Call to Order: 7:00 p.m.
Pledge of Allegiance: Mayor Pro Tem Virginia Gurrola

Mayor Woods spoke about the loss of the seven space shuttle Columbia astronauts on February 1, 2003. The Mayor asked the City Manager to prepare a letter of condolence to be signed by the members of the City Council on behalf of the community of Porterville. He stated that a community service would be held tomorrow at noon in Veterans Park. He stated that the service would begin promptly at 12:10 p.m. and would last approximately 20 minutes, and everyone was invited.

Mayor Woods asked that everyone stand while he read the names of the seven astronauts: Rick Husband, Columbia Commander, Michael Anderson, Payload Commander; David Brown, Mission Specialist; Laurel Clark, Mission Specialist; Dr. Kalpana Chawia, Mission Specialist; William McCool, Shuttle Pilot; and Israel Air Force Colonel Ilan Ramon, Payload Specialist. The Mayor stated that Colonel Ilan would be receiving a posthumous promotion to Brigadier General.

Invocation: Pastor Bud Goings, Living Word Fellowship

PRESENTATION

Mayor Woods stated that the City was approaching an election, and at the last Annual League of California Cities great stress was placed on public confidence in elected officials, and ethics of elected officials. He stated that one of the greatest causes of voter apathy was lack of faith in elected officials. He stated that he had a 13 minute video that he would like to present at this time named Ethics and the Elected Official - Avoiding the Slippery Slope. The video was then displayed.

The Mayor stated that the legal requirement was what you must do, the ethical requirement was what you should do.

WRITTEN COMMUNICATIONS

There were no written communications.

Roll Call: West, Joyner, Hamilton, Gurrola, Woods

ORAL COMMUNICATIONS

There were no oral communications.

CONSENT CALENDAR

Items No. 9, 10 and 13 were removed from the Consent Calendar.

1. CITY COUNCIL MINUTES OF JANUARY 21, 2003

Disposition: Approved.
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. 02-020403

3. NEGOTIATE PURCHASE OF MOTOR GRADER CAB

Recommendation: That Council:
1. Authorize Staff to begin negotiations for the purchase of a cab replacement for Unit #6345 at an estimated cost of $30,000; and
2. Authorize the payment for said cab replacement upon satisfactory delivery and installation.

Disposition: Approved.

Document No.: Minute Order No. 03-020403

4. PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC. FOR CONSTRUCTION MATERIALS TESTING

Recommendation: That City Council:
1. Approve entering into a Professional Services Agreement with Kleinfelder, Inc.; and
2. Authorize the Mayor to sign said agreement.

Disposition: Approved.

Document No.: Minute Order No. 04-020403

5. ACCEPTANCE OF IMPROVEMENTS - MEADOWWOODS, PHASE 1 SUBDIVISION (NICHOLSON & SMEE LLC - GARY SMEE)

Recommendation: That City Council:
1. Accept the public improvements of Meadowoods, Phase 1 Subdivision for maintenance; and
2. Authorize the filing of the Notice of Completion, and release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

Disposition: Approved.

Document No.: Minute Order No. 05-020403
6. ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN NO. 261-103-009 - RAPOZA - ORANGE AVENUE STREET RECONSTRUCTION PROJECT

Recommendation: That City Council:
1. Authorize staff to make payment to Olive Rapoza, owner of the property, in the amount of $162.00; and
2. Accept the Grant Deed and authorize staff to record with the County Recorder.

Disposition: Approved.
Document No.: Resolution No. 14-2003

7. ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN NO. 246-070-051 - MILO STREET RECONSTRUCTION PROJECT

Recommendation: That City Council:
1. Accept the property owner’s acceptance of $8,250.00 for the required right-of-way and improvements;
2. Authorize staff to begin escrow, with the City paying escrow fees;
3. Authorize the Mayor to sign all necessary documents; and
4. Authorize staff to record all documents with the County Recorder.

Disposition: Approved.
Document No.: Resolution No. 15-2003

8. AGREEMENT WITH PORTERVILLE SHELTERED WORKSHOP FOR GRAFFITI REMOVAL

Recommendation: That the City Council approve the attached Agreement for Graffiti Removal Services and authorize the Mayor to sign the agreement.

Disposition: Approved.
Document No.: Minute Order No. 06-020403

11. CDBG CITIZENS' ADVISORY AND HOUSING OPPORTUNITY COMMITTEE AND CITIZEN PARTICIPATION PLAN

Recommendation: That the City Council:
1. Adopt the 2003 Citizen Participation Plan;
2. Appoint Grace Munoz-Rios, Pat Conrreras, John Dennis, Linda Olmedo, Rudy Roman, and Wendy Taylor to the Citizens’ Advisory and Housing Opportunity Committee for a one-year term.
12. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE BREAKFAST ROTARY CLUB 5K RUN - MAY 3, 2003

Recommendation: That Council approve the Community Civic Event Application and Agreement from Porterville Breakfast Rotary for a cancer run on Saturday, May 3, 2003, subject to the insurance requirements stated therein, and the Restrictions and Requirements contained in Exhibit “A” of the Community Civic Event Application and Agreement.

Disposition: Approved.
Document No.: Minute Order No. 07-020403

14. RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION (SECTION 5307)

Recommendation: That the City Council approve the attached Resolution authorizing the City Manager, or his designee, to execute and file applications for Federal assistance, and all other necessary documentation, for the implementation of the requirements of the Federal Transit Administration Section 5307 program.

Disposition: Approved.
Document No.: Resolution No. 17-2003

15. INTERIM FREEZE ON HIRING, TRAVEL AND TRAINING EXPENSES

Recommendation: That the City Council ratify implementation of the freeze on hiring, travel and training expenses through May 6, 2003, at which time the fiscal curtailment measures will be re-evaluated and either rescinded, modified and/or extended.

Disposition: Approved.
Document No.: Minute Order No. 09-020403

16. ALTERNATE WORK SCHEDULE FOR COMMUNICATIONS DISPATCHERS

Recommendation: That the City Council ratify the Memorandum of Understanding with the Porterville City Employees’ Association to implement an eleven (11) month trial period of an Alternative Work Schedule for Communications Dispatchers.
16a. CLOSED SESSION PURSUANT TO GOV. CODE SECTIONS:
§ 54956.9(B) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: ONE CASE;
§ 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS/PROPERTY: RIGHT OF WAY ALONG THE EAST SIDE OF PORTER ROAD SOUTH OF PUTNAM AVENUE. AGENCY NEGOTIATOR: HAL ELLIS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND STEVEN ALLEN AND BRAD MAPLES. UNDER NEGOTIATION: PRICE.

COUNCIL ACTION MOVED by Mayor Pro Tem Gurrola, SECONDED by Council Member West that the Council approve Item Numbers 1 through 8, 11, 12 and 14 through 16a of the Consent Calendar.

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

Disposition: Approved.

9. ADOPTION OF PRELIMINARY STORM WATER MANAGEMENT PLAN

Recommendation: That the City Council:
1. Approve the preliminary Storm Water Management Program and Plan;
2. Authorize staff to submit the preliminary Storm Water Management Program and Plan;
3. Approve the Notice of Intent and authorize the Acting Public Works Director to sign on behalf of the City;
4. Authorize payment of the $5,000 MS4 permit fee; and
5. Direct staff to develop a final Storm Water Management Program.

Council briefly questioned the inclusion of Porterville in the new regulations and when the necessity to treat storm water would occur.

Staff stated that the regulations had been expanded to include cities Porterville’s size. It was stated that there was nothing in the current legislation about having to treat storm water.

COUNCIL ACTION MOVED by Mayor Pro Tem Gurrola, SECONDED by Council Member Hamilton that the Council approve Item No. 9 as recommended by staff.

M.O. 11-020403 The motion carried unanimously.

Disposition: Approved.
10. TEMPORARY MODULAR STRUCTURES - CITY CODE INTERPRETATION

Recommendation: That the City Council select Option No. 1 to provide clarification that construction related temporary structures which are subject to review and approval by the Building Official do not require further review by City Council.

Council asked for clarification on this matter.

Staff stated that the way the code was written, and has been applied in the past, was that basically all temporary modular structures are required to come to Council; but that was an extraordinary procedure, so the recommendation was to allow the Building Official, under the California Building Code, to approve the trailers. He stated that the Council certainly had the ability to retain the practice of approving all structures, but they were temporary structures, and this was recommended to facilitate the process.

Mayor Woods stated that the structures addressed were construction trailers, temporary storage, sanitary facilities, and other structures strictly related to construction projects.

Council briefly discussed the question, and it was stated that if anything was brought to the Council’s attention that there was abuse, then the Council could certainly call for a modification at that time.

COUNCIL ACTION

MOVED by Mayor Pro Tem Gurrola, SECONDED by Council Member West that the Council approve Option No. 1 to provide clarification that construction related temporary structures which are subject to review and approval by the Building Official do not require further review by City Council. The motion carried unanimously.

Disposition: Approved.

13. LAND AND WATER CONSERVATION FUND GRANT

Recommendation: That the City Council adopt a resolution approving the filing of an application for a Land and Water Conservation Fund Grant and authorize the City Manager to execute all necessary documents on behalf of the City of Porterville.

Mayor Pro Tem Gurrola clarified that the grant was for the matching funds for the skateboard park grant. It was stated that the grant would also supply two additional picnic areas if the grant was received, and they should know about the grant by late summer.

Council Member Hamilton questioned whether the grant would lock the City into the proposed location for the Skateboard Park. Staff stated that the grant would lock them in.
COUNCIL ACTION

MOVED by Mayor Pro Tem Gurrola, SECONDED by Council Member Joyner that the Council adopt a resolution approving the filing of an application for a Land and Water Conservation Fund Grant and authorize the City Manager to execute all necessary documents on behalf of the City of Porterville.

Resolution 16-2003

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

Disposition: Approved.

SCHEDULED MATTERS

17. SETTING A DATE FOR A STUDY SESSION WITH PORTER VISTA PUBLIC UTILITIES DISTRICT TO DISCUSS A PROPOSED REVENUE PROGRAM

Recommendation: That the City Council:
1. Select a convenient date for the study session; and
2. Direct staff to notify Bartle Wells and the PVPUD of the date selected.

The City Council agreed on the date of March 27, 2003 for the study session.

Disposition: Date set.

Adjourn to a Meeting of the Porterville Redevelopment Agency at 7:30 p.m.

PORTERVILLE REDEVELOPMENT AGENCY AGENDA
February 4, 2003

Roll Call: Redevelopment Agency: West, Joyner, Gurrola, Hamilton, Woods

WRITTEN COMMUNICATIONS
There were no written communications.

ORAL COMMUNICATIONS
There were no oral communications.

SCHEDULED MATTER
PRA-1. Redevelopment Agency Annual Report to Legislative Body

Mr. Longley presented the staff report.

**AGENCY ACTION**

MOVED by Agency Member Hamilton, SECONDED by Agency Member Joyner that the Redevelopment Agency Annual Report for 2001-2002 be accepted. The motion carried unanimously.

M.O. PRA 01-020403

Disposition: Approved.

Adjourn to a Meeting of the Porterville City Council at 7:33 p.m.

**ORAL COMMUNICATIONS**

Nicki Edwards, 13096 Road 208, came forward and spoke about preserving the two oak trees on the Home Depot project site.

**OTHER MATTERS**

Mayor Woods stated that the tape and cassettes on Ethics for Public Officials would be available in the City Manager’s Office if anyone wished to borrow them.

Mayor Pro Tem Gurrola congratulated Gil and staff on the dedication of the Tule River Parkway last Saturday.

Mayor Woods reminded everyone about the Memorial Service at noon at Veterans Park on February 5, 2003 for the Columbia Astronauts.

The City Council adjourned to a Closed Session at 7:35 p.m.

**CLOSED SESSION**

16a. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS:
§ 54956.9(B) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: ONE CASE;
§ 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS/PROPERTY: RIGHT OF WAY ALONG THE EAST SIDE OF PORTER ROAD SOUTH OF PUTNAM AVENUE. AGENCY NEGOTIATOR: HAL ELLIS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND STEVEN ALLEN AND BRAD MAPLES. UNDER NEGOTIATION: PRICE.

The Council reconvened at 8:15 p.m.
The Council adjourned at 8:15 p.m. to February 18, 2003.

_____________________________
Georgia Hawley, Deputy City Clerk

SEAL

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Gordon T. Woods, Mayor