PORTERVILLE CITY COUNCIL MEETING
REGULAR MEETING JANUARY 21, 2003
CITY HALL COUNCIL CHAMBERS

Call to Order: 7:00 p.m.
Pledge of Allegiance: Council Member Keith Joyner
Invocation: Pastor John Eby, First Baptist Church
Roll Call: West, Joyner, Hamilton, Gurrola
Absent: Woods

PRESENTATIONS

A. CERTIFICATES TO TEACHER/STUDENTS FOR MOSAIC PLAQUE

Mayor Pro Tem Gurrola and the Council presented certificates to the following individuals who created the mosaic “In God We Trust” plaque for the Council Chambers:

Project Manager: Suzette Milam
Participating students: Maria Mandujuano, Daisy Trevino, Steven Wood, Krisha Copeland, Melissa Barraza
Students Not Present: John Garrett, Anna Maria Herrera, Krista Notley, Michael Florence

Ms. Milam stated that the project took approximately 150 hours.

B. REQUEST FOR CITY MANAGER TO PRESENT FEATURED PROJECTS FOR JANUARY

The City Manager and staff presented the following projects:

1. Tule River Parkway Phase 1 Completion
2. Water Main Loop, “A” Street to Plano Street, Project
3. St. James Place Project
4. CAFR Year End Audit Complete

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

Mike Anderson, 1899 West Cheryl, came forward and spoke about graffiti problems, especially along the wall at the Tule River Parkway on the northeast corner of State Highways 190 and 65.
The City Manager stated that as of 1:00 p.m. that day, the wall had been repainted and the graffiti removed.

Mayor Pro Tem Gurrola thanked Mr. Anderson for his comments and stated that there was a Graffiti Task Force looking at the issue.

**CONSENT CALENDAR**

Item No.7 was removed from the Consent Calendar.

1. **CITY COUNCIL MINUTES OF JANUARY 7, 2003**

   Disposition: Approved.
   Document No.: Minute Order No. 01-012103

2. **APPROVAL OF PURCHASES**

   Recommendation: That the City Council approve purchases as listed, and authorize the Chief Financial Officer to issue payment for same upon satisfactory delivery.

   Disposition: Approved.
   Document No.: Minute Order No. 02-012103

3. **BUDGET ADJUSTMENTS FOR THE 2002-03 FISCAL YEAR**

   Recommendation: That the Council approve the attached budget adjustments and authorize staff to modify revenue and expenditure estimates as described on the attached schedule.

   Disposition: Approved.
   Document No.: Minute Order No. 03-012103

4. **NEGOTIATE PURCHASE OF REFUSE TRUCK PACKER BODY**

   Recommendation: That Council authorize the negotiated purchase of a new packer body for Unit #HWB-6638 at an estimated cost of $50,000. Further, that Council authorize the payment for said equipment upon satisfactory delivery and installation.

   Disposition: Approved.
   Document No.: Minute Order No. 04-012103

5. **SALE OF VACANT LOT - 1095 N. PROSPECT STREET (STEPHEN SULLIVAN)**

   Recommendation: That City Council authorize staff to open an escrow, adopt the Resolution and authorize the Mayor to sign the Grant Deed on behalf of the City.
6. REQUEST TO PURCHASE AIRPORT INDUSTRIAL SITE – RUSSKEN HOLDINGS, LLC

Recommendation: That City Council:
1) Authorize and approve the sale of the subject 0.55 acre industrial site, estimated to be 23,958 square feet, in the Airport Industrial Park to Russken Holdings, LLC, and authorize staff to begin escrow;
2) Authorize the Mayor to sign all documents and agreements necessary to complete the project; and
3) Authorize staff to record all documents with the County Recorder.

Disposition: Approved.
Document No.: Resolution No. 07-2003

8. INTENT TO ABANDON ROAD 242 (PARK VIEW VILLAGE, LP)

Recommendation: That City Council:
1. Pass a resolution of intent to abandon Road 242 north of Springville Drive; and
2. Set the Council meeting of February 18, 2003, as the time and place for a public hearing.

Disposition: Approved.
Document No.: Resolution No. 08-2003

9. ACCEPTANCE OF STREET NAME CHANGE - PARCEL MAP NO. 2238

Recommendation: That City Council approve the street name change from “E” Street to “F” Street on Parcel Map No. 2238 and authorize the City Clerk to file a Certificate of Correction with the County Recorder.

Disposition: Approved.
Document No.: Minute Order No. 05-012103

10. OFFICE OF EMERGENCY SERVICES, AGREEMENT FOR TEMPORARY TRANSFER OF VEHICULAR EQUIPMENT, AGREEMENT FOR USE OF RADIO EQUIPMENT, AND ASSIGNMENT OF EQUIPMENT

Recommendation: That the City Council
1. Approve the attached sample agreements between the City of Porterville and the Office of Emergency Services for the use of OES Engine #299.
2. Authorize the Mayor to sign the original agreements when they are received from the State.

Disposition: Approved.
Document No.: Minute Order No. 06-012103

11. POLICE DEPARTMENT BUDGET APPROPRIATION ADJUSTMENT FOR BULLET PROOF VEST PARTNERSHIP GRANT ACT AWARD

Recommendation: That Council adopt the attached resolution, increasing the 2002/03 Police Department budget appropriation by $1,504.96 to be used to offset the expense of purchasing bullet proof vests.

Disposition: Approved.
Document No.: Resolution No. 11-2003

12. APPROVAL OF ANNUAL TRANSPORTATION AGREEMENT WITH TULARE COUNTY

Recommendation: That the City Council enter into an Agreement with the County of Tulare for FY 2002-2003 to provide service to County residents within the Service Area Boundary Map, and authorize the Mayor to execute the Agreement on behalf of the City.

Disposition: Approved.
Document No.: Minute Order No. 07-012103

12a. CLOSED SESSION PURSUANT TO GOVERNMENT CODE § 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS/PROPERTY: APN 269-060-043. AGENCY NEGOTIATOR: HAROLD ELLIS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND MID-STATE REALTY (CHARLES SPENSER ESTATE). UNDER NEGOTIATION: PRICE.

COUNCIL ACTION MOVED by Council Member West, SECONDED by Council Member Joyner that the Council approve Item Numbers 1 through 6, and 8 through 12a of the Consent Calendar.

AYES: West, Joyner, Hamilton, Gurrola
NOES: None
ABSTAIN: None
ABSENT: Woods
Disposition: Approved.

7. CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE JAYE STREET-GIBBONS AVENUE ROAD IMPROVEMENT PROJECT

Recommendation: That the City Council adopt a resolution certifying the Environmental Impact Report prepared for the project; adopting Findings of Fact; adopting a Statement of Overriding Considerations; and adopting a Mitigation Monitoring Program.

The City Manager presented the item and Brad Dunlap, the Community Development Director, gave the staff report.

Council briefly discussed the mitigation measures, and Mr. Dunlap clarified that it would be the City’s money, as part of the project, that paid to assist the homeowners with the mitigation measures.

COUNCIL ACTION

MOVED by Council Member Hamilton, SECONDED by Council Member Joyner that the Council adopt a resolution certifying the Environmental Impact Report prepared for the project; adopting Findings of Fact; adopting a Statement of Overriding Considerations; and adopting a Mitigation Monitoring Program.

Resolution 9-2003

AYES: West, Joyner, Hamilton, Gurrola
NOES: None
ABSTAIN: None
ABSENT: Woods

Disposition: Approved.

SCHEDULED MATTERS

13. FARMING AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND THE TEA POT DOME WATER DISTRICT

Recommendation: It is recommended that the City Council act to:
1. Approve the subject “Farming Agreement”; and
2. Authorize the Mayor to sign said agreement.

The City Manager presented the item and Hal Hill, the Acting Public Works Director, gave the staff report. He stated that it was their intent to first go back to the next District Board meeting to see if the Board approves the agreement. He explained that the Agreement would terminate when the lease with Mr. Nuckols expired.
COUNCIL ACTION    MOVED by Council Member Hamilton, SECONDED by Council Member West that the City Council approve the “Farming Agreement” and authorize the Mayor to sign the agreement.

M.O. 08-012103
AYES: West, Joyner, Hamilton, Gurrola
NOES: None
ABSTAIN: None
ABSENT: Woods

Disposition: Approved.

14. AGRICULTURAL SUBLEASE BETWEEN THE CITY OF PORTERVILLE, GOLDEN MAID PACKERS AND ROBERT & GAIL NUCKOLS

Recommendation: That the City Council act to;
1. Approve the concept of an Agricultural Sublease;
2. Authorize staff to negotiate such a sublease; and
3. Authorize the Mayor to sign said sublease.

The City Manager presented the item and Hal Hill, the Acting Public Works Director, gave the staff report.

COUNCIL ACTION  MOVED by Council Member Joyner, SECONDED by Council Member Hamilton that the City Council go forward with the staff’s recommendation.

M.O. 09-012103
AYES: West, Joyner, Hamilton, Gurrola
NOES: None
ABSTAIN: None
ABSENT: Woods

Disposition: Approved.

15. REQUEST FOR TWO (2) TEMPORARY MODULAR STRUCTURES FOR HOME DEPOT

Recommendation: That the City Council:
1. Adopt the attached resolution and conditions of approval for the temporary modular structures for a period of time not to exceed one (1) year from the date of approval or the completion of construction, whichever occurs first.

The City Manager presented the item and the Community Development Director gave the staff report.
COUNCIL ACTION

MOVED by Council Member West, SECONDED by Council Member Joyner that the City Council adopt the draft resolution and conditions of approval for the temporary modular structures for a period of time not to exceed one (1) year from the date of approval or the completion of construction, whichever occurs first.

Resolution 12-2003

AYES: West, Joyner, Hamilton, Gurrola
NOES: None
ABSTAIN: None
ABSENT: Woods

Disposition: Approved.

16. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That City Council accept the quarterly Portfolio Summary in accordance with SB 564 and SB 866.

The City Manager presented the item and Darrel Pyle, Administrative Services Manager, gave the staff report.

The Council took no action.

17. INTERIM FINANCIAL STATUS REPORT

Recommendation: Accept the interim financial status reports as presented.

The City Manager presented this item and the Administrative Service Manager gave the staff report.

The Council took no action.

ORAL COMMUNICATIONS

John Eby, 1557 East Olive, invited the Council and public to a candidates forum for the two-year candidates. The forum was being held by the Porterville Area Ministerial Association at the First Baptist Church, 101 N. ‘G’ Street, at 7:00 pm on January 27. He stated that they would also be holding an all-Spanish candidate forum for all 13 candidates on February 24 at 7:00 pm. Pastor Eby stated that the Chamber of Commerce candidate forum would be held on February 19 at 6:30 pm here at City Hall.
OTHER MATTERS

Mayor Pro Tem Gurrola stated that there would be a tree-planting program on Saturday, January 25, from 7:00 am to noon at the Sports Complex, and she invited everyone to come and help plant the 200 trees.

Mayor Pro Tem Gurrola reminded everyone that there would be a Council meeting on January 28 at 5:00 pm, in the Council Chambers, to review the financial status of the budget. She invited the candidates and the public to attend the meeting.

The City Council adjourned to a Closed Session at 8:02 p.m.

CLOSED SESSION

12a. CLOSED SESSION PURSUANT TO GOVERNMENT CODE § 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS/PROPERTY: APN 269-060-043. AGENCY NEGOTIATOR: HAROLD ELLIS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND MID-STATE REALTY (CHARLES SPENSER ESTATE). UNDER NEGOTIATION: PRICE.

The Council reconvened at 8:20 p.m.

Mayor Pro Tem Gurrola announced that Council had authorized staff to enter into an escrow to purchase Assessor’s Parcel No. 269-060-043, which was adjacent to, and south of, the Wal Mart Distribution Center on the west side of “E” (now “F”) Street, for Well No. 28.

Disposition: Minute Order 10-012103

ADJOURNMENT

The Council adjourned at 8:23 p.m. to January 28, 2003, at 5:00 p.m.

Georgia Hawley, Deputy City Clerk

Gordon T. Woods, Mayor