PORTERVILLE CITY COUNCIL AGENDA
ADJOURNED MEETING - MARCH 29, 2005
CITY HALL CONFERENCE ROOM
6:00 P.M.

Roll Call

Pledge of Allegiance Led by Mayor Martinez

Invocation

ORAL COMMUNICATIONS

CONSENT CALENDAR
1. Ratify Intent to Participate in Collaborative Process, and Authorize Discussions to Achieve a Memorandum of Understanding with Porterville Unified School District (PUSD) for Continuation of the Youth Experiencing Success (Y.E.S.) Program
Re: Authorizing discussions with the School District for continuation of after school program.

SCHEDULED MATTER
2. Update Regarding Various Proposed General Plan Amendments
Re: Review of pending and potential General Plan Amendments, with direction on each item; determination of prioritization, combination of projects, and/or deference of any proposals to the Comprehensive General Plan Update; and, direction to staff on processing future General Plan Amendments during the comprehensive update to the General Plan.

CLOSED SESSION
A. Closed Session Pursuant to:

ADJOURNMENT - to the meeting of April 5, 2005 at 6:00 p.m.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Deputy City Clerk at (559) 782-7442. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.
SUBJECT: RATIFY INTENT TO PARTICIPATE IN COLLABORATIVE PROCESS, AND AUTHORIZE DISCUSSIONS TO ACHIEVE A MEMORANDUM OF UNDERSTANDING WITH PORTERVILLE UNIFIED SCHOOL DISTRICT (PUSD) FOR CONTINUATION OF THE YOUTH EXPERIENCING SUCCESS (Y.E.S.) PROGRAM.

SOURCE: Department of Parks & Leisure Services

COMMENT: The City of Porterville Department of Parks and Leisure Services has participated with the Porterville Unified School District in making the Y.E.S. After School Program available for the past six years at nine elementary and two middle schools within the community. PUSD is preparing a grant application for three years of funding from the California Department of Education to ensure the continuance of the program. The City Manager has provided his signature on the grant application documents indicating the City’s desire to collaborate for continuance of the Y.E.S. Program. The City Manager’s signature was provided subject to City Council ratification of the intent to collaborate on the continuance of the program.

The Y.E.S. Program is designed to provide after school activities structured into three areas: academics, enrichment, and recreation. There are 1,100 to 1,200 children that participate in the program within Porterville, five days a week during the school year. The program provides more than after school child-care, with structured and measurable education criteria, and at no cost to the student. The City, through the Parks & Leisure Services Department, provides the staffing to ensure that the ratio of students to adults does not exceed 20:1. This year a tenth elementary school (Santa Fe) was added to the program, and next year a third middle school will be added.

The City has, in the past, been reimbursed for the direct special staff time and expenses. Indirect cost for supervision, administration, personnel processing and training, and payroll generation have not been charged to the Program. PUSD has indicated that the program funding was not sufficient to provide for reimbursement of these costs. City and PUSD staff have recently met to discuss the grant renewal and have discussed the concept of the City receiving indirect cost in line with the grant allowed 3.04% of direct cost.

PUSD does not receive full funding for the program from the state grant. PUSD must budget from other funds to cover funding shortfalls. The greater the student participation in the program, the closer PUSD is likely to achieve near full grant recovery of program cost. With collaborative assistance from the City, PUSD will endeavor to increase student participation. The intent of the recommended action is to authorize staff to develop an updated MOU between the City and PUSD in support of the program.

ITEM NO. /
RECOMMENDATION: Ratify the intent of the City of Porterville to participate in a collaborative process, and authorize discussions with PUSD for continuation of the Y.E.S. Program.

ATTACHMENTS: Collaborative signature sheet, Form D of ASES Renewable Incentive Grant Application.
April 4, 2002 MOU between City and PUSD
March 1, 1999 MOU between City and PUSD
COLLABORATIVE SIGNATURES
For Grant Period 7/1/05 through 6/30/08

Every before and after school program shall be planned through a collaborative process that includes parents, youth, and representatives of participating school sites (e.g., classroom teachers, custodial staff, support staff, etc.), governmental agencies, such as city and county parks and recreation departments, community organizations, and the private sector. The renewal application must document the commitment of each partner to operate a program and their shared responsibility for the quality of the program. Note: The signatures of principal(s) and district superintendent(s) involved in the application are required on Form B (principals and superintendents need not sign this form). The signatures below represent commitments from collaborative partners for the 2005-08 After School Education and Safety Program described in this Renewal application.

Attach as many additional sheets as necessary

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Memorandum of Understanding between the City of Porterville and the Unified School District for the promotion and implementation of After School Learning and Safe Neighborhoods Grant.

The City of Porterville is committed to assist the Porterville Schools Director of Curriculum with the coordination of the following services:

1) Providing uniformed police officers to speak on juvenile crime.
2) Police staff to assist teaching staff in preparing gang awareness lessons.
3) Present an education program to help reduce crime.
4) Fire Department present the fire safety program, “Learn Not to Burn.”
5) Home safety programs by the Fire Department, smoke detectors and exit drills, and the Stop, Drop and Roll.
6) Parks and Leisure Service coordinate after school education, sports and recreation programs.
7) Provide background checks on all after school employees.
8) Provide administrative assistance to the programs.
9) Provide Library services through E.L.L.I. Grant.

In-kind contributions, staff, equipment and resources provided to the Porterville Unified School District for the After School Learning and Safe Neighborhoods Partnership Program will be available.

We will be in agreement to work closely with the Porterville Unified School District throughout the duration of the program.

Date: April 4, 2002

Milt Stowe
Acting Director of Parks & Leisure Services
Memorandum of Understanding between the City of Porterville and the Porterville Unified School District for the promotion and implementation of After School Learning and Safe Neighborhoods Grant.

The City of Porterville is committed to assist the Porterville Schools Director of Curriculum with the coordination of the following services:

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7) Provide background checks on all after school employees.
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In-kind contributions, staff, equipment and resources provided to the Porterville Unified School District for the After School Learning and Safe Neighborhoods Partnership Program will be available.

We will be in agreement to work closely with the Porterville Unified School District throughout the duration of the program.

Date: March 1, 1999

Gil Meachum
Director of Parks and Leisure Services
COUNCIL AGENDA - MARCH 29, 2005

STUDY SESSION

SUBJECT: UPDATE REGARDING VARIOUS PROPOSED GENERAL PLAN AMENDMENTS

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

BACKGROUND:

On November 16, 2004, the City Council reviewed a number of proposed General Plan Amendments (GPA) for review and prioritization. At that meeting the Council identified three (3) of the proposed amendments as priorities and requested that the others be brought back to Council for consideration at a study session at a later date. As Staff indicated in the prior agenda item there was, and has continued to be, an increased number of GPA proposals. The item currently before the Council includes additional proposals that were not a part of the earlier consideration but have surfaced since that time.

SPECIFIC REQUESTS OF CITY COUNCIL:

Due to the Complexity of the issues, Staff is requesting that the City Council address a number of issues related to the GPA process.

1. Staff is seeking input and direction from the Council on processing of proposed GPA’s while preparing the comprehensive GP Update.
2. Staff is requesting that the Council implement measures to control future GPA applications that would result in the continued change to the General Plan while processing the Comprehensive General Plan Update. (Options will be discussed later in the report)
3. Staff is recommending that the City Council retain the ability to approve one amendment to the General Plan in the last two months of the calendar year to accommodate any important change that may arise.
4. Staff is recommending that the City Council review each of the proposed General Plan Amendments to evaluate the following:
   a. Does the proposed amendment change the vision for future development on other properties nearby? If so, is the changed vision one that can be resolved with a single action, or should it be considered in a community wide context? Projects which change the vision for an area in complex ways may be most appropriate to defer to the comprehensive General Plan Update.

DD [Signature] Appropriated/Funded [Signature] CM [Signature] Item No. 2
b. Is the proposed amendment likely to create or worsen a shortage in a sensitive land use category? Such projects may be most appropriately deferred to the General Plan Update or modified to balance their inventory effects. Balance could be achieved by annexing land in the proper designation into the City or by proposing an amendment on land elsewhere to replace the reduced inventory. (For instance, a change from High Density Residential to Commercial might be balanced by making a change elsewhere from Rural Density Residential to High Density Residential).

c. Is the amendment likely to constrain development decisions on nearby properties? In general, it may be more appropriate to consider larger, more comprehensive proposals first to facilitate the creation of compatible neighborhoods.

d. Are any set of projects closely related by geography, land use effects, etc.? Such proposals may be appropriately combined into a single project for review by City Council.

PRIOR COUNCIL DIRECTION TO STAFF:

The City Council has already given staff direction to proceed with the following GPA’s:

1. The Comprehensive General Plan Update to the Land Use and Circulation Elements
2. Riverwalk Marketplace Shopping Center – A proposed General Plan Amendment on 14 acres of the subject site from High Density Residential to Central Commercial
3. Northwest corner of Jaye Street and Gibbons Avenue – A proposed General Plan Amendment on 40 acres from Industrial to Low Density Residential
4. Southwest Corner of Sunnyside and Bellevue – A General Plan Amendment from Heavy Commercial to High Density Residential

PROPOSED GENERAL PLAN AMENDMENTS FOR COUNCIL REVIEW:

The following are proposed GPA’s that were either on the list and Council requested that they be brought back, or have been raised since November 16, 2004.

1. Porterville Commercial Center

The City of Porterville is currently processing application to facilitate the development of a 10.7 acre site with a 75,000 sq.ft. commercial shopping center on the northeast corner of State Highway 190 and Jaye Street (west and north of the existing Home Depot). Application materials are complete and the environmental scoping process is nearly complete. Special environmental studies are being prepared. An Environmental Impact Report with special studies (traffic, air quality, noise, etc.) is required, primarily due to the interaction of this project with the adjacent proposed Riverwalk Marketplace Shopping Center. The application materials include a General Plan Amendment to re-designate the site from Industrial to General Commercial. It may be desirable when considering this
project to address the need for readily available industrial land for economic development. Proposal Number 6 below may address this issue.

2. Prospect Street North of Henderson Avenue

The City of Porterville has an application submittal for a General Plan Amendment from High Density Residential to General Commercial for approximately two acres of vacant land on the east side of Prospect Street, north of Henderson Avenue. This project has the potential to continue an unfortunate development pattern in the vicinity, which has stranded vacant commercial land behind developed commercial frontages. As proposed, future development of the two acres without consolidating parcels would further the fragmented land use pattern. Staff would expect to continue to work with the developer/applicant to find a resolution to this issue. Without addressing the land use pattern and the potential to continue the fragmented development pattern, staff would not support a change without a concurrent Zone Change with a D (Overlay Site Review) Zone and/or other mechanism to ensure appropriate development patterns along a very busy street segment (Access to shopping center).

3. Daybell Nursery Site

The Project Review Committee has provided comments regarding a proposed General Plan Amendment from Heavy Commercial to High Density Residential for approximately 0.7 acres located at the southwest corner of Willow Avenue and E Street. The property owner is considering the conversion of a former nursery into apartments. The High Density land use would provide a transitional land use between the commercial along E Street and Olive Avenue into the single-family residential neighborhood to the north and west.

4. Northeast Corner of Prospect and Morton

The Project Review Committee has provided comments regarding the establishment of a Neighborhood Commercial node at the intersection of Morton Avenue and Prospect Street. This would permit approximately 2.5 acres of vacant land on the northeast corner of Morton Avenue and Prospect Street to be rezoned from PO (Professional Office) to C-1 (Neighborhood Commercial). Staff would recommend that the D (Design Overlay Site Review) Zone also be applied to the site. Development with retail commercial uses may be somewhat constrained by the presence of median islands in both Prospect Street and Morton Avenue. To facilitate access to the site, the developer may need to dedicate and improve sufficient width along Prospect Street to allow a u-turn movement for southbound trips on Prospect Street. In addition, it may be advisable to negotiate with the owner of the property to the east to secure an easement for vehicle access, which would allow the two properties to share an existing driveway with access from both directions along Morton Avenue.
5. **Southwest Corner of Olive Avenue and Mathew Street**

The Project Review Committee has provided comments regarding a possible General Plan Amendment from High Density Residential to General Commercial for approximately 12 acres of vacant land at the southwest corner of Olive Avenue and Mathew Street. It may be necessary to identify land elsewhere that can be used to continue to meet the high density residential development potential required by the Regional Housing Needs Assessment prepared as a component of the recently adopted Housing Element of the General Plan. Staff would recommend that this item be evaluated within the context of the comprehensive General Plan update.

6. **Northwest, southwest and southeast corner of Scranton Avenue and SH 65**

Staff has had preliminary discussions with the property owners of the property at Scranton and SH 65 to discuss development potential and the economic development efforts of the City and need for additional Industrial land. There are currently approximately 270 acres of Highway Commercial property at the intersection of Scranton Avenue and SH 65 under common ownership. Staff has also discussed with the property owner, the prospect of annexing the remaining portions of the 270 acres (approximately 150 acres) and processing a General Plan Amendment to change a significant portion of the 270 acres (approximately 160 acres) from Highway Commercial to Industrial. This would facilitate the availability of additional Industrial land to accommodate future industrial development. Staff is also looking at the timing and funding availability of extending infrastructure from Indiana Street and Gibbons Avenue to the intersection of Scranton and SH 65 to facilitate development at the intersection. Staff is of the opinion that this effort should be diligently pursued.

**FUTURE PROPOSALS:**

During the course of preparing the comprehensive Update to the Land Use and Circulation Elements of the General Plan, it may be appropriate or beneficial to stop accepting new proposals. At a minimum, it may be beneficial for the City Council to determine what changes may be beneficial for the City to consider outside of the General Plan update. Staff is recommending that the City Council take action to limit the submittal of further proposals for General Plan Amendments during the time the City is working on the comprehensive update. In an effort to facilitate limiting proposed amendments, Staff is recommending that the City Council adopt an interim urgency ordinance that would preclude further application submittals for new proposals until a Zoning Ordinance Amendment can be prepared to require the City Council to initiate any and all General Plan Amendments rather than being privately initiated applications. If Council desires this course of action, Staff will prepare a draft interim urgency ordinance and bring it to the Council for consideration at the earliest possible meeting. The interim urgency ordinance would be in affect until a code amendment could be completed, perhaps 60 days.
RECOMMENDATION: That the City Council:

1) Review each of the pending and potential General Plan Amendments relative to the information presented above, and provide direction to Staff on each item;

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.

3) Provide direction to Staff on how to process future proposed General Plan Amendments during the comprehensive update to the General Plan

ATTACHMENTS:

1) Project Vicinity Maps