Pledge of Allegiance Led by Council Member Kelly West  
Invocation: Pastor Steve Belke, Strathmore First Baptist Church  
Roll Call: West, Martinez, Hamilton, Irish, Stadtherr  

PRESENTATIONS  
• Employee of the Month - Jeannie Greenwood  
• Youth Members of the Parks and Leisure Services Commission  
  Carlos Rudas, Angelica Vasquez, and Megan Acosta came forward and addressed the Council.  

ORAL COMMUNICATIONS  
• Dave Hutchinson, 1375 N. Lotas Way, introduced himself as a Parks and Leisure Services Commissioner and representative on recommendations and planning for the proposed Skate Park which was a high priority for the Commission. He stated the Commission supports Veterans Park location.  
• Ellen Nichols (Noble) spoke as member of Blue Skies Coalition and asked Council to support bicyclists and energy conservation.  
• Michael Ebaugh, 998 Highland Drive, spoke regarding support of Skate Park at Veteran’s Park.  
• Gina Blasingame spoke regarding Item PRA-1.  
• Brent Blasingame spoke regarding Item PRA-1 and possibly amending the Facade Easement Agreement to include more colors.  
• Dick Eckhoff, Chairman Downtown Porterville Assoc., 180 N. Main, in the City Council Minutes of November 10, 2003, Michelle Hooper is Administrative Assistant to the Downtown Porterville Association.  
• Pete McCracken, 657 Village Green, spoke regarding Item 21 and the lack of community support as shown in the lack of funding. He suggested putting up a box at Parks and Leisure Services and charging $1 a vote for one of the six sites.  
• Neil Smith, Chairman of Parks and Leisure Services Commission, suggested giving charge to the Commission to give leadership to the efforts of generating funds for the matching grant.  

COUNCIL ACTION:  
MOVED by Mayor Stadtherr, SECONDED by Council Member West to move address Item 21 prior to the Consent Calendar. The motion carried unanimously.  
M.O. 01-020304  
Disposition: Approved  

21. SKATEBOARD PARK SITE EVALUATION AND PROJECT UPDATE  
Recommendation: The City Council review the proposed site evaluation Scoring Matrix, revise the matrix as appropriate, and determine which of the above options, as direction to staff, is most appropriate.
Council Member Hamilton suggested the possible use of modular units as opposed to concrete construction. This would allow the City to move the units and re-arrange them as needed.

Council Member Irish presented a slideshow of pictures of Skateboard Parks in surrounding areas. The pictures captured some problems with the Parks such as graffiti, litter, property damage, issues of safety, etc.

Council Member West stated that Veteran’s Park is not funded or maintained by Veterans, and is in support of the Veteran’s Park location. He also expressed an interest in Council Member Hamilton’s suggestion of portable modular units.

Mayor Pro Tem Martinez thanked Council Member Irish for putting together the slideshow and requested that a hard copy be distributed. He stated that the slideshow identified problems that may occur and would allow the City to take a pro-active approach to solving and preventing them from occurring in Porterville. He also asked if alternative site would jeopardize the grant.

Parks and Leisure Services Director Jim Perrine explained that there would be an appeal process necessary, and City Manager Longley stated that a request to change sites has never been granted due to it never before being requested.

Mayor Pro Tem addressed the question of gender division within the sport by stating that he felt that as the sport grows, female participation will increase.

Council Member Irish stated that he would not have a problem with the Skateboard Park if modular units were used.

City Manager Longley stated that when it was asked of Parks and Recreation if modular facilities would be acceptable under the grant, they advised that they would not.

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member West to approve Option 1.

M.O. 02-020304

AYES: West, Martinez
NOES: Hamilton, Irish, Stadtherr
ABSTAIN: None
ABSENT: None

Disposition: Defeated

Mayor Stadtherr stated that he too was in favor of a modular facility.

Council Member West brought up the question of costs to move the modular units.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish to approve to continue with grant at Veteran’s Park, but aggressively work through the Parks and Recreation for a modular facility.

M.O. 03-020304

The motion carried unanimously.

Disposition: Approved
CONSENT CALENDAR

2. BUDGET ADJUSTMENTS FOR THE 2003/2004 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
Documentation: Minute Order No. 04-020304

3. BUDGET CALENDAR

Recommendation: No Action Required by Council.

5. ACCEPTANCE OF AGREEMENT FOR PURCHASE OF EASEMENT ON PROPERTY LOCATED AT 260 S. MAIN STREET – FELBURG – ORANGE AVENUE STREET RECONSTRUCTION PROJECT

Recommendation: That City Council:
1. Authorize staff to make payment to Mr. Robert A. and William F. Felburg, owners of the property, in the amount of $550.00; and
2. Accept the Easement Deed and authorize staff to record with the County Recorder.

Disposition: Approved
Documentation: Resolution No. 8-2004

6. AUTHORIZATION TO PURCHASE PROPERTY FROM PORTERVILLE UNIFIED SCHOOL DISTRICT FOR THE NEIGHBORHOOD COMMUNITY CENTER

Recommendation: That City Council:
1. Approve the purchase of approximately 16.5 acres from Porterville Unified School District for the purpose of constructing a Library/Neighborhood Community Center; and
2. Authorize staff to begin escrow, with the City paying escrow fees; and
3. Authorize the Mayor to sign all necessary documents; and
4. Authorize staff to record all documents with the County Recorder.

Disposition: Approved
Documentation: Resolution No. 9-2004

8. CDBG CITIZENS’ ADVISORY AND HOUSING OPPORTUNITY COMMITTEE AND CITIZEN PLAN

Recommendation: That the City Council:
1. Adopt the 2004 Citizen Participation Plan; and
2. Appoint Grace Munoz-Rios, Pat Contreras, John Dennis, Linda Olmedo, Rudy Roman, and Hector Villicana to the Citizen’s Advisory and Housing Opportunity Committee for a one-year term.

Disposition: Approved
Documentation: Minute Order No. 05-020304

9. REDEVELOPMENT AGENCY ANNUAL REPORT TO LEGISLATIVE BODY


Disposition: Approved
Documentation: Minute Order No. 06-020304

10. ADA COMPLIANCE EFFORTS

Recommendation: That the City Council designate the Deputy City Manager as the ADA Compliance Coordinator.

Disposition: Approved
Documentation: Minute Order No. 07-020304

11. APPROVAL FOR COMMUNITY CIVIC EVENT – CITY OF PORTERVILLE’S PARKS & LEISURE SERVICES ANNUAL SWEETHEART’S RUN – FEBRUARY 14, 2004

Recommendation: That the Council approve the City of Porterville’s Parks & Leisure Services annual Sweetheart’s Day Run subject to the restrictions and requirements contained in the application, agreement and Exhibit “A” of the Community Civic Event application.

Disposition: Approved
Documentation: Minute Order No. 08-020304

12. STATUS OF “P” HILL PROJECT

Recommendation: In response to the letter from Global Drug Testing Service, write to Mr. McIntire indicating the Council’s support for their effort to coordinate and fund the restoration of the “P” on Bennett (“P”) Hill.

Disposition: Approved
Documentation: Minute Order No. 09-020304

12a. CLOSED SESSION PURSUANT TO: 1- GOVERNMENT CODE § 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR, AGENCY NEGOTIATOR: DARREL PYLE. EMPLOYEE GROUP: PORTERVILLE CITY FIREFIGHTERS ASSOCIATION; 2- GOVERNMENT CODE § 54956.8 – CONFERENCE WITH
REAL PROPERTY NEGOTIATORS/PROPERTY: 871 W. PIONEER AVE – APN 246-070-039. AGENCY NEGOTIATOR: JOHN LONGLEY. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND BRENDA DAVIDSON. UNDER NEGOTIATION: PRICE; 3- GOVERNMENT CODE § 54956.9(c) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: TWO CASES.
4- GOVERNMENT CODE § 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – TITLE: CITY MANAGER

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Hamilton to approve Consent Calendar Items 2, 3, 5, 6, and 8 through 12. The motion carried unanimously.

Disposition: Approved

1. CITY COUNCIL MINUTES OF NOVEMBER 10, 2003 AND JANUARY 13 AND 20, 2004

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member Hamilton to approve the November 10, 2003 and January 13, 2004 minutes as presented, and to approve the January 20, 2004 with the following corrections: Page 4 of 19, Dec. 3, 2003 not 2004, Page 9 of 19, change Stadtherr/West to Martinez/Stadtherr. The motion carried unanimously.

Disposition: Approved

4. AWARD OF CONTRACT FOR EFFLUENT MANHOLE REPLACEMENT PROJECT

Recommendation: That City Council:
1. Award the Effluent Manhole Replacement Project to Halopoff & Sons Inc., in the amount of $22,550.81;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 10% contingency to cover unforeseen construction costs;
4. Authorize appropriation of $14,000 from the Waste Water Treatment Plant Reserve to cover the project cost, contingencies and staff time.

Council Member Hamilton asked City Manager Longley to explain how they came up with the total amount of $29,000 instead of the $15,000 budgeted.

City Manager Longley stated that there was $14,000 of additional expenses that consisted of design, inspection, testing, and an increase in the amount of the contract.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to accept staff’s recommendation. The motion carried unanimously.

M.O. 11-020304

Disposition: Approved
7. FARMING OPERATIONS REPORT

This item was carried over.

Council took a short recess from 8:15 p.m. to 8:30 p.m.

PUBLIC HEARING

13. ZONE CHANGE 6-2003 (SIERRA VIEW DISTRICT HOSPITAL)

Recommendation: That the City Council:
1. Adopt the draft resolution approving a Negative Declaration for Zone Change 6-2003.
2. Adopt the draft ordinance approving Zone Change 6-2003.

Kelly Morgan, 465 W. Putnam, President and Chief Executive Officer of Sierra View District Hospital gave the supplementary presentation. The slideshow presentation entailed information about parking capacity and needs, growth rates, highlights from the master plan, recent improvements, and future projects.

The Public Hearing was opened at 8:50 p.m., and closed at 8:51 p.m.

COUNCIL ACTION:

MOVED by Council Member Hamilton, SECONDED by Council Member West to adopt the draft resolution approving a Negative Declaration for Zone Change 6-2003, and adopt the draft ordinance approving Zone Change 6-2003, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 6-2003, BEING A CHANGE OF ZONE FROM R-1 (ONE FAMILY RESIDENTIAL) TO PO (PROFESSIONAL OFFICE) FOR THAT 1.4± ACRE SITE LOCATED ON THE WEST SIDE OF KESSING STREET, BETWEEN PUTNAM AVENUE AND OAK AVENUE.

AYES: West, Hamilton, Irish, Martinez
NOES: None
ABSTAIN: Stadtherr
ABSENT: None

Disposition: Approved

14. CONTINUED PUBLIC HEARING – CONDITIONAL USE PERMIT 2-2003 – PROPOSED SALE OF ALCOHOLIC BEVERAGES UNDER AN ON-SALE LICENSE AT 58 EAST MILL AVENUE (STAN’S RESTAURANT)

Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit 2-2003.

The public hearing was opened at 8:54 p.m.
Dick Eckhoff, Downtown Porterville Association, 180 N. Main came up to share the result of an informal telephone poll conducted by the DPA. There were no opposing comments.

Council Hamilton asked for the concentration of conditional use permits in this particular area.

The hearing was closed to the public at 8:57 p.m.

Council Member Hamilton stated that he did support the approval of this permit, however he is concerned with the concentration in this area.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Irish to accept staff’s recommendation to adopt the draft resolution approving Conditional Use Permit 2-2003.

Disposition: Approved

SECOND READING

15. ORDINANCE 1645, ZONE CHANGE 5-2003 (ZENZ & O’SULLIVAN)

Recommendation: That Council give Second Reading to Ordinance No. 1645, waive further reading, and adopt said ordinance.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Martinez that Council give Second Reading to Ordinance No. 1645, waive further reading, and adopt said ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 5-2003 BEING A CHANGE OF ZONING FROM R-1 (ONE FAMILY RESIDENTIAL) TO C-1 (D) - (NEIGHBORHOOD COMMERCIAL WITH A DESIGN REVIEW OVERLAY) FOR THAT .34± ACRE SITE LOCATED ON THE WEST SIDE OF NEWCOMB STREET, APPROXIMATELY 290± FEET SOUTH OF HENDERSON AVENUE.

Ordinance 1645

AYES: West, Hamilton, Martinez, Stadtherr
NOES: None
ABSTAIN: Irish
ABSENT: None

Disposition: Approved

16. ORDINANCE 1646, CHANGES TO TIME OF REGULAR COUNCIL MEETINGS

Recommendation: That Council give Second Reading to Ordinance No. 1646 and waiving further reading, adopt said ordinance.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Martinez to waive further reading and adopt said ordinance being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 2, SECTION 2-1, TIME AND PLACE OF REGULAR MEETINGS, OF THE PORTERVILLE MUNICIPAL CODE. The motion carried unanimously.

Disposition: Approved

SCHEDULED MATTERS

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Martinez to take Item No. 18 before No. 17. The motion carried unanimously.

Disposition: Approved

18. REQUEST FOR SPECIAL FIREWORKS PERMIT

Recommendation: That the City Council approve the request for a special fireworks permit to the Exchange Club of Porterville for Calendar Year 2004, give First Reading to the draft ordinance, and order it to print.

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member Hamilton to approve the request for a special fireworks permit to the Exchange Club of Porterville for Calendar Year 2004, give First Reading to the draft ordinance, and order it to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 12, ARTICLE II, FIREWORKS, OF THE PORTERVILLE MUNICIPAL CODE.

Ordinance 1648

AYES: West, Hamilton, Martinez, Stadtherr
NOES: None
ABSTAIN: Irish
ABSENT: None

Disposition: Approved

17. SEWER USER SURCHARGE FEES FOR INDUSTRIAL DISCHARGERS

Recommendation: That the City Council authorize the Mayor to sign the resolution setting new sewer user surcharge rates for industrial dischargers.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to approve the resolution setting new sewer user surcharge rates for industrial dischargers. The motion carried unanimously.

Disposition: Approved
19. STAFF REVIEW OF THE BLUE SKIES COALITION BIKE PLAN PETITION

Recommendation: That the City Council accept the petition and Staff Analysis but defer action until an update of the Circulation Element is completed with the new General Plan.

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member West to accept staff’s recommendation plus Option #4. The motion carried unanimously.

Disposition: Approved

20. STAFF REVIEW OF THE BLUE SKIES COALITION ENERGY POLICY PETITION

Recommendation: That the City Council:
1. Request the assistance of the Blue Skies Coalition in preparing a fact sheet regarding energy efficiency resources for display;
2. Track the progress of the Governor’s proposal to create a statewide energy bank; and
3. Defer action to consider planning policy changes as a component of the next General Plan update.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to accept staff’s recommendation, with #2 being assigned to the Blue Skies Coalition.

AYES: West, Hamilton, Martinez, Stadtherr
NOES: Irish
ABSTAIN: None
ABSENT: None

Disposition: Approved

22. ECONOMIC DEVELOPMENT ADMINISTRATION GRANT

Recommendation: That City Council set the priority for projects to be considered for U.S. Department of Economic Development Administration (EDA) for funding, direct staff to identify all of the projects on the 2004-05 County Comprehensive Economic Development Strategy report, direct staff to explore the EDA technical assistance for the prioritized projects, and direct staff to continue to seek additional funding resources for the non-EDA portion of the project.

Council Irish asked staff to elaborate on project no. 2. City Manager Longley provided some information regarding the lease arrangements for incubator businesses.
Council Member Hamilton addressed project no. 1, inquiring about developer impact fees and the beneficiaries of the infrastructure improvements.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish to carry this item forward to the February 17, 2004 meeting. The motion carried unanimously.

Disposition: Approved

Adjourn to a Meeting of the Porterville Redevelopment Agency.

PORTERVILLE REDEVELOPMENT AGENCY AGENDA
February 3, 2003

Roll Call: Redevelopment Agency: West, Martinez, Hamilton, Irish, Stadtherr

WRITTEN COMMUNICATIONS
• Letter written by Gina Blasingame, owner of Room With A View.

ORAL COMMUNICATIONS
• Gina and Brent Blasingame came forward regarding Item PRA-1.
• Denise Marchant came forward to explain the process of developing the color palette.
• Dick Eckhoff, Downtown Porterville Association, spoke in approval of a variance at this time, and stated that he would also like to see the color palette updated.

SCHEDULED MATTER
PRA-1. BUILDING FACADE RENOVATION GRANT PROGRAM VARIANCE REQUEST FOR 118 N. MAIN ST.

Recommendation: That the Redevelopment Agency deny the Blasingame’s request for a Variance to the Downtown Porterville Architectural Design Guidelines and direct staff to enforce the Facade Easement Agreement executed on May 2, 1995.

Agency Member Hamilton asked if they were aware of the Facade Easement Agreement prior to painting the building, because he had a problem with the fact that they did not ask for variance prior to painting.

The Blasingame’s stated that they did receive a paper during the close of escrow, but that they were not aware that the easement included paint color. They were not aware they were in violation of the contract until they had painted the building.

Agency Member Irish stated that he would not have a problem updating the color palette, but under different circumstances. He also stated that he felt that there could be a better means of distributing this type of information to prevent this type of situation from happening again.

AGENCY ACTION: MOVED by Agency Member Irish, SECONDED by Agency Vice Chair Martinez to bring back this item in 180 days.
M.O. 01-020304 MOVED by Agency Vice Chair Martinez, SECONDED by Agency Chair Stadtherr to amend the initial motion to 90 days. The motion carried unanimously.

AGENCY ACTION: MOVED by Agency Vice Chair Martinez, SECONDED by Agency Chair Stadtherr to bring this item back in 90 days at the first meeting in April.
PRA 02-020304 The motion carried unanimously

Disposition: Approved

The Porterville Redevelopment Agency adjourned to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS
• Cathy Capone, 806 W. Westfield, thanked staff for Blue Skies Coalition consideration.
• Dick Eckhoff, 30 E. Oak, spoke re: Item 21, Skate Park.

CLOSED SESSION
4-GOVERNMENT CODE § 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – TITLE: CITY MANAGER

OTHER MATTERS
• Council Member Hamilton called for a study session on the RDA Report.
• Council Member Hamilton clarified that the Nuchols’ contract and how they got there would be brought back to the Council.

Council adjourned to Closed Session at 10:40 p.m.

ADJOURNMENT - at 11:30 p.m. to the meeting of February 17, 2004

SEAL __________________________________ Georgia Hawley, Deputy City Clerk
By: Luisa Herrera

_______________________________________
Richard M. Stadtherr, Mayor