

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 7, 2015, 5:30 PM**

Call to Order

Roll Call

ORAL COMMUNICATIONS

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

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 - Conference with Real Property
Negotiators/Property: APN: 262-150-001. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Rafael Aguilo. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 - Conference with Real Property
Negotiators/Property: APN: 243-210-065. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Benny and Jean Webb. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 261-140-024. Agency Negotiators: John Lollis. Negotiating Parties: City of Porterville and Verizon Wireless. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54957.6 - Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Police Officer Association and Porterville City Firefighters Association.
- 5** - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: J. Duran v. City of Porterville et al., U.S. District Court, Eastern District, Case No. 12:-CV-01239-LJO-BAM.
- 6** - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: A. Duran v. City of Porterville et al., U.S. District Court, Eastern District, Case No. 1:13-CV-00370-AWI-BAM.
- 7** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: California Healthy Communities Network v. City of Porterville, California Court of Appeal, Fifth District, Case No. F067685.
- 8** - Government Code Section 54956.9(d)(3) - Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation: Three Cases in which facts are not yet known to potential plaintiff.
- 9** - 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 AND REPORT ON
REPORABLE ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Mayor Stowe
Invocation

PROCLAMATIONS

Fair Housing Month - April 2015

PRESENTATIONS

Employee of the Month - Tim Mulvihill

AB 1234 REPORTS

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

- 1.Council of Cities - March 18, 2015
- 2.Tulare County Economic Development Corp. (TCEDC) - March 25, 2015
- 3.Local Agency Formation Committee (LAFCO) - April 1, 2015

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 - April 2, 2015
 - 2.Library & Literacy Commission
 - 3.Arts Commission - March 25, 2015
 - 4.Animal Control Commission
 - 5.Youth Commission
 - 6.Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 - 1.Report of Commission and Committee Vacancies
 - 2.Water Status Update / Proposition 218 Public Hearing Notice

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 March 3, 2015**
Re: Considering approval of draft Minutes for March 3, 2015.
2. **Authorization to Purchase Murry Park Shade Structure**
Re: Considering approval of the purchase and installation of the Murry Park shade structure from NSP3 for \$19,673.
3. **Authorization to Distribute Request for Proposals for Greenhouse-Gas Emissions Analysis**
Re: Considering authorization to distribute a Request for Proposals for a Greenhouse-Gas Emissions Analysis for the Riverwalk Phase II project.
4. **Award Reclamation Area Lease**
Re: Considering approval of a Reclamation Area Lease Agreement (55 month term) with Rick Perigo Roadsiding in the amount of \$165 per acre for an annual amount of \$112,596 for 682.4 acres.
5. **Authorization of Encroachment Agreements for the Installation of Fiber Optic Networks**
Re: Considering authorization to enter into encroachment agreements with OACYS Telecom, Inc. and CVIN, LLC, for the installation of Fiber Optic Networks within Public Right-of-Way.
6. **Adoption of the Urban Area Boundary/Urban Development Boundary**
Re: Considering approval of a resolution adopting the Urban Area Boundary and Urban Development Boundary, as required by the General Plan.
7. **CDBG Advisory Board Participation Plan**
Re: Considering adoption of the 2015 Citizen Participation Plan, and considering re-appointment of current CDBG Advisory and Housing Committee members for a one-year term.

8. **Authorization to Update the Retail Recruitment Strategy**
Re: Considering authorization to negotiate a contract with Buxton to update the City's retail recruitment strategy.
9. **California Fire Assistance Agreement**
Re: Considering approval of a resolution identifying the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident.
10. **Request for Proclamation - Iris Festival Day - April 25, 2015**
Re: Considering a Request for a Proclamation submitted by the Chamber of Commerce to proclaim April 25, 2015 as "Iris Festival Day."
11. **Request for Proclamation - Arbor Day - April 24, 2015**
Re: Considering approval of a Request for a Proclamation submitted by the Parks and Leisure Services Department to proclaim April 24, 2015, as "Arbor Day."
12. **Request for Proclamation - Public Schools' Month - May 2015**
Re: Considering a Request for a Proclamation submitted by the Orange Belt Masonic Lodge #303 to proclaim May 2015, as "Public Schools' Month."
13. **Travel to Washington D.C. for Tulare County Association of Governments (TCAG) "One Voice Trip" - April 13 - 16, 2015**

Re: Considering authorization to expend City monies in support of travel to Washington D.C. by Council Member Gurrola and a member of City staff.
14. **Approval for Community Civic Event – Kiwanis Club of Porterville and American Circus, Inc – April 23, 2015 to April 27, 2015**
Re: Considering approval of an event to take place on Thursday, April 23 through Monday, April 27, 2015, at the ball field area of the Heritage Center, behind Vallarta Market
15. **Approval for Community Civic Event – Central Valley Family Crisis Center – Dust Bowl Run – June 6, 2015**
Re: Considering approval of an event to take place on Saturday, June 6, 2015, from 7:00 a.m. until 2:00 p.m., at 2701 W. Scranton Avenue.
16. **Approval for Community Civic Event – Porterville Chamber of Commerce – After Hours Mixer – April 16, 2015**
Re: Considering approval of an event to take place at Centennial Park on Thursday, April 16, 2015, from 5:30 p.m. to 7:00 p.m.

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

PUBLIC HEARINGS

17. Annexation of Sixteen Unincorporated Islands in Five Applications

Re: Considering approval of resolutions approving the Negative Declaration and Annexations 474 through 479.

SECOND READINGS

18. Second Reading - Ordinance 1822, Amending Ordinance 1796 which approved 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

Re: Second reading of Ordinance 1822, which was given first reading on March 17, 2015.

SCHEDULED MATTERS

19. Governor's Executive Order for Statewide Mandatory Water Reductions, and the Provision of Water to East Porterville Residents

Re:

Consideration of the County's request to purchase potable water for at least 12 months.

20. Consideration of Modifications to Existing Contract with Pena's Disposal Service

Re: Consideration of modifications to the existing contract with Pena's Disposal Service.

21. Consideration of Requiring a Street Maintenance Assessment be Included in the Approval of New Residential Subdivisions

Re: Consideration of amending the City's Development Ordinance to require a street maintenance assessment be included in the approval of new residential subdivisions.

Adjourn to a joint meeting of the City Council, Porterville Public Improvement Corporation, and Porterville Public Financing Authority.

**JOINT CITY COUNCIL, PORTERVILLE PUBLIC IMPROVEMENT CORPORATION,
AND PORTERVILLE PUBLIC FINANCING AUTHORITY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA 93257
APRIL 7, 2015**

Roll Call

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

JOINT SCHEDULED MATTERS

1. Prepayment of 2013 Rabobank Lease Agreement and Refinancing of the 2002 Certificates of Participation

Re: Consideration of the prepayment of the 2013 Rabobank Lease Agreement and refinancing of the 2002 Certificates of Participation, and authorization to execute all draft resolutions, agreements, and documents as may be required.

Adjourn to a meeting of the Porterville City Council.

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 21, 2015.

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.