Avenue Roundabout Project

Re: Considering authorization to negotiate a contract with Technicon Engineering Services at an anticipated fee not to exceed \$40,000 for materials testing services.

4. De-Obligation of Measure 'R' Alternative Transportation Funded Projects

Re: Considering adoption of a resolution approving the de-obligation of Measure 'R' "Alternative Transportation" funds for the Westwood Street CMAQ Shoulder Stabilization and the Tule River Parkway, Phase IV Project.

5. Program Supplement to the Local Agency-State Master Agreement – Mathew Street Shoulder Stabilization Project

Re: Considering adoption of a resolution approving Program Supplement Agreement No. N04 for the construction of curb, gutter, sidewalk, and shoulder widening on Mathew Street between Olive Avenue and Della Avenue.

6. Approval of the 2013 City of Porterville Federal Transit Administration Title VI Report Update

Re: Considering approval of the 2013 Title VI Program Update, and authorizing its submittal to the FTA for approval.

- 7. Approval of the First Amendment to the Agreement for Transit Services Between Tulare County Association of Governments and the City of Porterville**
Re: Considering approval of the First Amendment to Agreement authorizing the TCAG Board to approve a mutually agreed price of the T-Pass.
- 8. Consideration of Temporary Cargo Container Request**
Re: Considering approval of a request from Walmart Store #1877 at 1250 W. Henderson for a temporary structure permit to allow for use of 24 storage containers for the period of October 1, 2013, to January 31, 2014.
- 9. Approval for Community Civic Event – Veterans’ Homecoming Committee – Veteran’s Day Parade – November 11, 2013**
Re: Considering approval of an event to take place on Monday, November 11, 2013, from 6:00 a.m. to 12:00 p.m. on downtown Main Street.
- 10. Adoption of a Resolution of Recognition for the Donation of a Siren to be Installed at Fire Station #1**
Re: Considering approval of a Resolution of Recognition authorizing the preparation and installation of a plaque commemorating the efforts and donation of the Exchange Club of Porterville and the American Legion Post #20.
- 11. Approval of Proclamation Request – Teen Read Week**
Re: Considering approval of a request to proclaim October 13 – 19, 2013, as “Teen Read Week” in the City of Porterville.
- 12. Approval of Proclamation Request – Porterville Relay for Life**
Re: Considering approval of a request to proclaim October 5 and 6, 2013, as “Relay For Life Days” in the City of Porterville.
- 13. Approval of Proclamation Request – Friends of Libraries Week**
Re: Considering approval of a request to proclaim October 21-27, 2013, as “Friends of Libraries Week” in the City of Porterville.
- 14. Approval of Proclamation Request – Coming Out Day**
Re: Considering approval of a request to proclaim October 11, 2013, as “Coming Out Day” in the City of Porterville.
- 15. 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.
- 16. Council Member Requested Agenda Item – Request for the City Council to Consider Creating a Citizen Advisory Committee for the Oversight of All Animal Control Facilities and Operations**
Re: Considering approval of a request to authorize a Scheduled Matter on the October 15, 2013, Agenda to consider the creation of a Citizen Advisory Committee.

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

SCHEDULED MATTERS

17. Consideration of Appointments to the Library and Literacy Commission

Re: Considering appointment of three individuals to fill three seats with four-year terms due to expire in October 2017.

18. Property Lease Agreement Between the City of Porterville and State of California, National Guard, and License Agreement Between the City of Porterville and Tulare County Livestock and Community Fair, Inc.

Re: Consideration of the removal of all additions and/or alterations to the leased property pursuant to the Lease and License Agreements, and approval of the in-kind contribution and assistance of City forces.

19. Consideration of Process for Approving Proclamations

Re: Considering the proclamation approval process and codification of same in Section IV – Council Requests from the Public, Paragraph F – Proclamation Approval Process.

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 October 15, 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.