



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 5, 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: 243-210-065. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Benny and Jean Webb. Under Negotiation: Terms and Price.
- 2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville City Employees Association; Management and Confidential Series; Porterville Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; Public Safety Support Unit; and all Unrepresented Management Employees.
- 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Marina Abitra. Agency claimed against: City of Porterville.
- 4 - Government Code Section 54956.95 – Liability Claim: Claimant: Ismael Gonzalez. Agency claimed against: City of Porterville.
- 5 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three cases - two in which facts are not yet known to potential plaintiffs, and one case concerning a Demand for Withdrawal of Notice of Immediate Termination dated April 23, 2015 regarding the City's Reclamation Area Lease Agreement.
- 6 - 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 AND REPORT ON
REPORABLE ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Council Member Gurrola
Invocation

PRESENTATIONS

Certificate of Recognition - Sgt. Richard Standridge

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - April 27, 2015
2. SJVAPCD Special City Selection Committee - April 30, 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
 2. Library & Literacy Commission
 4. Animal Control Commission - May 4, 2015
 3. Arts Commission - April 29, 2015
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)

- II. Staff Informational Reports
 1. Attendance Report for City Commissions and Committees - 3rd Quarter FY 2014/15
 2. Building Permit Activity - Fiscal Year 2014/2015 3rd Quarter Report (January, February and March, 2015)
 3. Code Enforcement 3rd Quarter Report
 4. Report on Charitable Car Washes
 5. Quarterly Porterville Golf Course Report

6. Street Performance Measure - 3rd Quarter Report

7. Lease of 298 North Main Street

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.

8. City Council Minutes of September 16, 2014

9. Award of Contract - Transit Maintenance CNG Facility Expansion Project

Re: Considering awarding a contract in the amount of \$2,027,315 to RJ Berry of Selma, CA, for the project consisting of the expansion of the CNG Facility located at 555 N. Prospect; and approval of the proposed appropriation of funds.

10. Award of Contract for the Riverwalk Phase II Project Greenhouse-Gas Emissions Analysis

Re: Considering awarding contract for the Greenhouse Gas Analysis and Partial Recirculated Environmental Impact Report for the Riverwalk Phase II Project to First Carbon Solutions of Fresno, CA, at a cost of \$29,600, plus the customary 10% contingency, and 10% administrative cost, to be paid by the applicant of the Riverwalk Phase II Project.

11. Bid Results for the Waste Water Treatment Facility (WWTF) Sludge De-watering and Electric Air Blower Project

Re: Considering awarding a contract in the amount of \$3,561,739 to Cushman Contracting Corporation for the project located at the Wastewater Treatment Facility.

12. Acceptance of Improvements - Riverview Estates No. 5 (Gary Smee - Smee Builders, Inc.)

Re: Considering acceptance of improvements from Smee Builders, Inc. for Riverview Estates No. 5; and authorizing the filing of the Notice of Completion.

13. Request to Set a Public Hearing for June 2, 2015, to Consider Moving Into Phase III of the City's Water Conservation Plan

Re: Considering the scheduling of a Public Hearing on June 2, 2015, to consider moving into Phase III of the City's Water Conservation Plan.

- 14. Consideration of Participation in the Tule River Basin Integrated Regional Water Management Plan**
Re: Consideration of participation in the Tule River Basin Integrated Regional Water Management Plan, and authorization to participate in the development of a Memorandum of Understanding for the plan.
- 15. Authorization to Lease Property - 298 North Main Street**
Re: Considering approval of a 3-year lease of Suite Eight by Porterville Transit Division for \$4,100 per month, and the joint-use of Suite Seven for Centennial Plaza located at 298 North Main Street.
- 16. Freedom Fest and Fireworks Show**
Re: Considering approval to appropriate \$7,500 to the Freedom Fest account, authorize the Airport to purchase fuel and hotel accommodations for the All Red Star Formation Flying Team, and authorize the operation of a shuttle route to and from the Transit Center and Sports Complex from 4:00 p.m. to 10:00 p.m. on June 27, 2015.
- 17. Interim Financial Status Reports**
Re: Considering acceptance of the interim financial status reports for the period of January 1, 2015, to March 31, 2015.
- 18. Quarterly Portfolio Summary**
Re: Considering approval of the quarterly portfolio summary for the period of January 1, 2015, to March 31, 2015.
- 19. Request for Proclamation - MDA & Firefighter Month - May 2015**
Re: Considering approval of a Request for Proclamation submitted by Porterville Firefighters and the MDA to proclaim May 2015 as "MDA & Firefighter Month."
- 20. Request for Proclamation - Freedom Days - June 14 - July 4, 2015**
Re: Considering approval of a Request for a Proclamation submitted by the Flag Day Committee to proclaim June 14 to July 4, 2015, as "Freedom Days in Porterville."
- 21. Approval for Community Civic Event - Tulare County Jr. Livestock Show and Community Fair - Porterville Fair - May 13 - 17, 2015.**
Re: Considering approval of an event to take place May 13-17, 2015, at the Porterville Fairgrounds, located at 2700 W. Teapot Dome Avenue.
- 22. City Council Member Requested Agenda Item - Request for the City Council to Consider Prohibiting the Installation of Natural Grass in Commercial and Industrial Zoned Areas, and to Require a Permit for the Installation of Natural Grass Exceeding 300 Square Feet in Residential Zoned Areas**
Re: Considering a request by City Council Member Ward to add an item onto the May 19, 2015, Council Agenda

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

PUBLIC HEARINGS

23. **California HERO Program - Property Assessed Clean Energy**
Re: Considering approval of a resolution opting into the California HERO Program.
24. **Request for a Conditional Use Permit (PRC 2015-008-C) to Allow for the Sale of Alcohol for the Vault Bar & Grill Located at 178 N. Main Street**
Re: Considering approval of a resolution allowing for the sale of beer and wine at The Vault Bar & Grill at 178 N. Main Street; and authorizing the execution of a Letter of Public Convenience or Necessity.

SECOND READINGS

25. **Second Reading - Ordinance 1823, Approving Zone Change (PRC 2015-002-Z) From RM-3 (High Density Residential) to CG (General and Service Commercial) at 61 W. North Avenue**
Re: Second reading of Ordinance 1823, which was given first reading on April 21, 2015.

SCHEDULED MATTERS

26. **Animal Control Ordinance Update**
Re: Consideration of the draft Animal Control Ordinance and the scheduling of a public hearing.
27. **Governor's Executive Order for Statewide Mandatory Water Reductions, Consideration of Adoption of Resolution for Declaration of Local Emergency, and Reconsideration of Provision of Water to East Porterville Residents**
Re: Consideration of adopting a Resolution of Declaration of Local Emergency, and reconsideration of the County's request to purchase potable water for East Porterville residents.

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 May 19, 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.