Call to Order at 6:00 p.m.
Roll Call: Council Member West, Mayor Pro Tem Irish, Council Member Hamilton, Council Member Stadtherr
Absent: Mayor Martinez

Council Member Hamilton requested that Council also address the issue of employee health care during Closed Session, to which City Attorney Julia Lew clarified that this topic would be discussed during Item No. 2 of Closed Session.

CLOSED SESSION:
A. Closed Session Pursuant to:
   1 - Government Code § 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.

7:00 P.M. RECONVENE OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
No action to report.

Pledge of Allegiance Led by Council Member Stadtherr
Invocation by Pastor Tom West, Westfield Christian Church

PRESENTATIONS
Presentation to Miss Porterville and her Court
   • Miss Porterville - Brittany Castillo
   • Senior Princess - Laura Rodriguez
   • First Attendant - Kristen Lane
   • Second Attendant - Courtney Serafin (absent)
   • Third Attendant - Kendra Camille Hughes
Donations to City Programs
   • David Stimpson, in honor of Eleanor Stimpson, for Library Books and Literacy Program
   • Eagle Mountain Casino for “Kids Day Event”
   • Wal-Mart Foundation for Crime Prevention Materials
   • Wal-Mart Foundation for Fire Prevention Materials
   • Mervyn’s for the “Wild About Reading” Program in the Library

PROCLAMATION
“America Recycles Week”
Outstanding Business Recognition - Consolidated Testing Laboratories, Inc. (“CTL”)

Community Development Director Brad Dunlap offered a verbal and visual presentation about Consolidated Testing Laboratories, Inc., after which Council presented the company with the 2004 Outstanding Business Award. Mr. David Harris came forward and accepted the award on behalf of the company.

ORAL COMMUNICATIONS
• Jim Winton, 150 W. Morton Avenue, came forward to request that he have an opportunity to speak when Council discussed Item No. 17 regarding General Plan Amendments.
• Cathy Capone, 806 W. Westfield Avenue, voiced support for bike paths as proposed by the Blue Skies Coalition, Item No. 22.
• Wendall Wall, 1305 N. Scenic Drive, came forward and voiced support for the Blue Skies Coalition’s proposal for bike paths throughout Porterville, Item No. 22. Mr. Wall then contrasted Porterville’s lack of bike paths to the abundance of bike paths in Westminster, Colorado.

Mayor Pro Tem Irish requested that those present who wished to speak regarding Item No. 22 wait until that Item was before Council, and indicated that in order to accommodate audience members, Council would address Item 22 first in Scheduled Matters.

• Anthony Hannah, 860 Clinton Lane, No. 1, stated that Porterville lacked sufficient handicapped-friendly sidewalk “drop lifts” and wheelchair-accessible restrooms in City Hall and the Porterville Library.

CONSENT CALENDAR
Item No. 6 was removed.

1. APPROVAL OF CITY COUNCIL MINUTES OF OCTOBER 26, 2004 AND NOVEMBER 2, 2004
Documentation: M.O. 01-111604
Disposition: Approved.

2. CLAIM - ZENITH INSURANCE COMPANY
Recommendation: That the Council reject said claim and refer the matter to the City’s insurance adjustor, and direct the City Clerk to give the claimant proper notification.
Documentation: M.O. 02-111604
Disposition: Approved.

3. BUDGET ADJUSTMENTS FOR THE 2004-05 FISCAL YEAR
Recommendation: That the Council approve the budget adjustments and authorize staff to modify revenue and expenditure estimates as described on the schedule provided.
Documentation: M.O. 03-111604
Disposition: Approved.

4. ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN 261-150-016 - JACKIE COTTON - ORANGE AVENUE RECONSTRUCTION PROJECT
Recommendation: That the City Council:
1. Authorize staff to begin escrow, with the City paying escrow fees;
2. Authorize staff to make payment to Ms. Jackie Cotton, in the amount of $20,000, after completion of escrow; 
3. Authorize the Mayor to sign all necessary documents; and 
4. Authorize staff to record all documents with the County Recorder.

Documentation: Resolution 139-2004 
Disposition: Approved.

5. TRAFFIC SIGNAL NO. 8 (PLANO STREET AND MULBERRY AVENUE) - JOINT POWERS AGREEMENT TO ACQUIRE PROPERTY

Recommendation: That the City Council: 
1. Authorize the Mayor to execute the Joint Powers Agreement with Tulare County; and 
2. Direct staff to transmit the fully executed agreement to the County’s Right of Way Department and request that this department prepare a staff report seeking the Board of Supervisors’ approval and acceptance of the Joint Powers Agreement.

Documentation: M.O. 04-111604 
Disposition: Approved.

7. APPROVAL FOR COMMUNITY CIVIC EVENT DOWNTOWN PORTERVILLE ASSOCIATION - TREE LIGHTING CEREMONY, NOVEMBER 26, 2004

Recommendation: That the Council approve the Community Civic Event Application and Agreement submitted by the Downtown Porterville Association, subject to the stated requirements contained in the Application, Agreement and Exhibit “A.”

Documentation: M.O. 05-111604 
Disposition: Approved.

8. AIRPORT LEASE - LOT 40 (BURLESON)

Recommendation: That the City Council approve the assigning of the Lease Agreement between the City of Porterville and George W. Burleson and Walter D. Burleson to Dr. Dan Dale and/or Alison Dale.

Documentation: M.O. 06-111604 
Disposition: Approved.

9. SALE OF AIRPORT INDUSTRIAL SITE - RUSSKEN HOLDINGS, LLC

Recommendation: That the City Council: 
1. Approve the Resolution authorizing the sale of the property; and 
2. Authorize the Mayor to sign all documents and agreements necessary to complete the project.

Documentation: Resolution 140-2004 
Disposition: Approved.

10. REPORT ON HOLIDAY STREET TREE LIGHTING
Recommendation: That the Council receive the report and note the planned level of holiday street tree lighting.

Documentation: M.O. 07-111604
Disposition: Approved.

11. STATUS REPORT ON HEALTHCARE TASK FORCE/PROGRAM UPDATE

Recommendation: That the Council authorize staff to sign all documents necessary to move to the Blue Cross Network of Doctors upon conclusion of the meet and consult process with the bargaining units.

Documentation: M.O. 08-111604
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member Hamilton that Council approve Item Nos 1 through 5, and Item Nos. 7 through 11.

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

6. AUTHORIZE THE DISTRIBUTION OF A REQUEST FOR PROPOSALS FOR A CONSULTANT FOR THE LAND USE AND CIRCULATION ELEMENTS UPDATE

Recommendation: That the Council:
1. Authorize the distribution of the Request for Proposals;
2. Approve the formation of a General Plan Advisory Committee and solicit nominations from each of the groups identified except as may be modified by the Council, and bring the nominations/appointments back to the Council in conjunction with the selection of a consulting firm. Staff recommends the structure of this committee to be as follows:
   a. Two representatives from the building industry;
   b. Two representatives from the Chamber of Commerce;
   c. Two representatives from the Hispanic Chamber of Commerce;
   d. Two representatives from the Porterville Area Ministerial Association;
   e. Two representatives from the School Districts (representing PUSD, Burton and Alta Vista);
   f. One representative from Downtown Porterville Association;
   g. One representative from County of Tulare;
   h. One representative from the Tule River Indian Tribe; and
   i. One representative from Sierra View District Hospital.
3. Approve the formation of a consultant selection committee for the hiring of a consultant to undertake the update of the Land Use and Circulation Elements of the General Plan and authorize the Chief Deputy City Clerk to accept nominations from the organizations and accept nominations for the two Council members to serve on the selection committee. Staff recommends the structure of this committee to be as follows:
   a. Two Council Members;
b. One representative from the Chamber of Commerce;
c. One representative from the Hispanic Chamber of Commerce;
d. One representative from the Porterville Area Ministerial Association;
e. One representative from the Building Industry Association;
f. Community Development Director;
g. City Manager; and
h. Deputy City Manager.

Council Member West informed staff that it would not be necessary to present the staff report. He then commented that he believed staff’s recommendation proposed too many people for the committee. He voiced concern with over-burdening the participants and questioned if there was a way to reduce the list. He then recommended that the committees only include one representative from each participating party instead of two as proposed.

Council Member Stadtherr stated that he would agree with Council Member West’s recommendation with the single exception that the school districts, Burton and PSUD, be separated. It was pointed out that Alta Vista should also be included.

Mayor Pro Tem Irish suggested that more people on the committee would likely slow the process.

Council Member Stadtherr requested that one person from the Parks and Leisure Committee also be included, and commented that he would like to see someone that was interested in parks and green spaces on the committee.

Council Member Hamilton stated that he did not believe that the number of representatives in the committee should be reduced. He stated that a substantially-sized committee had been involved in the Charter review process and that task had been accomplished in a timely fashion. He contended that the representatives proposed by staff reflected a wide circulation of the community and that they should all have a voice in the land use element. He then voiced support for staff’s recommendation, as amended to include Council Member Stadtherr’s suggestion of adding a representative from the Parks and Leisure Committee.

Mayor Pro Tem Irish questioned if there would be time limits on the life of the committee.

Community Development Director Brad Dunlap indicated that staff had anticipated that the process would last approximately 18 to 24 months. He stated that the purpose for involving the community was to provide input from a cross-section of the community and emphasized that the committee’s purpose was more input-based than decision making.

Mayor Pro Tem Irish stated that he did not have a problem with what had been recommended, but stated that he wanted to get firm commitments from those participating that they would stay the course. He stated that he did not wish to see representatives changed during the course of the process.

Council Member Hamilton pointed out that approximately 16 to 19 individuals participated in the Charter review process, and all of those individuals stayed the course. He then commented that while Mr. Wall had compared Porterville’s lack of bike paths to the City of Westminster in Colorado, he was certain that Westminster had not developed as early as Porterville had in 1906. He stated that the City’s plan needed community support and suggested that this could be achieved through the proposed committee, as amended. He then moved to approve staff’s recommendation, as amended to add one representative from Parks and Leisure to both committees.
Council Member Stadtherr commented that although the Council had not reduced the size of the committee, he supported the motion if a larger committee could proceed as efficiently as a smaller committee. Council Member Stadtherr then seconded Council Member Hamilton’s motion.

Council Member Hamilton commented that even with a smaller committee, the process could become stagnated if the representatives failed to come to meetings.

Council Member West agreed with Council Member Hamilton’s comments.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr that Council approve staff’s recommendation as amended to add one representative from Parks and Leisure to both committees.

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

Disposition: Approved.

PUBLIC HEARINGS

12. CONDITIONAL USE PERMIT 11-2004 - PROPOSED CHURCH AT THE NORTHWEST CORNER OF CLEVELAND AVENUE AND 3RD STREET

Recommendation: That the City Council adopt the draft resolution approving the Conditional Use Permit No. 11-2004.

City Manager John Longley presented the item, and Associate Planner Randy Rouda presented the staff report.

The Public Hearing opened at 7:39 p.m. and closed at 7:40 p.m. when no one came forward to speak.

Council Member Hamilton commented that he did not have a problem with approving the C.U.P., although the parking situation bothered him somewhat. He commented that while other businesses were required to provide parking, the applicant was not. He pointed out that the applicant would be utilizing public parking, the upkeep for which was paid for by the public. He then questioned if the City could set a fee for the applicant’s use of the City parking lot.

Community Development Director Brad Dunlap responded that under the current requirements, the applicant was entitled to utilize the parking lot at no cost. He explained that because the subject property had already been developed as a church and no square footage was being added or constructed, no new parking requirements were triggered. He explained that although the church was located within a parking district, the district had been designed to include existing square footage, therefore the church’s square footage had already been calculated into the district.

In response to Council Member Hamilton’s question, Mr. Dunlap indicated that he believed that the church’s parking lot was comprised of asphalt, and pointed out that it was also striped.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Hamilton that Council approve the draft resolution approving the Conditional Use Permit No. 11-2004.
AYES: West, Irish, Hamilton, Stadtherr
NOES: None
ABSTAIN: None
ABSENT: Martinez

Disposition: Approved.

13. CONSIDERATION OF OHV MOTOCROSS PARK COST OF SERVICE AND RIDER FEE ADJUSTMENTS

Recommendation: That the Council conduct a public hearing to receive public comment and consider the resolution adjusting the OHV Motocross Park cost of service and rider fees.

City Manager John Longley presented the item, and Deputy City Manager Darrel Pyle presented the staff report.

The public hearing opened at 7:44 p.m. and closed at 7:45 p.m. when no one came forward.

Council Member Hamilton voiced support for the item and pointed out that the users of the OHV Park had actually requested the proposed increase to pay for the cost of maintaining the park.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West that Council approve the Resolution adjusting the OHV Motocross Park cost of service and rider fees.

Resolution 142-2004

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

Disposition: Approved.

14. BUDGET ADJUSTMENT/CITIZENS’ OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDING

Recommendation: That the City Council:
1. Conduct the public hearing to receive public comment;
2. Authorize use of these funds to offset costs for the full-time sworn officer, the community services officer, and any necessary training or equipment; and
3. Approve an increase to the Police Department’s 2004-2005 budget in the amount of the funds received from the grant.

City Manager John Longley presented the item, and Police Chief Silver Rodriguez presented the staff report.

The public hearing opened at 7:47 p.m. and closed at 7:48 p.m. when no one came forward to speak.

Council Member Hamilton commented that he would never oppose the return of the City’s tax dollars by the State of California or the U.S. Government.

Council Member Stadtherr agreed with Council Member Hamilton’s comments.
In response to Council Member West’s question, Police Chief Rodriguez confirmed that the grant covered a one-year period and elaborated that the City had actually received those grant funds for the past five or six years.

Council Member West voiced concern with the future of the employees hired with grant funds if the City was unable to receive those funds.

Council Member Hamilton clarified that the employees were already on staff.

Council Member Stadtherr commented that the City would really just be taking the money.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr that Council approve staff’s recommendation.

Resolution 143-2004

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

Disposition: Approved.

City Manager John Longley clarified that the staff positions that were funded by the grant were existing positions. He stated that in the event the funds were not received, staff would constrain the budget to every extent possible in order to avoid laying off those positions. He stated that while that might require some hard choices, layoff of sworn personnel was vital to avoid.

Council Member West questioned why, if the positions had already been filled, did the City require Council’s approval, to which Mr. Longley clarified that the State required such approval before the City could spend the funds.

SCHEDULED MATTERS

Mayor Pro Tem Irish requested that Item No. 22 be addressed first.

22. CONSIDERATION OF REQUEST REGARDING BICYCLE TRANSPORTATION ACCOUNT

Recommendation: That the Council accept and consider the proposal regarding the Bicycle Transportation Account submitted by the Blue Skies Coalition.

City Manager John Longley presented the item.

Council Member Stadtherr explained that the Blue Skies Coalition had identified funds available from a couple of sources, one being the Bicycle Transportation Account (“BTA”) from the California Department of Transportation, and another being from Congestion Mitigation &Air Quality (“CMAQ”). He explained that the Coalition had been informed by TCAG that now was the time to submit applications for funds. He stated that and as such, the Blue Skies Coalition had begun the process and determined that in order to accommodate bicycle lanes, streets would need to be at least 48 feet wide. He explained that the Coalition had calculated 8 feet for curbs, 12 feet for traffic, which totaled 20 feet one-way and 40 feet for both lanes. The Coalition then estimated an additional 8 feet, 4 feet for each way, for the bicycle lanes, which made the street requirement for bike lanes total 48 feet. Council Member Stadtherr then explained that the Coalition had then taken tape measures to locate streets that met this criteria, and those streets were identified on the map provided to
C. He noted that most of the streets were located in the A, B and C Streets between Olive Avenue and Date Avenue, and near Belleview School. He stated that TCAG had estimated the cost to be approximately $23,000, of which the City would be required to provide a 10% match, or $2,300. He explained that the chances of the City receiving the funds were good, and pointed to the City of Clovis’s recent award of $200,000 for Class II bike ways, and the City of Selma’s award of $250,000 for Class I bath pike along the Union Pacific Railroad. He the suggested that the inclusion of bike lanes might be something that the Council could consider as a part of the Master Plan. Council Member Stadtherr then pointed out that Selma was actually smaller than Porterville and had received $250,000, so he surmised, Porterville could probably get at least that amount of funds. He then stated that the City of Exeter had recently received $60,000 for Class II bike ways and for curb, gutter and shoulder work. He stated that this approach could be taken to improve some of the streets in Porterville, such as G Street north of Henderson Avenue that needed curb, gutter and shoulder work. He stated that at the time this package had been put together, the San Joaquin Valley Air Pollution Control District (“SJVAPCD”) held a two-day seminar in Bakersfield. It was there, he explained, that the Coalition found out about the “REMOVE” program, which stood for “Reducing Motor Vehicle Emissions.” He stated that the maximum grant award was $150,000, and explained that the grant was non-competitive. He stated that all of the applicants knew the criteria in advance, and the first applications submitted that met the criteria were awarded funds. He stated that it was not a matter of being thrown in a pool for rating or evaluation, but instead, it was first come, first serve.

Mayor Pro Tem Irish invited audience members to come forward and speak.

Maria Ennis, 690 Sanders Circle, spoke in favor of the Blue Skies Coalition’s petition for bike lanes and voiced concern with the current lack of safe areas to ride bicycles in Porterville.

Shirley Zuckswert, 609 Village Green, voiced support for the Coalition’s petition for bike lanes in Porterville, and requested that Council consider a bike path from downtown to Porterville College.

Judith Wall, 1305 North Scenic Drive, came forward and spoke in favor of the Blue Skies Coalition’s petition for bike lanes and pointed to safety concerns with riding bikes in Porterville.

Dick Eckhoff, 197 North Main Street, spoke in favor of bike lanes in Porterville and pointed to safety issues caused by individuals riding bikes on sidewalks. He also voiced support for tying bike paths with the Rails to Trails effort.

Council Member Hamilton commented that he was aware of $7.2 Million in grants available in the State of California through TCAG and CMAQ awards. He stated that at a recent TCAG meeting, a discussion ensued about how municipalities were taking advantage of available funds through not only providing bike paths, but also conducting shoulder work on some city streets. He stated that he was not certain as to the time lines on the grants proposed by the Blue Skies Coalition, nor whether the grants were project specific. He stated that he was aware of a February 1st deadline for the CMAQ award. Council Member Hamilton then stated that he would like to know if the City could apply for a grant award if the application was not project specific. He requested that staff have an opportunity to review the proposal and provide input to the Council. He then commented that while Mr. Eckhoff had mentioned safety issues with bikes on Main Street sidewalks, he did not see Main Street as a viable option for bike lanes.

Council Member Stadtherr suggested that if the applications did not need to be project specific, then the City should request more funds. He then stated that the Coalition had felt that it needed to identify streets that would not produce opposition in that parking or traffic lanes could remain in place with the addition of a bike lane. He stated that he believed that the City should ask TCAG for further information on the application requirements and suggested that perhaps the City should also approach the San Joaquin Valley Air Pollution Control District regarding the REMOVE program.
Council Member Hamilton agreed with Council Member Stadtherr’s comments, particularly regarding the REMOVE grant, but suggested that with the other grants, the City might have more time, especially since so much money was available. He commented that currently the State had more grant funds available for bike paths than it did for road projects. He then confirmed that bike path funds could also be applied to shoulder work, but not towards curb and gutter work. He commented that he believed that the Coalition had a good idea, but that the idea needed further research. He stated that he supported directing staff to first determine whether the grants were project specific.

Council Member Stadtherr pointed out that the Coalition’s petition was to merely submit the grant applications, not to begin working on the actual bike lanes. He then agreed with Council Member Hamilton’s comments, but voiced concern with missing deadlines if Council waiting too long.

City Manager John Longley clarified Council’s direction to be that staff would review the proposal submitted by the Blue Skies Coalition and provide a staff report at the next meeting.

Council Member Hamilton stated that he would prefer that staff not only review the Blue Skies Coalition proposal, but also look and recommend other areas for bike paths, either for recreational purposes or to enhance infrastructure.

Mr. Longley commented that if staff were to proceed as Council Member Hamilton had suggested, the scope would be too broad, which would make staff’s task very difficult to accomplish, particularly with the time frames defined. He suggested that staff could review the Coalition’s proposal, report on that at the next meeting, and then, to the extent that they could be compiled, provide other options to Council.

Mayor Pro Tem Irish questioned when the meeting addressing City goals and objectives would be scheduled, to which Mr. Longley responded that Council would identify the priorities to the City Manager at either the first or second Council Meeting in December.

Council Member Hamilton clarified that the CMAQ applications were due for processing by February 1, 2005, which provided for a pretty tight schedule. He requested that by the next Council Meeting, staff determine if the grants were project specific, and if the streets selected by the Coalition were feasible for bike lanes. He commented that the process should include more than just looking for wide streets, as that represented poor planning.

Council Member Stadtherr agreed with Council Member Hamilton’s comments and stated that he believed the REMOVE applications were due by January 1, 2005.

Disposition: Continued.

15. TRAFFIC SAFETY ISSUE - OPENING OF EMERGENCY ACCESS GATE ON BEVERLY STREET BETWEEN DATE AVENUE AND UNION AVENUE

Recommendation: That the City Council review and discuss the options and provide direction to staff. These options include:

1. Eliminate parking on the west side of Beverly Street, allowing for two lanes of traffic within a twenty (20) foot paved street width. Provide additional paving where the street is less than 20 feet wide.

2. Install signs, striping and markers to implement one way north bound Beverly Street traffic between Date Avenue and Roby Avenue. Beverly Street between Roby Avenue and Olive Avenue is wide enough for one lane of traffic in each direction and parking on both sides.
3. Enforce the City’s Franchise Agreement with Southern California Edison and request that the power poles along the east side of Beverly Street be relocated. Widen the east side of Beverly Street by 12 feet for both north and south bound traffic.

City Manager John Longley presented the item, and Public Works Director Baldo Rodriguez presented the staff report.

Council Member Hamilton questioned how much right of way the City currently owned, and if staff’s proposal to make Beverly Street into a one-way street would mean that the nine homeowners at the end of Beverly would have to travel all of the way around to come back to their residences.

Mr. Rodriguez confirmed that those residents would only be able to travel in one direction, and responded that currently the City owned fifty-five feet of right of way, with the standard width of a street being sixty feet. He then stated that those residents had not yet been contacted, as he would rather wait until he had received direction from Council.

Council Member Stadtherr commented that he was leaning towards Option 3.

Council Member Hamilton commented that the believed it was best if Council pursued either Option 1 or Option 2 during Fiscal Year 2004/2005, then work on funding for future work. It was then suggested that all of the adjacent land might be owned by Della which might mean that additional development might not occur. He stated that he believed the best approach would be to eliminate the parking and he did not believe making the street open to one-way traffic was a good idea. He suggested that staff could concurrently pursue funding to widen the street during 2006. He commented that this approach would merely be a temporary remedy until the street could be fixed properly. He then stated that he believed this course of action would likely create the least amount of resistance from the local residents.

Community Development Director Brad Dunlap confirmed that the adjacent property was owned by Della.

Council Member Hamilton commented that he used to live in area in question, and that sometimes individuals parked along that portion of Beverly Street. He stated that he believed eliminating the parking would be the path of least resistance. He then moved that Council approve Option No. 1, eliminating parking on the west side of Beverly Street, and additionally directing staff to pursue funding for the future development of twelve feet of street, including paving and shoulder improvements, but not curb and gutter work.

Council Member Stadtherr seconded Council Member Hamilton’s motion.

City Manager John Longley questioned for clarification if the motion also included a direction to staff to pursue contact with Southern California Edison for relocation of the utility poles.

Council Member Hamilton responded that staff should pursue this if it was believed that the process with Edison would be a lengthy one.

Public Works Director Baldo Rodriguez stated that during staff’s discussions with Edison, it should be pointed out that the City had been there before Edison, and that the project was a legitimate one.

Council Member Hamilton voiced support for commencing with discussions with Edison regarding relocation of the poles.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr that Council approve Option No. 1, direct staff to pursue funding for improvements consisting of paving and shoulder work to widen the street, and to notify Southern California Edison to relocate the power poles.

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

Disposition: Approved.

16. GENERAL PLAN REFERRAL - BURTON MIDDLE SCHOOL

Recommendation: That the City Council:

1. Determine that the proposed middle school does not conform to the City’s General Plan, while acknowledging that there may be no preferable sites; and

2. Authorize the Mayor to sign the letter to the Burton School District describing Council’s findings and indicating that the School District retains the responsibility to ensure that adequate infrastructure is provided to serve the proposed school.

City Manager John Longley presented the item, and Director of Community Development Brad Dunlap presented the staff report.

Council Member Hamilton asked if the land in question was subject to the Williamson Act, and if it was, suggested that it might slow down a developer from buying the land out from underneath the School District.

Mr. Dunlap indicated that the land was subject to the Williamson Act, but that there were provisions for cancellation in the event a governmental agency were to acquire the land.

Associate Planner Randy Rouda clarified that Council Member Hamilton was correct in that the Williamson Act did apply and therefore the land would not likely be used for development, however, he stated that it was his understanding that the School District was not necessarily concerned with losing the ability to purchase the land, but rather that they needed the school developed sooner than it would take the City to complete a General Plan Update.

Council Member Hamilton commented that he saw a potential problem with Putnam Avenue and noted the poor street conditions west of Westwood Street. He commented that an open slough might also be in that area and pose a problem. He then questioned if a primary concern was the City’s ability to provide infrastructure to this project. It was confirmed that the City would be responsible for sewer, water, storm drains, and streets. A satellite photo depicting the general area west of Westwood was then shown on the overhead, and a discussion ensued on the poor condition of the streets.

Mayor Pro Tem Irish questioned if the City was getting itself into a situation similar to that of the Granite Hills High School project.

Mr. Dunlap clarified that staff’s current course of action was specifically formulated to avoid getting the City into a position similar to that of the Granite Hills project. He explained that the School District had a responsibility, just like the City, to evaluate the potential environmental impacts associated with the project. He stated that if access to the school was not adequate, then transportation services, and also sewer, water and
storm drains would need to be evaluated as a part of that proposed school development. He explained that if the City was unable to extend sewer, water and storm drains to the school, the School District would be required to come up with alternative systems to accommodate the demand. He stated, likewise, the School District would need to adequately address the impact on service streets adjacent to the school site, which he pointed out, staff had already requested of the District.

Mayor Pro Tem Irish pointed out that in the Granite Hills project, the infrastructure had already been in place, but instead the focus was more on needed access streets to the school.

Council Member Hamilton commented that the west side had already been built out, and questioned how much more potential growth Burton School District predicted.

Mr. Dunlap pointed out that the Burton School District extended beyond the Kern-Friant Canal. He pointed out that there were sites still available for development in the immediate area, and also on the south side of Olive Avenue. Mr. Dunlap then stated that he was not particularly familiar with the status of the land on the west side of the Kern-Friant Canal.

Council Member Stadtherr questioned if there were any realistic alternative locations for the school.

Mr. Dunlap stated that he believed Burton School District had been contemplating the development of several schools, including the one before Council that evening, one north of Westfield, and another near Matthew, south of Olive Avenue. He stated that the School District had also indicated that one more location would also be needed.

Mayor Pro Tem Irish commented that growth was a problem, but it was a good problem.

Council Member Stadtherr stated that the population in Porterville was projected to reach 100,000 by the year 2050. He commented that, sooner or later, growth was coming and that it should at least be addressed in a controlled fashion.

Council Member West agreed with Council Member Stadtherr’s comments.

Council Member Stadtherr pointed out that staff’s recommendation did not require that the project be accepted, but rather requested direction to staff to send a letter to the School District describing the Council’s findings and the District’s responsibilities.

Council Member Hamilton moved that Council accept staff’s recommendation, then commented that he did not wish to stop discussing this matter with the school districts so that another Granite Hills-type situation could be avoided in the future.

Council Member West seconded the motion.

Council Member Stadtherr questioned if Council Member Hamilton’s motion included amending staff’s recommendation for the letter to include steps to ensure proper planning.

Council Member Hamilton suggested that he would rather approve staff’s recommendation as written and proceed with discussions between committee members and the school boards.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West that Council approve staff’s recommendation.

M.O. 11-111604

AYES: West, Irish, Hamilton, Stadtherr
Disposition: Approved.

The Council recessed for 10 minutes.

17. UPDATE REGARDING VARIOUS PROPOSED GENERAL PLAN AMENDMENTS

Recommendation: That the Council:
1. Review each of the pending and potential General Plan Amendments; and
2. Determine whether it is advisable at this time to prioritize the General Plan Amendments, combine several projects into a single proposal, and/or to defer any of the proposals to the Comprehensive General Plan Update.

City Manager John Longley informed Council of a potential conflict of interest with this item and requested that Council excuse him from the discussion. Mr. Longley then excused himself from the Council Chambers.

Deputy City Manager Darrel Pyle presented the item, and Community Development Director Brad Dunlap presented the staff report. He explained that the General Plan Amendments currently under consideration were: 1) Comprehensive General Plan Update; 2) Riverwalk Marketplace Shopping Center; 3) Porterville Commercial Center; 4) Northwest Corner of Jaye Street and Gibbons Avenue; 5) Prospect Street North of Henderson Avenue; 6) Daybell Nursery Site; 7) Southwest Corner of Sunnyside and Belleview; 8) Northeast Corner of Prospect and Morton; and 9) Southwest Corner of Olive Avenue and Mathew Street.

Mayor Pro Tem Irish commented that Council had been presented with a great deal of information. He then commented that he favored expediting the Riverwalk Marketplace, indicating that the City of Porterville had a lot at stake with that project.

Mr. Dunlap suggested that the one distinction that should pointed out to Council was that the three projects identified on the slide currently before Council – being No. 2 - Riverwalk Marketplace, No. 3 - Porterville Commercial Center, and No. 4 - Northwest Corner of Jaye Street and Gibbons Avenue – all had active applications in with the City. He stated that the others had been to PRC, but that there were no formal applications yet submitted.

Mayor Pro Tem Irish questioned if somebody could explain to him why No. 3 - Porterville Commercial Center should be changed from Industrial to Commercial.

Council Member Hamilton agreed with Mayor Pro Tem Irish in terms of prioritizing Riverwalk Marketplace and added that he would also like to take action on No. 4 - Northwest Corner of Jaye Street and Gibbons Avenue.

In response to Council Member Stadtherr’s question, Community Development Director indicated that the cemetery near Gibbons Avenue was located in the area identified as “public and quasi-public” south of No. 4 on the map.

Council Member West then clarified with Mr. Dunlap that the location of the drainage basin and well was also in that same vicinity. He then indicated that if Council Member Hamilton had made a motion to prioritize Projects Nos. 2 and 4, he would second that motion.
Council Member Stadtherr questioned if the proposed change from industrial to low density residential at Jaye Street and Gibbons Avenue would offset the change from high density residential to commercial at Riverwalk Marketplace.

Mr. Dunlap responded that such changes would satisfy a portion of the offset, helping incrementally. He explained that the high density residential property that had been previously annexed mostly offset the proposed changes at the Riverwalk Marketplace. He stated that even if no action had been taken at Jaye Street and Gibbons Avenue, an adequate amount of residential would still remain to offset the loss at Riverwalk. He then clarified for Council that all that staff was currently seeking was Council’s consideration in prioritizing the projects.

Mayor Pro Tem Irish acknowledged that Council understood the recommendation, then questioned the status of the City’s required percentages in terms of residential and commercial.

Mr. Dunlap explained that although staff did not have a comprehensive analysis on the percentages, staff was currently compiling data to finalize its analysis. He stated that based on LAFCO policy, the City was allowed to carry a 10 year land use supply for residential, which included low, medium and high densities. He explained that at the same time, the City was allowed to carry a 20 year land use supply of commercial and residential land. He pointed out that it was much easier to quantify the amount of supply for residential based on issued permits, when industrial and commercial were much more cyclical and sporadic. He explained that when staff had previously worked with the developer of Riverwalk, Ben Ennis, it had gone through the process of identifying the availability of commercial properties. He stated that the inventory was fairly slim. He stated that staff did not believe that the City was currently at a 20 year supply for either commercial or industrial properties, which was absolutely merit for updating the General Plan. He explained that although the percentages were currently unknown, staff had recommended the conversion of industrial to residential due to a pending land use conflict and timing issues. He stated that at the direction of Council, staff could explore replacement options of the industrial land with the developer at the time the developer proposed conversion. He stated that staff would need to look at identifying a replacement 40 acres or 10.7 acres of industrial to replace those, and stated that as a planner, he believed he knew where that would be viable, however the ultimate decision would be up to the City Council.

Council Member Hamilton suggested that in addition to prioritizing Item No 2 - Riverwalk Marketplace and Item No. 4 - Northwest Corner of Jaye Street and Gibbons Avenue, he would also like to prioritize No. 7 - Southwest Corner of Sunnyside and Belleview. He stated that Item No. 7 would not be changing anything, but instead it would allow the land owner to be in conformance.

Mr. Dunlap indicated that staff did not believe that Item No. 7 was significant.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr that Council direct staff to prioritize Item No. 2 - Riverwalk Marketplace, No. 4 - Northwest corner of Jaye Street and Gibbons Avenue, and No. 7 - Southwest Corner of Sunnyside and Belleview, and to set a study session to address the remaining projects.

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

Community Development Director Brad Dunlap then clarified with Council that staff would bring the item back to Council for its consideration at a future study session. Mr. Dunlap then stated for the record that an application had been accepted as complete on No. 2 - Porterville Commercial Center, and even though
Council had not identified that project as a priority, staff was legally obligated to continue processing that application. He then confirmed that at Council’s direction, the project could be prioritized after the three projects just discussed.

Council Member Hamilton pointed out that Council might decide to prioritize other projects on the list first, and requested that No. 2 - Porterville Commercial Center be included with the remaining projects to be brought back to Council.

A discussion then ensued regarding the required time frame for proceeding with the additional General Plan Amendments and the appropriate date for scheduling a study session, with the first meetings in January or February being discussed as likely dates. It was agreed that proposed dates for the study session would be provided to Council for its consideration.

As City Manager John Longley returned to the Council Chambers, it was brought to Mayor Pro Tem Irish’s attention that Mr. Winton had requested during Oral Communications the opportunity to speak on the Item just discussed, yet he had not been given the opportunity. Mayor Pro Tem Irish then requested that Mr. Longley again kindly excuse himself from Council Chambers, which Mr. Longley did. Mayor Pro Tem Irish then invited Mr. Winton to come forward and speak.

Jim Winton, 150 West Morton Avenue, came forward and indicated that he represented the property owner on Item No. 4 - Jaye Street and Gibbons Avenue, and that Council had already taken the action which the property owner sought. He then thanked Council for allowing the property owner’s application to progress.

City Manager John Longley then returned to Council Chambers.

Disposition: Approved.

18. CONSIDERATION OF ISSUES RELATING TO CAR WASHES IN THE COMMUNITY: “CHARITABLE CAR PERMIT PROCEDURE” AND CAR WASH SLUDGE DRYING AND CONTAINMENT STRUCTURE

Recommendation: That the Council:
1. Regarding the “Charitable Car Wash Permit Procedure,” review the draft ordinance and provide the City Attorney with direction for modification; and schedule a public hearing, widely noticed, to receive comment prior to action on the ordinance; and
2. Regarding the “Car Wash Sludge Containment Structure,” provide direction to the staff to pursue it as a public/private partnership, or in the capital program for this coming year with a fee based recovery for disposal at the facility.

City Manager John Longley presented the item and the staff report.

Council Member Stadtherr pointed to Subsection B of Section 15-50 of the draft Ordinance which set forth that permit costs were based solely on the costs of administering and processing the applications. He questioned why the permit cost would not cover the discharge aspect as well. He stated that during a meeting that morning, Public Works Director Baldo Rodriguez had stressed the importance of sludge drying and containment structures particularly because of the negative effects of hard grit on Waste Water Treatment Facility equipment. He then questioned the difference between the water coming from commercial facilities that created the sludge and the water coming from charitable car washes.
Mr. Rodriguez stated that the water discharged from both the commercial facilities and the charitable car washes was exactly the same. He then suggested that the Ordinance before Council should also restrict charitable car washes from allowing the discharged water to flow into the gutter. He then stated that charitable car washes should be held at a commercial facility that had the ability to dispose of the waste water properly.

Council Member Stadtherr commented that he believed that would be almost impossible to enforce, and pointed to the multitude of car washes currently being held.

City Attorney Julia Lew referred Council to Page 6 of the proposed Ordinance, Section 15-130, Subsections A5 and A6. She clarified that the Ordinance did provide for restrictions pertaining to waste water and discharge. She stated, however, staff fully recognized the difficulty for enforcement.

Council Member Stadtherr suggested that a list of the facilities in compliance could be provided with the permit application.

Council Member Hamilton stated that he was pleased to announce he was aware of a charitable organization that had recently and successfully used a commercial car wash facility for its fund raiser.

Council Member West questioned how much staff actually believed the City would make on the issuance of the permits, and who would then enforce any violations. He commented that he believed this matter was getting out of hand.

Mayor Pro Tem Irish stated that it was not the City’s intention to make a profit from the permits, but rather to regulate the process.

City Attorney Julia Lew clarified that the City was not allowed to make a profit. She stated that while she understood Council Member Stadtherr’s concern with wanting to recoup costs for the detrimental effects on the equipment at the treatment facility, the City would need to quantify those costs and reasonably relate them to the cost of the permit. This pointed out that this could be a monumental task.

Mayor Pro Tem Irish commented that he believed it was not Council’s intent to stop all charitable car washes. He then questioned if the draft Ordinance included a restriction on the number of car washes held at a particular location. He asserted that this would at least somewhat limit the number of charitable car washes.

Council Member Hamilton agreed and commented that he believed Council was only attempting to make the process more equitable between the commercial car washes who were required to spend a great deal of money to comply with City requirements and the charitable car washes who were not.

City Attorney Julia Lew stated that the restriction to which Mayor Pro Tem Irish referred was included in the Ordinance as Section 15-130, Subsection A9.

Council Member West questioned if “sludge” referred to the mud on a car that was washed off, and questioned how that sludge had been handled in the past.

Mr. Longley confirmed that “sludge” represented the residual materials left behind after a car wash, and indicated that he believed that the sludge had always been collected and hauled away by private haulers.

Mayor Pro Tem Irish pointed out that once the materials had been dried, the materials were no longer an issue.

Council Member Hamilton stated that the reason that the materials were not accepted by the sewer treatment facility was because the sand granules ruined the turbines, which he pointed out was the second
reason for Council pursuing this item. He stated that the first reason was a desire to create a fair and equitable environment for commercial car washes and charitable car washes.

Council Member West questioned if anybody had actually witnessed sludge being hauled off a car wash lot.

Council Member Hamilton stated that he had not personally witnessed any hauling, but pointed out that quick lube facilities also had traps which they rented at an extreme cost. He stated that he was aware that Modern Plumbing had hauled the materials.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member Hamilton that Council direct staff to set a public hearing and prepare the proposed ordinance for first reading.

M.O. 13-111604

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

Public Works Director Baldo Rodriguez requested that he be allowed to offer further information to Council regarding Mayor Pro Tem Irish’s comments as to the sludge being harmless once dried. Mr. Rodriguez stated that once the sludge had been dried, the hauler would need to identify the contents of the sludge at the landfill, which might be difficult. He explained that staff was continuing to communicate with the County and requested that staff have additional time to conduct further research. In response to Mayor Pro Tem Irish’s question, Mr. Rodriguez indicated that staff was unfamiliar with how the City of Visalia handled its sludge, but he indicated that he would look into that.

Council Member Hamilton commented that at one time, the City of Visalia allowed the sludge into its sewer plant, but he believed that the City had stopped that practice.

Mr. Rodriguez requested, with regard to the containment structure portion of the Item, that staff be allowed additional time to research whether a process could be developed that would satisfy the County's disposal documentation requirements. He indicated that if staff was successful in that endeavor, staff would then ask for Council’s direction to pursue it as a public or private partnership, or in the capital program for the upcoming year with a fee based recovery for disposal at the facility.

Council Member Hamilton indicated that he agreed with staff’s request.

Disposition: Approved.

19. CONSIDERATION OF CONTINUING THE HIRING FREEZE FOR CITY POSITIONS

Recommendation: That the City Council:
1. Continue the hiring freeze until February 28, 2005;
2. Allow the restorations including project engineers rehire authority, hiring a Public Works Clerical II position, authorizing the restoration of flexing for maintenance positions, and upgrading a Park Maintenance Worker to a II status, and hiring a II; and
3. Direct City Manager to continue to scrutinize travel to assure that there is direct benefit to the City for training, representation, and receiving information.
City Manager John Longley presented the item and the staff report.

Council Member Stadtherr questioned if the position for Field Service Worker I/Refuse - Graffiti was supposed to be at least partially funded by the civil action under the graffiti program.

City Manager John Longley responded affirmatively, however pointed out that no funds had been collected to date. He then commented that this position had been budgeted out of the collection refuse fund.

City Attorney Julia Lew clarified that there might have been some restitution in some criminal cases for graffiti, but that nothing had yet been received.

Council Member Hamilton commented that he believed that the Council had been very fiscally conservative, and that staff must be aware that the restrained budget could meet staff’s recommendation.

**COUNCIL ACTION:** MOVED by Council Member Hamilton, SECONDED by Council Member West that Council approve staff’s recommendation.

M.O. 14-111604

**AYES:** West, Irish, Hamilton, Stadtherr

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Martinez

Disposition: Approved.

20. CONSIDERATION OF MINIMUM (SKELETAL) STAFFING FOR CITY FACILITIES DURING HOLIDAY PERIOD AND CANCELING THE FIRST CITY COUNCIL MEETING IN JANUARY

Recommendation: That the City Council:

1. Authorize minimum staffing for City facilities between Wednesday, December 22, 2004 and Thursday, December 30, 2004; and
2. Cancel the January 4, 2005 City Council Meeting.

City Manager John Longley presented the item and the staff report.

Council Member Stadtherr suggested that instead of cancelling the first meeting in January, that the meeting be moved to the second week.

Council Member Hamilton commented that he did not believe staff could accomplish generating an agenda for the second week if City Hall ran with a skeletal crew.

Mr. Longley stated that the only issue with moving the Council Meeting to the second week in January would be that during the same week that staff would have an agenda, it would also be compiling another agenda.

Council Member Stadtherr acknowledged Mr. Longley’s point, and commented that he had merely attempted to keep the process moving.

**COUNCIL ACTION:** MOVED by Council Member West, SECONDED by Council Member Stadtherr that Council approve staff’s recommendation.

M.O. 15-111604

**AYES:** West, Irish, Hamilton, Stadtherr
DISCUSSION ON CODES PERTAINING TO VISIBILITY OF JUNK FROM ANY PUBLIC RIGHT-OF-WAY

Recommendation: That the City Council consider the existing Code language regarding junk and provide appropriate direction to staff.

Council Member Stadtherr commented that this Item had come before Council due to a constituent’s complaint regarding visible junk in a yard in the Scenic Heights area. He stated that the problem arose from the storage of machinery parts and miscellaneous junk visible on a residential lot. When he and staff had first investigated the site in question, staff had incorrectly indicated that since the junk had been located in the backyard of the premises, nothing could be done. However, Council Member Stadtherr stated, upon further research by staff for its staff report on this item, it had been discovered that there were mechanisms in the Code for dealing with the situation.

City Attorney Julia Lew indicated that the issue might also be addressed through nuisance abatement, aside from what the Code actually provides for. She indicated that there were also Health and Safety Code Regulations that allowed cities to become involved when dealing with nuisance abatement and the accumulation of materials that created a place that could harbor rodents and insects. Ms. Lew stated that she believed this nuisance could be addressed without actually changing the Code.

Council Member Stadtherr commented that he had brought forth this Item because staff had initially thought that nothing could be done because the junk was located in the backyard of the residence; however, upon further research by staff, it had been determined that the City could rectify the problem with the Code as it was. He explained that the reason why staff had not readily made this determination was that the pieces of relevant language were located in various sections within the Code, all of which needed to be construed together.

Community Development Director Brad Dunlap explained that the Code was not direct and that he had given Council Member Stadtherr inaccurate information. He stated that once he had pieced all the various portions of the Code together for the purposes of drafting the report, the Code became much more clear that the City did have the teeth to deal with the problem.

Council Member Stadtherr then indicated that the Code did not need to be modified. He stated that if staff was of the opinion that it could take action on the property owner in violation, as well as on any other property owners in violation, without changing the Ordinance, then he would prefer to let the Code stand as it was.

City Attorney Julia Lew clarified that Council could either move to take action, or choose to take no action at all.

The Council then chose to take no action on the item.

The Council adjourned at 9:59 p.m. to a Meeting of the Porterville Public Financing Authority

PORTERVILLE PUBLIC FINANCING AUTHORITY AGENDA
Roll Call:  Board Member West, Vice-Chairman Irish, Board Member Hamilton, Board Member Stadtherr
Absent: Chairman Martinez

WRITTEN COMMUNICATIONS
None

ORAL COMMUNICATIONS
None

SCHEDULED MATTER
PFA-1  ANNUAL MEETING OF THE PORTERVILLE PUBLIC FINANCING AUTHORITY

Recommendation: That the City Council, sitting as the Porterville Public Financing Authority, hold a public meeting in accordance with the Authority’s By-Laws, accept public comment, and approve the 2004 Status Report for the Redevelopment Bond Issue No. 1 Projects.

Executive Secretary John Longley presented the item, and Community Development Director Brad Dunlap presented the staff report. Mr. Dunlap referred the Board to the attachment and briefly reviewed the status of various projects.

Vice Chairman Irish questioned if anyone in the audience wished to comment on the status report, to which no one responded.

Board Member Hamilton questioned how much money the City currently owed.

Mr. Dunlap responded that he did not have that information with him, but that he would be happy to provide it to the Board.

BOARD ACTION: MOVED by Board Member Hamilton, SECONDED by Board Member Stadtherr that the City Council, sitting as the Porterville Public Financing Authority, approve staff’s recommendation.

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

Disposition: Approved.

The Council adjourned at 10:04 p.m. to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS
• Dick Eckhoff, 197 N. Main Street, informed Council that the holiday lighting project along Main Street had been completed and invited everyone to attend the lighting ceremony on November 26 at 6:00 p.m. outside of City Hall. He then voiced support for preventing contamination caused by temporary non-charitable car washes, and questioned how portable car wash units were handled.

City Manager John Longley directed staff to provide Mr. Eckhoff with information on portable units.

OTHER MATTERS
• Council Member Hamilton informed Council that an opening existed on LAFCO and questioned whether any Council Member was interested in serving.
Mayor Pro Tem Irish indicated that he would discuss this with Mayor Martinez.

- Council Member Stadtherr stated that he had talked with Mr. Hannah during the recess. He indicated that Mr. Hannah stated, if given the choice, he would rather have sidewalks over drop lifts. Council Member Stadtherr also stated that Mr. Hannah pointed out that many of the bus stops throughout the City were not in close proximity to crosswalks, and questioned if that was considered when crosswalks were developed.

  Deputy City Manager Darrel Pyle responded that he was unaware if staff had ever reviewed those two elements together, but he indicated that he would be happy to review the location of the existing and proposed bus stops and identify the location of the nearest crosswalks. He stated that he would work with the Engineering Department to see if there were recommendations for any adjustments to make the crosswalks as safe and accessible as possible.

  Council Member Stadtherr stated that for those individuals who were still young enough and spry enough to dash across the street, this matter was not important. He stated that consideration for others was sometimes forgotten.

ADJOURNMENT

Council adjourned at 10:12 p.m. to the meeting of November 23, 2004.

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Patrice Hildreth, Deputy City Clerk

SEAL

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Pedro R. Martinez, Mayor