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

PORTERVILLE REDEVELOPMENT AGENCY AGENDA

Roll Call: Agency Member Irish, Agency Member West, Vice-Chairman Hamilton, Agency Member Stadtherr, Chairman Martinez

JOINT ORAL COMMUNICATIONS
None

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: Two Cases.
4 - Government Code Section 54957: Public Employment - Golf Course Manager

7:00 P.M. RECONVENE REDEVELOPMENT IN OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION FOR REDEVELOPMENT
City Attorney Julia Lew reported that no action had been taken.

The Meeting of the Porterville Redevelopment Agency adjourned at 7:06 p.m. to a meeting of the Porterville City Council.

RECONVENE CITY COUNCIL IN OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
The City Attorney reported that no action had been taken.

Pledge of Allegiance Led by Council Member Kelly West
Invocation - one individual participated.

PRESENTATION
Plaque - Kelly West
City Manager’s Featured Projects for February, 2006
• Skateboard Park Parking Lot
  • Public Works Director Baldo Rodriguez offered a visual presentation of the project.
• Implementation of New Registration and Reservation Software

**ORAL COMMUNICATIONS**

- Renay Sprague, came forward on behalf of Dick Eckhoff and spoke in favor of Item No. 8; and invited everyone to the City of Hope Spectacular to take place on February 25th at the Buck Shaffer Theatre.
- Sandy Joy Tellez, 68 South Villa Street, requested the Council’s help in locating property for the homeless; requested clarification as to homeless housing requirements; and noted the need for an emergency shelter plan.
- Greg Shelton, 888 N. Williford Drive, spoke against moving forward with Item No. 18, suggesting the City was moving too hastily.

Mayor Martinez advised everyone of an upcoming meeting of the Continuum of Care and suggested that interested parties contact the City for information. He then confirmed with the City Manager the City’s participation in the meeting.

**CONSENT CALENDAR**

Items 1, 6 and 9 were removed for further discussion.

2. **REQUEST FOR PROPOSALS (RFP) FOR ON-CALL ENVIRONMENTAL SERVICES**

Recommendation: That the City Council ratify the distribution of RFP for On-Call Environmental Services Consultant.

Documentation: M.O. 01-022106
Disposition: Approved.

3. **“WILLIAMS RANCH” TENTATIVE SUBDIVISION MAP - EXTENSION OF TIME**

Recommendation: That the City Council adopt the draft resolution approving a two (2) year extension of time for “Williams Ranch” Tentative Subdivision.

Documentation: Resolution 21-2006
Disposition: Approved.

4. **“NEW EXPRESSIONS” TENTATIVE SUBDIVISION MAP - EXTENSION OF TIME**

Recommendation: That the City Council adopt the draft resolution approving a two (2) year extension of time for “New Expressions” Tentative Subdivision.

Documentation: Resolution 22-2006
Disposition: Approved.
5. COMMUNITY CLEAN-UP EVENTS

Recommendation: That the City Council:
2. Encourage all residents to clean up their properties and take advantage of these special opportunities offered by the City; and
3. Authorize the City to accept trash, litter, and yard clippings delivered to the Spring and Fall Clean Up Events for free disposal.

Documentation: M.O. 02-022106
Disposition: Approved.

7. AMENDMENTS TO THE EMPLOYEE PAY AND BENEFIT PLAN AND THE EMPLOYEE RETIREMENT SYSTEM

Recommendation: That the City Council adopt the draft resolution amending the Employee Pay and Benefit Plan and the Employee Retirement System, and authorize the Mayor to execute these and other documents necessary to implement the provisions thereof.

Documentation: Resolution 23-2006
Disposition: Approved.

8. ESTABLISHMENT OF THE INDEPENDENT CITIZENS’ OVERSIGHT COMMITTEE FOR MEASURE H

Recommendation: That the City Council:
1. Adopt the draft resolution establishing an independent citizen’s oversight committee charged to monitor the expenditure of General Fund Revenues derived from the Transactions and Use Tax for Public Safety, Police and Fire Protection and allocated through the Public Safety Sales Tax Fund;
2. Direct staff to provide notification to the public and accept applications to serve on the Transaction and Use Tax Oversight Committee; and
3. Set the Council Meeting date of May 2, 2006 to bring back a list of applications for consideration by Council.

Documentation: Resolution 24-2006
Disposition: Approved.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council approve Item Nos. 2 through 5, 7 and 8. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JANUARY 17, 2006

Recommendation: That the City Council approve the City Council Minutes of January 17, 2006.
COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve the City Council Minutes of January 17, 2006.

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

Disposition: Approved.

6. AFFIRM USE OF CALTRANS PROCEDURES FOR ACQUISITION OF RIGHT OF WAY

Recommendation: That the City Council:
1. Affirm by resolution that right of way negotiations and acquisition procedures will adhere to Caltrans procedures;
2. Direct the City Clerk to transmit said approved resolution to Caltrans Right of Way Division; and
3. Direct the Public Works Director to transmit under separate cover a letter to the Caltrans right of way agent that Caltrans remove the hold on all City projects.

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

Council Member Irish voiced concern with Caltran’s request.

Council Member Stadtherr also voiced concern with the item.

Mayor Martinez commented that he did not like what Caltrans was doing, however he questioned the City’s options if funding was dependent upon the affirmation.

Mr. Rodriguez explained the City’s past practice of determining whether the cost of staff time to pursue Caltrans’ funds exceeded the actual potential award, and elaborated on what he believed to be the impetus for Caltrans’ request.

Council Member Irish requested that the matter be brought back to the Council.

City Attorney Julia Lew indicated that although she believed the City’s procedures were in accordance with eminent domain law, and that Caltrans was entitled to require that the City follow its procedures when it controlled funding.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Stadtherr that the Council continue the item until the next regular City Council Meeting.
AYES: Irish, Hamilton, Stadtherr
NOES: West, Martinez
ABSTAIN: None
ABSENT: None

Disposition: Continued to Meeting of March 7, 2006.

9. REDEVELOPMENT ADVISORY COMMITTEE APPOINTMENTS

Recommendation: That the Mayor:
1. Reappoint for a three-year term ending July 10, 2008, the eight members consenting to continue serving on the Redevelopment Advisory Committee for Project Area No. 1; and
2. Appoint one new member to the Redevelopment Advisory Committee for the remainder of the three-year term ending July 10, 2008.

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

Mayor Pro Tem Hamilton confirmed with staff that each of the current Committee Members had been contacted and had evinced an interest in continuing to serve.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council reappoint for a three-year term ending July 10, 2008, the eight members consenting to continue serving on the Redevelopment Advisory Committee for Project Area No.1. The motion carried unanimously.

Mayor Martinez noted that each of the individuals were well qualified.

M.O. 06-022106 MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council appoint Renay Sprague to the Redevelopment Advisory Committee for the remainder of the three-year term ending July 10, 2008. The motion carried unanimously.

Council Member Irish confirmed with Ms. Lew that an alternate could be appointed.

M.O. 07-022106 MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the City Council appoint Richard Eckhoff as an alternate member on the Redevelopment Advisory Committee. The motion carried unanimously.

Disposition: Approved.

PUBLIC HEARINGS
10. RESOLUTION OF NECESSITY PERTAINING TO THE ACQUISITION OF A PORTION OF PROPERTY (1,620 SQ. FEET) LOCATED AT APN #261-094-008 - OWNER ROGELIO N. AND JOANDREW ZELENY ORTIZ - FOR THE PROPOSED DATE AVENUE RECONSTRUCTION PROJECT

Recommendation: That the City Council:
1. Hear testimony from the owners and/or their representative(s), if they appear at the hearing and request to be heard;
2. Adopt the draft Resolution of Necessity; and
3. Authorize the City Attorney to take all appropriate action necessary to acquire said property on behalf of the City of Porterville.

City Manager John Longley presented the item, and City Attorney Julia Lew presented the staff report.

The hearing opened at 7:30 p.m.

• Rogelio Ortiz, subject property owner, came forward and spoke against the action. He stated that the City’s proposal was not good enough, indicating that the fence would cost him approximately $2,500. He added that the house would only be about three feet from the boundary, and noted that his renters’ children would have no place to play. He then spoke of problems with the apartments in the vicinity of his property and commented that he too had rights, and if the City proceeded with the action, he would sue the City.

The hearing closed at 7:32 p.m.

City Attorney clarified the process, stating that in the event an agreement could not be reached, and the City was to proceed with eminent domain, a legal action would be filed. She added that the issue that evening pertained to the right of the City to be able to take the property for just compensation, and did not pertain to the actual amount of compensation.

An audience member requested to speak, which the Mayor denied.

In response to concerns raised by Council Member West regarding whether Mr. Ortiz’s property would be damaged, Ms. Lew indicated that she believed severance damage had been taken into consideration.

The Council recessed for five minutes.

Public Works Baldo Rodriguez explained for everyone’s edification the reason why the City believed acquisition of the property was a necessity. He indicated that sixty feet of right of way was needed for the street to be classified as a collector street. He stated that the approximate ten feet of right of way to be gained from the subject property was necessary to reach that sixty foot mark. Mr. Rodriguez then referenced the subject area on an overhead map.

Mayor Pro Tem Hamilton voiced support for approving the resolution that evening, and to also direct staff to return to the negotiations in an effort to reach an agreement.
COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that the Council adopt the draft Resolution of Necessity; and authorize the City Attorney to take all appropriate action necessary to acquire said property on behalf of the City of Porterville. The motion carried unanimously.

Disposition: Approved.

11. RED HAWK ESTATES TENTATIVE SUBDIVISION MAP

Recommendation: That the City Council:
1. Adopt the draft resolution approving the Negative Declaration for Red Hawk Estates Tentative Subdivision Map; and
2. Adopt the draft resolution approving Red Hawk Estates Tentative Subdivision Map.

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

The public hearing opened at 7:50 p.m.

• Daryl Jordan, Turlock resident and applicant, came forward and voiced support for the item. He spoke of working with Alta Vista School District for a future school site, efforts towards sound attenuation, and his company’s knowledge and experience with hillside development.
• John Eby, 1557 East Olive Avenue, spoke in favor of the item, and posed questions as to street improvements, the proposed development of a new school in the vicinity, and whether the development would conflict with the street that was proposed to run along Rocky Hill, as had been discussed during General Plan Update meetings. Staff elaborated on the planned improvements of Olive Avenue and Putnam Avenue, and indicated that the Rocky Hill street was only a concept and not a part of the City’s General Plan.
• Kim McManaman, Alta Vista School District Superintendent and Principal, came forward, thanked the applicant for working with the District, and voiced support for the project.
• Bruce Day, 2216 Olive Avenue, identified himself as the neighbor to the east, spoke in opposition to the project, and inquired if a fence would be constructed between his property and the subject property. Staff indicated that a six-foot high wooden fence would be the standard, unless noise attenuation was a problem. Mr. Day then voiced concern with how the proposed development would affect his shooting range, and his peacocks.
• Gerald Eoff, 752 East Putnam Avenue, voiced concern with the project, and posed questions pertaining to proposed lot size, traffic impacts, drainage patterns, and the effects of the Flood Zone on some proposed lots. Staff responded to Mr. Day’s questions and stated that a copy of the EIR could be made available for him.
• Bruce Day, address on record, inquired as to the quality of the homes planned.
• Todd Gray, Merced resident and representative for developer Heritage Homes, came forward and spoke of the quality of the proposed project.
• Greg Shelton, 888 North Williford Drive, questioned whether the project would ever get built.

The public hearing closed at 8:06 p.m.

Mayor Pro Tem Hamilton spoke of the efforts made by Mr. Jordan to date, and moved that the Council approve staff’s recommendation.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council adopt the draft resolution approving the Negative M.O. 08-022106 Declaration for Red Hawk Estates Tentative Subdivision Map; and adopt the draft resolution approving Red Hawk Estates Tentative Subdivision Map.

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

Council Member West commented favorably on the efforts made by Mr. Jordan.

Mr. Longley suggested that those who wished to view the EIR should come by his office.

Disposition: Approved.

12. CONSIDERATION OF MAYOR SELECTION PROCESS

Recommendation: That the City Council hold the public hearing, consistent with the February 7, 2006 action.

The City Manager presented the item and the staff report.

The public hearing opened at 8:09 p.m.

• Pete McCracken, 657 Village Green, spoke of the historical consideration of the mayoral selection process and voiced opposition to changing the current process.
• George Goga, 1210 Lindale Way, spoke in favor of a strong mayor with salary, and asserted that the City currently had no leadership.
• Martha Alcazar Flores, 249 South Indiana Street, identified herself as a recently annexed resident, and requested that the Council make decisions for the betterment of the community.

The public hearing closed at 8:23 p.m.

Council Member Stadtherr spoke to the issues raised by Mr. McCracken, stating that the City had changed since the matter was last considered, citing the annexation of approximately 5,000 residents
recently approved by the Council. He also noted the negative effects of holding an election in an odd year versus an even year. Council Member Stadtherr then voiced support for laying the ground work for the next Council.

Mayor Pro Tem Hamilton commented that he did not believe there to be a public outcry for change. He spoke of the unfortunate recent incidents, but suggested they were people-driven and not procedurally-driven.

Council Member West voiced support for an annual rotation, which would allow each of the Council Members to serve as Mayor. He suggested that until such change was made, problems would continue to arise. He then agreed that no change in the Charter was needed to proceed in that fashion.

Mayor Martinez commented that he believed the matter could be handled with the current system, suggesting that each Council could determine its own selection process/rotation via resolution.

Council Member Irish commented on the importance of honesty and integrity in the Council.

It was the concurrence of the Council to take no action.

Disposition: No action taken.

SECOND READINGS

13. ORDINANCE 1690, REQUEST FOR SPECIAL FIREWORKS PERMIT

Recommendation: That the City Council give Second Reading to Ordinance No. 1690, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council give Second Reading to Ordinance No. 1690, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 12, ARTICLE II, FIREWORKS OF THE PORTERVILLE MUNICIPAL CODE. The motion carried unanimously.

Mr. Longley read the Ordinance by title only.

Disposition: Approved.

14. ORDINANCE 1691, ZONE CHANGE 13-2005

Recommendation: That the City Council give Second Reading to Ordinance No. 1691, waive further reading, and adopt said Ordinance.

City Manager John Longley presented the item and the staff report.
COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the Council give Second Reading to Ordinance No. 1691, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE

Ordinance 1691 APPROVING ZONE CHANGE 13-2005 BEING A PRE-ZONING FROM COUNTY C-3 (SERVICE COMMERCIAL) TO CITY C-3 (D)(HEAVY COMMERCIAL “D” OVERLAY SITE REVIEW) AND CITY R-1 (ONE-FAMILY RESIDENTIAL) TO CITY C-3 (D)(HEAVY COMMERCIAL “D” OVERLAY SITE REVIEW) FOR THAT SITE GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WESTWOOD STREET AND OLIVE AVENUE. The motion carried unanimously.

Mr. Longley read the Ordinance by title only.

Disposition: Approved.

The Council recessed for ten minutes.

SCHEDULED MATTERS
15. SELECTION OF CITY FLAG DESIGN

Recommendation: That the City Council:
1. Select a flag design and authorize staff to obtain costs and time estimates to develop the design into the Official City Flag;
2. Direct staff to bring back the cost estimates for final Council approval; and
3. Direct staff to present Council with a draft policy on the use of the Official City Flag upon the presentation of the completed project to the Council.

City Manager John Longley presented the item, and Deputy City Manager Frank Guyton presented the staff report.

Mayor Pro Tem Hamilton voiced support for Design D.

Council Member West voiced support for Design E.

Council Member Stadtherr agreed that his two top choices were Designs D and E.

Council Member Irish suggested that the entries be rejected and that the Council direct staff to issue another “RFD.” He spoke of the challenges of proper graphic design for a flag, and thanked the participants for their time.

Mayor Martinez commented that he too favored Designs D and E, yet with some minor changes. He then requested that letters be sent to all those who participated in the contest, thanking them for their efforts. He then concurred with Council Member Irish’s comments and stated that the guidelines needed to be re-drafted to provide more graphic-friendly instructions. Mayor Martinez then moved that the
Council reject all entries and direct staff to seek more community input in the process. Mayor Martinez’s motion died for a lack of a second.

Council Member West moved that the Council approve Design E. The motion died for lack of a second.

Mayor Pro Tem Hamilton moved that the Council approve Design D. The motion died for lack of a second.

**COUNCIL ACTION:** MOVED by Council Member Irish, SECONDED by Mayor Martinez that the Council direct staff to work with the art community, including local high schools, Porterville College and commercial enterprises, to revise the guidelines; and to initiate a Request for Design.

**M.O. 09-022106**

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

A discussion ensued as to working with the local art community, including local high schools and Porterville College, and commercial enterprises so as to develop proper guidelines. It was stated that proposals would be sought from those various groups to work with the Council, as opposed to another design contest.

Council Member Irish suggested that a reward of some sort be offered, even if it was nothing more than a plaque.

Mayor Pro Tem Hamilton requested that the design be completed prior to the Porterville Fair.

**Disposition:** Denied; Direction provided to staff.

16. **ZONING ORDINANCE AMENDMENT 2-2005**

**Recommendation:** That the City Council authorize the Mayor to sign the corrected Ordinance.

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

Moved by Council Member West to approve staff’s recommendation. The motion died for lack of a second.

Mayor Pro Tem Hamilton confirmed with staff that a title company would be allowed in a C-2 Zone. Staff then elaborated on the tiering structure of the Zoning Ordinance.

Mayor Pro Tem Hamilton moved that the Council cover Mr. Dunlap and approve staff’s recommendation to rectify the typographical error.
Council Member Stadtherr seconded the motion.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council authorize the Mayor to sign the Corrected Ordinance, being CORRECTED ORDINANCE NO. 1679, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE ZONING ORDINANCE PERTAINING TO C-2 USES IN THE CENTRAL COMMERCIAL DISTRICT. The motion carried unanimously.

Disposition: Approved.

17. GENERAL PLAN REFERRAL - BURTON SCHOOL

Recommendation: That the City Council determine that the proposed elementary school to be located generally on the southwest corner of Lombardi Street and the prolongation of Castle Avenue is consistent with the General Plan of the City of Porterville.

Council Member Irish noted a potential conflict of interest, recused himself from the discussion and left the Council Chambers.

The City Manager presented the item, and Community Development Director Brad Dunlap presented the staff report.

Mayor Martinez invited Mr. Ben Ennis to come forward and offer his opinion of the matter.

- Ben Ennis, 643 North Westwood Street, spoke against the proposed site, noting the difficulties in extending Castle Avenue, and indicated that his concerns were not due to the proximity of his residence to the subject site. He then commented on the traffic congestion on Westfield Avenue due to Buckley Elementary, and stated that locating a school on a dead-end street would further exacerbate that congestion and add even more traffic circulation problems.

Mayor Pro Tem Hamilton agreed with the commentary made by Mr. Ennis, noting traffic circulation issues. He then questioned why the school district had decided to purchase that particular property. Mayor Pro Tem Hamilton then spoke of the problematic circumstances surrounding the construction of the school on Mathew Street, and suggested that the proposed site would likely create even a worse situation.

Council Member West commented that he believed that the Friant-Kern Canal’s close proximity to the proposed school site would pose a safety risk.

Mr. Dunlap indicated that staff too had concerns with accessibility and traffic circulation issues, and cited the accessibility challenges caused by Buckley Elementary and Jim Maples Academy. He added that the northerly most portion of the subject parcel, as was proposed for the school site, would pose the greatest accessibility and circulation issues.
Mayor Pro Tem Hamilton commented that he did not believe the proposed site to be in conformance with the General Plan and proposed that the Council take no action.

After some discussion on whether the Council would need to affirmatively vote to take no action, City Manager John Longley suggested that action be taken. City Attorney Julia Lew agreed, noting that if the Council chose to take no action, such inaction could be perceived as an affirmation.

Mayor Pro Tem Hamilton moved that the Council determine that the proposed site is not consistent with the City’s General Plan.

Council Member Stadtherr seconded the motion.

Mayor Martinez confirmed with staff that such determination was acceptable under the circumstances.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council determine that the proposed elementary school M.O. 10-021106 to be located generally on the southwest corner of Lombardi Street and the prolongation of Castle Avenue is not consistent with the General Plan of the City; and direct staff to advise the School District of said determination.

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

Disposition: Denied; Direction provided to staff.

18. DECLARE COMMUNITY CENTER SURPLUS AND INITIATE PROCESS TO DISPOSE OF REAL PROPERTY

Recommendation: That the City Council:

1. Declare the real property located at 466 East Putnam Avenue as surplus; and
2. Authorize the City Purchasing Agent to initiate the statutory process and coordinate efforts to dispose of this real property.

This item was pulled from the Agenda and continued to an unidentified future date.

19. FIREWORKS PERMITS

Recommendation: As directed by the Council.

City Manager John Longley presented the item, and Deputy City Manager/Fire Chief Frank Guyton presented the staff report.
Mayor Pro Tem Hamilton commented that as the City has grown, the number of permits has not. He stated that he had requested that the item be brought forward for discussion.

Council Member Irish voiced support for keeping status quo so as to keep it profitable for those organizations that are picked in the lottery.

- Felipe Martinez, 195 W. Putnam Avenue, Exchange Club President, came forward and spoke against increasing the number of permits.

Mayor Martinez opined that he too believed that the number of permits issued should remain as is, and suggested that a limit be placed on how many times an organization can consecutively win the lottery.

Mayor Pro Tem Hamilton noted that the lottery had been the braintrust of Steve Pearson for the Police Activities League, and that organization had not yet been drawn in the lottery.

It was stated that no action by the Council would be necessary if the Council wished to keep the status quo.

Mayor Martinez requested that an item to consider limiting the number of allowable consecutive lottery wins to either two or three be brought back for Council consideration. Staff confirmed that the item would be placed on the next agenda.

Disposition: No action taken.

City Attorney Julia Lew requested that staff have the opportunity to readdress Item 11 - Red Hawk Estates Tentative Subdivision Map. She requested a small recess so as to allow staff time to correct the resolution.

The Council recessed for five minutes.

11. RED HAWK ESTATES TENTATIVE SUBDIVISION MAP

City Attorney Julia Lew informed the Council that the resolution approved by the Council had not included the most recent agreed upon changes. She recommended that the Council rescind its prior motion, allow Community Development Director Brad Dunlap to read the revisions, and then take action to adopt the resolution as modified.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member Irish that the Council rescind its prior motion to adopt the draft resolution approving the Negative Declaration for Red Hawk Estates Tentative Subdivision Map, and the draft resolution approving Red Hawk Estates Tentative Subdivision Map. The motion carried unanimously.
Community Development Director Brad Dunlap indicated that the conditions that staff was requesting be added were stated in the Project Review Committee Letter that was sent to the developer. He stated that the conditions were also discussed at the Subdivision Review Committee on Thursday, and that they had been inadvertently omitted from the draft resolution included in the Council’s packets. He then read the five additional conditions into the record as follows:

**Condition 48.** The developer/applicant shall dedicate the necessary right of way to construct Putnam Avenue from the easterly boundary of Granite Hill High School to the westerly boundary of the proposed development. Improvements shall include curb, gutter and asphalt concrete pavement that will accommodate a parking lane and two travel lanes, one in each direction. Curb and gutter shall be installed along the south side of Putnam Avenue, at a minimum. Sewer, water and storm drain utilities may be waived in this segment of street unless they become necessary for the order development of the proposed subdivision and surrounding area.

**Condition 49.** The developer/applicant shall cause the sewer system to be completed, tested, and accepted by the City prior to residential occupancy of any house in the subdivision. Nearest point of connection for this proposed subdivision is Olive Avenue at the easterly boundary of Granite Hills High School.

**Condition 50.** The developer/applicant is hereby notified that proposed subdivision, in accordance with the Water Master Plan, lies within two water system pressure zones. Most of the development is below contour 580, which is within Rocky Hill Zone 1. This zone is currently being supplied by a booster pump system that provides 1,750 g.p.m. and has the capability of expansion. A small portion of the proposed development is between contour 580 and contour 640, Rocky Hill Zone 2.

**Condition 51.** Residential houses above the 580 contour shall be served by private individual booster pump systems.

**Condition 52.** The developer/applicant shall have a Civil Engineer design a water system that will provide a fire flow at each fire hydrant of 1,000 g.p.m. with 20 p.s.i. residual pressure for a dwelling less than 3,600 square feet and 1,500 g.p.m. with 20 p.s.i. residual pressure for a dwelling unit greater than 3,600 square feet.

**COUNCIL ACTION:** MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the Council adopt the draft resolution approving the Negative Declaration for Red Hawk Estates Tentative Subdivision Map, and the draft resolution approving Red Hawk Estates Tentative Subdivision Map, as amended.
AYES: Irish, West, Hamilton, Martinez
NOES: Stadtherr
ABSTAIN: None
ABSENT: None

Disposition: Approved.

**ORAL COMMUNICATIONS**
None

**OTHER MATTERS**
• Mayor Pro Tem Hamilton spoke of the passing of Carol Bodine’s husband, Lewis, and spoke of arrangements for a wreath.

**ADJOURNMENT**
The Council adjourned at 9:32 p.m. to the meeting of February 28, 2006 at 6:30 p.m.

__________________________________________
Patrice Hildreth, Deputy City Clerk

ATTEST:

__________________________________________
Pedro R. Martinez, Mayor