Call to Order
Roll Call

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

CLOSED SESSION:
A. Closed Session Pursuant to:
   2- Government Code Section 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

Pledge of Allegiance Led by Mayor Pro Tem Cameron Hamilton
Invocation

PRESENTATION
Employee of the Month - M’chelle Powers

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 July 19, 2005 and August 16, 2005

2. Budget Adjustments for the 2005/2006 Fiscal Year
   Re: Accepting revised budget projections to reflect (VLF) Gap Loan proceeds and Prop 1A Loan Repayment proceeds are one-in-the-same.

3. Assistance to Firefighters’ Grant Program 2005 - Negotiated Bids
   Re: Authorizing purchase of firefighting equipment through negotiated bid process with grant award of $44,909.

4. Acceptance of the Porterville Heritage Center
Re: Accepting project by Zumwalt Construction, Inc. for the construction of the 10,037 sq. ft. community center, parking lots and associated landscaping.

5. Acceptance of Sludge Bed Expansion Project
Re: Accepting the Project by Kaweah Construction Company for the construction of four new soil-cement lined sludge drying beds west of the Porterville Airport.

6. Acceptance of the Mitigation Well Project
Re: Accepting the Project by Johnson Drilling Company for the construction of a water well to irrigate Elderberry bushes and associated plant habitat on the City’s Headgate Property, located generally between Highway 190 and the Tule River, east of the southerly prolongation of Page Street.

7. Scheduling a Public Hearing for the Revised Disadvantaged Business Enterprise (DBE) Program
Re: Setting December 6, 2005 as the date for a public hearing to hear testimony regarding a proposed goal of 11%.

8. Approval of Relocation Claim for Rental Assistance or Down Payment Assistance for Property Located at APN 261-093-019 Tenants Jose C. Molina and Santos Carranza Gonzales
Re: Approving Claim of $12,600 plus moving payment of $1,650 for relocation costs associated with Date Avenue Reconstruction Project, and authorizing advance payment of $2,100.

9. Intent to Set a Public Hearing for Reimbursement Agreements for Concrete Improvement Construction by the City - Williford Drive Street Reconstruction and Drainage Project
Re: Setting public hearing for October 18, 2005 for the establishment of the concrete reimbursement fee, pursuant to the Municipal Code §§ 20-40.1 through 20-40.8.

10. CALHOME Program Application
Re: Approving submittal of funding application in the amount of $500,000 for activities including: 1) First-Time Homebuyer Mortgage Assistance; 2) Owner-Occupied Rehabilitation; and 3) Homeownership Project Development Loans.

11. Approval for Community Civic Event Porterville Unified School District Butterfield History Day - October 21, 2005
Re: Approving educational event to take place at Zalud Park on Friday, October 21, 2005 from 6:00 a.m. to 4:00 p.m. with partial street closure of El Granito Street from Grand to the end of the cul-de-sac.

12. Downtown Holiday Decorations
Re: Considering options for holiday tree decorations, including: hiring Christmas Decor by Kaylor Landscaping of Porterville to prune Gardner Tree adjacent to City Hall and install new decorations; or purchasing “Tree of Lights” or “Garland Tree” for installation at Centennial Park.

13. Information on Status of Curbside Recycling
Re: Update on status of proposals for the Processing of Residential Recyclables and Residual Disposal Services.

14. Update on Johnson Controls Project
Re: Update on the status of energy audits at City facilities conducted by the firm of Johnson Controls.

Re: Considering Resolution in opposition to the recent Court ruling regarding the Pledge of Allegiance.

16. Resolution Regarding the Adverse Economic Impacts of the Friant Water Users Issue Diverting Water from Tulare County Agriculture to Fishery Restoration
Re: Considering adopting resolution opposing court ruling regarding U.S. Bureau of Reclamation’s diversion of water from the San Joaquin River, and supporting continued operations of the Friant Division of the Central Valley Project.

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

**PUBLIC HEARINGS**

17. Sunrise Villa Phase 2 & 3
Re: Approving Tentative Subdivision Map to divide a vacant 11.3± acre parcel into 46 single family residential lots in two (2) phases, generally located on the south side of Mulberry Avenue between the prolongation of Howland and Shadowood Streets.

18. Consideration of Draft Regulations Limiting Continuous and Cumulative Occupancy of Hotels, Motels and Motor Hotels
Re: Considering Ordinance limiting continuous occupancy of hotels, motels and motor hotels unless certain development standards were met, and requiring maintenance of records and regulation postings.

Re: Authorizing use of funds in the approximate amount of $100,000 to offset costs for full-time sworn officer, community services officer, and all necessary training, equipment and overtime costs.

**SCHEDULED MATTERS**

20. Consideration of Farm Management Agreement Termination
Re: Considering termination of Agreement with Robert Nuckols.

21. 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: Consideration of adopting Resolution of Necessity to acquire property from Hermosa Tierra, Inc.

22. Request to Address Concerns in Regard to Property Located At 379 N. Hockett Street
Re: Considering options available to property owner Mary McClure to resolve parking issue.

23. Environmental Review of the City of Porterville Downtown Parking Project - Phase 2
Re: Approving Project consisting of addition of 11 parking stalls for users of City Transit Center, and closure and abandonment of Oak Avenue between Division and Main Streets for conversion to pedestrian mall.

24. Consideration of Draft Ordinance Addressing Neglect of Real Property
Re: Considering ordinance which would expand the City’s ability to require maintenance of neglected and unsightly real property.

25. Eliminating Truck Parking Along Olive Avenue, Plano Street and Westwood Street
Re: Discussion of City’s intent to prohibit truck and/or commercial trailer parking along Olive Avenue, Plano Street and Westwood Street and solicitation of alternative arrangements for parking.
26. Jaye Street Corridor Improvement Project (COP Refinance)
Re: Approving refinance of Certificates of Participation to generate approximately $3.2 Million in new funds, without increasing annual debt service payments, to finance infrastructure improvements.

27. Appointment of Two (2) Additional Members to the General Plan Advisory Committee
Re: Authorizing appointment of Mr. Eric Borba and Mr. Paul Paulin of the Tulare County Farm Bureau to expand Committee to include representatives from the Agricultural industry.

28. Consideration of Rescheduling Remaining MAXIMUS Fee Schedule Public Hearings Regarding Building, Recreation, and All Other Fees
Re: Setting November 15, 2005 as the date to hold a public hearing to consider the Planning and Building Division Fees and setting December 6, 2005 as the date to hold a public hearing to consider Recreation and all remaining fees and schedules.

29. Adoption of Resolution Requesting the Cooperation of the San Joaquin Valley Air Pollution Control District and the Building Industry of Tulare and Kings Counties
Re: Consideration of resolution regarding the debate between the parties pertaining to Rule 9510 and Rule 3180.

30. Financial Authorization For a Study Group to Travel to Carson, NV to Look at the Super Wal-Mart
Re: Authorizing travel by members of the Council to study Super Wal-Mart.

31. Consideration of Field Trip to View Hillside Development
Re: Considering study session/field trip to Southern California with consultant Mark Rogers with TRG Land on October 31, 2005 on chartered bus.

**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 October 18, 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.