CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
SEPTEMBER 6, 2005 5:00 P.M.

STUDY SESSION - 5:00 p.m.
Call to Order
Roll Call

ORAL COMMUNICATIONS
This is the opportunity to address the Council on any matter of interest, whether on the agenda or not.

SCHEDULED MATTER
1. Farm Management Agreement
   Re: Study Session for review and discussion of the City’s Farm Management Agreement with Robert Nuckols pertaining to disposal of treated effluent in conformance with the Regional Water Quality Control Board’s Cease and Desist Order.

Adjourn

CLOSED SESSION - 6:00 p.m.

ORAL COMMUNICATIONS
This is the opportunity to address the Council on any matter scheduled for Closed Session.

CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(b) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.
   2- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: One Case.
   3- Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: Patrick Greene v. City of Porterville.

7:00 P.M. RECONVENE OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Richard Stadtherr
Invocation

PRESENTATIONS
   Employee of the Month - Paul Sewell
   Richard Tree - Sierra Management
ORAL COMMUNICATIONS
This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time.

CONSENT CALENDAR
All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar.

1. Approval of City Council Minutes of July 5, 2005 and August 26, 2005

2. Budget Adjustments for the 2005/06 Fiscal Year
   Re: Approving increase in appropriation in Solid Waste Fund, Graffiti Removal Division, to allow for the expenditure of $2,800 in donations received in “Paint the Town” Project.

3. Proposal for Heritage Center Tot Lot and Associated Landscaping Design
   Re: Approving Service Agreement with Sierra Design, Inc. of Visalia in an amount not to exceed $6,815 for the design of playground and associated landscaping at the Heritage Center.

4. Acceptance of Porterville Civic Development Foundation Loan
   Re: Considering accepting Loan Agreement in an amount not to exceed $65,000, for a term of 6 years, bearing no interest for the first 3 years, and 7% per annum for the last 3 years, to complete environmental studies, grading plan and parcel map preparation to attract development of 74 acres of City-owned land zoned Industrial located along West Street near Teapot Dome.

5. Request for a One (1) Year Extension of Time for Two (2) Temporary Modular Units for the Porterville Evangelical Free Church
   Re: Approving one-year extension commencing September 16, 2005 and terminating September 16, 2006 so as to allow applicant to pursue needed right of way from railroad for secondary emergency access.

6. Property License Agreement and Agreement Concerning Rights and Obligations with Senior Citizen Agencies
   Re: Approving one-year Agreement, effective October 15, 2005, at the cost of $800 per month, pertaining to relocating and establishing senior citizen nutrition, health and wellness services from Porterville Community Center on East Putnam Avenue to the Santa Fe Depot.

7. Airport Lease - Lot 32C
   Re: Approving assignment of Lease Agreement for hangar between the City of Porterville and Mr. Wayne Ross to Mr. John Loomis, contingent upon Mr. Loomis providing verification of insurance within 10 days of Council action.

8. Porterville Transit Promotions
   Re: Authorizing promotion of “Free” Transit Days promotion published in Porterville Recorder targeting students with an offer for a free ride to and from school on September 21, which will assist staff in analyzing effectiveness of transit advertising.
9. Approval of the REMOVE II Program - Class II Bicycle Lane Agreement  
Re: Approving Agreement for $50,000 REMOVE II Grant for bicycle lane striping along the Morton Avenue corridor from Westwood Street, east to Main Street, then south to College Avenue, terminating at Porterville College.

10. Amendment of Administrative Policy II-E-1, Travel and Conference Expenses  
Re: Approving amendment to include authorization for air travel, mileage reimbursement, payment of a stipend should overnight stay be avoided, and the requirement that conference and meeting attendees request room sales tax waivers when applicable.

11. This item was removed.

11a. Approval for Community Civic Event Downtown Porterville Association Nuestro Pride Show, September 25, 2005  
Re: Approving annual event to take place from 6:00 a.m. to 7:00 p.m. in the area bounded by Olive Ave. to the south, Second St. to the west, Oak St. to the north, and Third St. to the east.

A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible

PUBLIC HEARING

Re: Adopting Interim Urgency Ordinance defining a process and establishing criteria for hillside development.

13. Canyon Springs Estates Tentative Subdivision Map (Contour Development Inc.)  
Re: Considering approval of Tentative Subdivision Map to divide a 67.42± acre vacant parcel zoned City R-1 (One-Family Zone) into a 230± lot single-family residential subdivision to be developed in 2 phases for the site located on the northeast corner of Morton Avenue and Hillcrest Street.

Re: Adopting Interim Urgency Ordinance to temporarily prohibit installation of wireless communication towers for six month period while staff studies issues and develops permanent standards.

15. Vacation of Portions of Scranton Avenue and Holcomb Street within the Porterville Developmental Center (State of California)  
Re: Adopting Resolution of Vacation to allow for expansion of PDC, and authorizing City Clerk to record Resolution and Mayor to execute Quitclaim Deed relinquishing all rights, title and interest.

16. Consideration of Modifications to the Fee Schedule as it Pertains to Planning Services  
Re: Considering modifications to Planning Division Fee Schedule based on recommendations of MAXIMUS, Inc. in the Cost Allocation Plan & User Fee Study Report dated May, 2005.
17. Sunrise Villa Phase 2 & 3 Tentative Subdivision Map  
Re: Opening public hearing and continuing it until the Council Meeting of September 20, 2005 so as to allow applicant time to meet with staff to address concerns re street alignment and driveway access.

SECOND READING
18. Ordinance 1678, Zoning Ordinance Amendment 1-2005  
Re: Giving Second Reading to the Ordinance Amending the Zoning Ordinance Pertaining to Block Wall Requirements Separating Residential and Non-Residential Uses.

19. Ordinance 1679, Zoning Ordinance Amendment 2-2005  
Re: Giving Second Reading to the Ordinance Amending the Zoning Ordinance Pertaining to C-2 Uses in the Central Commercial District.

SCHEDULED MATTERS
20. Resolution of Necessity Pertaining to the Acquisition of a Portion of Property (Approximately 85 Square Feet of Property) Located at the Northwest Corner of Mulberry Avenue and Plano Street (APN #248-010-005) for the Proposed Traffic Signal No. 8 Project  
Re: Opening the public hearing and continuing it until the Council Meeting of September 20, 2005.

21. Consideration of Draft Regulations Limiting Continuous and Cumulative Occupancy of Hotels, Motels and Motor Hotels  
Re: Considering draft Ordinance limiting continuous occupancy and requiring certain development standards, and setting October 4, 2005 as the time for a public hearing on the Ordinance.

22. Request for Resolution of Ambiguity Regarding Salons and Spas in the Professional Office (PO) Zone  
Re: Considering Resolution of Ambiguity to clarify whether spas and salons fit within the professional business and uses section of the PO Zone (Section 601 A.1).

23. Resolution Requiring Residency or Business Ownership Nexus with Regard to Members of Commissions, Legislative Committees and Other Boards or Commissions upon Which the City Council Has Appointive Authority  
Re: Approving resolution requiring the composition of any committee/board be at least 70% registered voters in the City, with the remaining 30%, if not Porterville residents, being business owners in City.

24. Consideration of Surplusing City Water Tender and Making It Available to La Barca, Jalisco, Mexico  
Re: Considering surplusing the 1955 Diamond Rio 6x6 water tender with the 1,000 gallon water tank and 35 horse power tank, and making it available to La Barca, subject to their ability to transport the vehicle.

25. Consideration of Retaining A Consultant to Assist with State Local Governmental Affairs  
Re: Considering retention of consultant, California Consulting, LLC of Fresno, for a 6 month trial period, at a cost of $2,000 per month, to assist the City with locating and securing grant funding on priority projects.
26. Consideration of Support for the Porterville Pow Wow  
   Re: Considering Resolution recognizing the Tule River Indian Tribe and the Tule River Tribal  
   Pow Wow and discussing ways in which the City can further indicate its support.

27. Consideration of Designating an Area Commemorating City Councils  
   Re: Considering designation of area outside of the Council Chambers to commemorate past,  
   present and future City Councils.

28. Consideration of Wireless Computer Access for the City Council  
   Re: Considering lap top computers with wireless access for Council Members at a cost not to  
   exceed $15,000.

29. Consideration of Reimbursement of Administrative Expense to Council Members  
   Re: Considering reimbursement of expenses and reviewing City of Visalia’s reimbursement  
   policy.

Adjourn to a Meeting of the Porterville Redevelopment Agency.

PORTERVILLE REDEVELOPMENT AGENCY AGENDA  
September 6, 2005

Roll Call

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

SCHEDULED MATTER
PRA-1. Approval for Community Civic Event Downtown Porterville Association Nuestro Pride Show,  
   September 25, 2005  
   Re: Approving annual event to take place from 6:00 a.m. to 7:00 p.m. in the area bounded by  
   Olive Ave. to the south, Second St. to the west, Oak St. to the north, and Third St. to the east.

Adjourn the Redevelopment Agency Meeting.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION  
   Any Closed Session Items not completed prior to 7:00 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of September 20, 2005

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.