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

ORAL COMMUNICATIONS
None

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

7:00 P.M. RECONVENE OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that the Council approved Item A-3:

A-3. SALE OF CITY OWNED PROPERTY (DATE & “A” STREET) TO PERRIS 40 CORPORATION AND APPROVAL OF DISPOSITION AND DEVELOPMENT AGREEMENT

Recommendation: That the City Council:
   1. Adopt the draft resolution consenting to the approval of a Disposition and Development Agreement by and between the City of Porterville and Perris 40 Corporation.
   2. Authorize the Mayor to execute the Disposition and Development Agreement on behalf of the City.

Documentation: 54-2006
Disposition: Approved.

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

- Employee of the Month - Richard Higginbotham
- Recognition of Don Callison for service on the Redevelopment Advisory Committee
- Recognition of Gilbert Ynigues for service on the Redevelopment Advisory Committee

ORAL COMMUNICATIONS

- Juanita Baldo, 273 W. Gibbons, came forward to find out why they couldn’t play bingo for the seniors on the days they would like too, Monday and Friday, by whose authority certain days and times were crossed out on the permit, and why. She also asked why they had to use round tables.
- Bob Reed, 1343 W. Morton, Space 144, Mission Bell Mobile Home Park, came forward and stated that they were a group of 15-20 seniors and all they wanted was what was fair.
- A. J. Viler, 419 El Granito #9, came forward regarding Item 15.
- Gilbert Rivas, 607 North Orange Avenge, Exeter CA 93221, came forward and spoke regarding Item 13
- Pastor Peter Schlambier, 1591 N. Salisbury, came forward to speak regarding the fireworks lottery and the problem with the fireworks vendors failing to respond in a timely fashion. He stated that they would cause a group to lose their chance to participate in the lottery, but it didn’t matter to them because they would just deal with the next group. Mr. Schlambier stated that perhaps something could be done by next year so that some accountability was put into the process.
- Dick Eckhoff, 197 N. Main Street, spoke regarding Items 13 and 15. Mr. Eckhoff also spoke on potholes created by trucks, and the need to fix the parking lot on Mill Avenue.
- Donnette Silva-Carter, representing the Chamber of Commerce, stated that she would like to address Item 17 later in the meeting. She also thanked the Council for their support of the Iris Festival.
- Mayor Martinez asked the City Manager to notify them when there were potholes that big so they could get them fixed. He also asked him to address the questions raised on the bingo question during Item 11.
- Mayor Martinez spoke regarding the demonstration rally held Monday.

CONSENT CALENDAR

1. CITY COUNCIL MINUTES OF MARCH 21, 2006 AND MARCH 28, 2006

Recommendation: That the City Council approve the City Council Minutes of February 21, 2006.

Documentation: M.O. 01-050206
Disposition: Approved.

2. AUTHORIZATION TO REJECT THE BID AND RE-ADVERTISE MORTON AVENUE CHIP SEAL PROJECT

Recommendation: That the City Council:
1. Reject the sole bid for the Morton Avenue Chip Seal Project; and
2. Authorize staff to re-advertise for bids when another agency or other agencies in Porterville’s proximity bid a project utilizing a hot applied rubberized asphalt binder material.

Documentation: M.O. 02-050206
Disposition: Approved.

3. AWARD OF CONTRACT - TINY TOT PLAYGROUND

RECOMMENDATION: That City Council:
1. Award the Tiny Tot Playground Project to Sierra Range Construction in the amount of $65,751.55;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 10% contingency to cover unforeseen construction costs.

Documentation: M.O. 03-050206
Disposition: Approved.

4. AWARD OF CONTRACT - SKATEPARK PROJECT

Recommendation: That the City Council:
1. Award the Skate park Project to California Landscape in the amount of $386,352; and
2. Authorize progress payments up to 90% of the amount; and
3. Authorize the re-allocation if $11,575 of Workforce Housing Incentive funds from the Murry Park Project;
4. authorize the allocation of $10,000 of park maintenance carry-over as a part of a 5% contingency to cover unforeseen construction costs.

Documentation: M.O. 04-050206
Disposition: Approved.

5. APPROVAL FOR COMMUNITY CIVIC EVENT ANNUAL PORTERVILLE FAIR - MAY 17 - 21, 2006

Recommendation: 1. That Council approve the Community Civic Event Application and Agreement from the Porterville Community Fair Board, subject to the restrictions and Requirements contained in the Applications, Agreement and Exhibit “A;” and
2. That Council approve the use of the parking lot on the south side of Olive Avenue and bare ground south of that parking lot for fair patron parking and set up from May 17 - 21, 2006.
6. STATUS REPORT ON MEASURE “H” AND ANNEXATION HIRING

Recommendation: None, informational item only

Disposition: Report accepted.

7. RESOLUTION TO ENDORSE AND IMPLEMENT CHARACTER COUNTS! PROGRAM FOR CITY OF PORTERVILLE

Recommendation: That the City Council approve the resolution as presented.

Documentation: Resolution 55-2006

Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Mayor Pro Tem Hamilton that the City Council approve Items 1 through 7. The motion carried unanimously.

PUBLIC HEARINGS

8. ADOPTION OF THE 2006-2007 ACTION PLAN FOR INVESTMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT

Recommendation: That the City Council:
1. Conduct a public hearing to solicit comments on the 2006/2007 Action Plan;
2. Adopt the 2006/2007 Action Plan resolution of approval; and
3. Authorize the City Manager to execute all necessary documents.

City Manager John Longley presented the item, and Denise Marchant, Development Associate, presented the staff report.

Mayor Martinez opened the public hearing at 7:35 p.m. and closed the hearing at 7:36 p.m. when no one came forward.

Mayor Pro Tem Hamilton question what would be finished in the Murry Park Improvements this fiscal year, and Mr. Perrine stated that the water slide was being designed and would be completed this calendar year.

Mayor Pro Tem Hamilton stated that this was the third year there was no funding for the homeless, and he asked if it could be looked at next year. Community Development Director Brad Dunlap explained the funding restrictions, and Mayor Pro Tem Hamilton stated that, if funds go back up, he would like to look at funding for homeless issues.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council adopt the 2006/2007 Action Plan resolution of
Resolution 56-2006 approval, and authorize the City Manager to execute all necessary documents. The motion carried unanimously.

Disposition: Approved.

9. ISLAND ANNEXATION ROUND II—AN ANNEXATION PROGRAM CONSISTING OF NINETEEN ISLAND ANNEXATIONS AND ONE STANDARD ANNEXATION

Recommendation: That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Zone Changes 14-2005, 15-2005, 16-2005, 17-2005, 18-2005 and 19-2005 and Annexations 465, 466, 467, 468, 469, and 470; and
2. Adopt the draft resolution authorizing initiation of preliminary proceedings and filing of the necessary applications with LAFCO for Annexations 469 and 470; and
3. Approve the draft ordinance approving Zone Changes 18-2005 and 19-2005, waive further reading and order the ordinances to print.

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

Mayor Martinez opened the public hearing at 7:49 p.m. and closed the hearing at 7:50 p.m. when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that the City Council adopt the draft resolution approving the Negative Declaration for Zone Changes 14-2005, 15-2005, 16-2005, 17-2005, 18-2005 and 19-2005 and Annexations 465, 466, 467, 468, 469, and 470; and adopt the draft resolutions authorizing initiation of preliminary proceedings and filing of the necessary applications with LAFCO for Annexations 469 and 470; and, give First Reading to Ordinance No. 1697, waive further reading, and order said Ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 18-2005 (PRE-ZONING) THREE UNINCORPORATED ISLANDS CONSISTING OF 133.3 ± ACRES AND APPROXIMATELY 35 PARCELS LOCATED SOUTH OF MULBERRY AVENUE AND EAST OF PLANOO STREET; and give First Reading to Ordinance No. 1697, waive further reading, and order said Ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 19-2005 (PRE-ZONING) CONSISTING OF ONE UNINCORPORATED AREA CONSISTING OF 110" ACRES AND APPROXIMATELY NINE (9) PARCELS GENERALLY LOCATED SOUTH OF MULBERRY AVENUE AND EAST AND WEST OF LEGGETT STREET. The motion carried unanimously.
Mr. Longley read the Ordinances by title only.

Disposition: Approved.

The Council took a recess from 7:52 p.m. to 8:03 p.m.

**SCHEDULED MATTERS**

10. APPEAL OF ZONING ADMINISTRATOR DECISION REGARDING LOT COVERAGE FOR THE CLAREMONT TERRACE SUBDIVISION

Recommendation: That the City Council direct staff to initiate amendment of the zoning ordinance increasing the minimum lot size to 45%.

City Manager John Longley presented the item, and Community Development Director Brad Dunlap presented the staff report. Mr. Dunlap presented the three options noted in the report--1) Deny the appellant’s request to approve an administrative adjustment for lot coverage, or; 2) Evaluate the impacts of approving the suggested code amendment, returning a report to Council, or; 3) Complete the code amendment as requested by the appellant. He then added Option 4) Reverse the decision of the Zoning Administrator and approve up to 45% lot coverage as requested by this applicant, and direct staff to prepare a code amendment to modifying maximum lot coverage.

Council Member West stated that they could maintain the setbacks as required but allow increased lot coverage. He stated that it would allow for larger houses on the larger lots.

Mr. Dunlap stated that it was one approach. He stated that the City of Visalia has two practices. One is for standard subdivisions where there isn’t maximum coverage—it’s the set back provision. The other was when they had a subdivision with varying lot widths, they actually have a maximum percentage coverage, ranging from 40% to 43%. Mr. Dunlap stated that if it was Council’s desire, they could look at different options to achieve the best benefits. He stated that what was best for them was to go back and do hypotheticals and different scenarios. He stated that when they just dealt with one method, it didn’t deal with multiple stories.

Council Member West stated that it seemed best to go with setbacks, so everyone had to have the same setback, regardless of the lot size. He stated that Option 4 sounded the best to him.

Council Member Irish stated that he didn’t feel they should start changing the City Code project by project. He stated that the Code should be changed and the City standard set for the entire City.

Mayor Pro Tem Hamilton stated that this ordinance could be approved and then amendments done if necessary. He questioned Brad why he felt as Zoning Administrator that he couldn’t approve this matter.

Mr. Dunlap stated that these were standard lots with no special or unique features, so if he approved it in that situation, he would not have grounds to deny it in another situation, and he has had numerous requests from other developers.
The Council discussed the various practices, and Mr. Dunlap stated that he would like to look at the different scenarios to make sure that any provision they proposed would be best.

Council Member Stadtherr brought up the subject of runoff and the effect of increasing the building size, and Mr. Dunlap stated that there were no residential standards now on concrete coverage on lots.

Mayor Pro Tem Hamilton made a motion that Council approve the project brought before them as far as PCH, and that they standardize the ordinance based on setbacks.

Mr. Dunlap clarified that the Council wanted to allow this development to go forward with up to 45% coverage, and are directing staff to amend the Code using setback standards.

Council Member Stadtherr stated he was not comfortable with changing the rule book and making exceptions to the rules. He stated that he didn’t want to do this on a case by case basis.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council approve the project brought before them as far as PCH, and that they standardize the ordinance based on setbacks.

M.O. 06-050206

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

Council Member Stadtherr made a motion to adjust the Code, Option 3.

Mr. Dunlap stated there where was another Code amendment that could also be looked at to bring living area to the front is Council desired, and the City Attorney stated that perhaps the Council should direct staff to bring back a good way to define lot coverage, whether by setbacks, percentages, or a combination of the two in given circumstances, and bring back to Council what they feel would be a good idea for a Code amendment.

Council Member Irish stated that he moved that suggestion. There was no second. Council Member Stadtherr then withdrew his motion.

After further discussion, Council Member Stadtherr stated that he would like to make a motion as stated by the City Attorney.

COUNCIL ACTION: MOVED Council Member Stadtherr, SECONDED by Council Member Irish that the Council direct staff to look at the ordinance and come back with suggestions after June 2006.

M.O. 07-050206

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

Disposition: Approved ordinance review, no approval for Subdivision.

11. A CITY COUNCIL APPEAL OF CITY MANAGER’S ACTION TO APPROVE FOR THURS. AND FRI. ONLY A BINGO PERMIT FOR THE KINGS/TULARE COUNTY AREA AGENCY ON AGING AT 280 NORTH F ST.

Recommendation: Determine whether the decision of the City Manager in the matter should be sustained, overturned, or modified. The start time, per City Code should be set at 10:00 a.m.

Council Member West stated that he was recusing himself from this discussion to prevent the perception of a conflict because he was an officer of the Porterville Senior Council.

The City Manager presented the staff report and addressed the question of office space at the facility. Jim Perrine, Director of Parks and Leisure Services, also addressed the use of the facility and the use of different sized tables and the cross use between the Senior Council and the K/T AAA.

Mayor Pro Tem Hamilton clarified that the Senior Council has a bingo license for Monday through Friday, although they choose to only play on Monday and Wednesday. After discussing the matter with the City Manager, Mayor Pro Tem Hamilton stated that there seemed to be a lack of consistency between the two organizations.

Council Member Irish stated that the City Manager did what he was supposed too in the best interest of the City, but the Council’s job was to be mediators between the City and the citizens. He stated that these were two different groups that seemed to be treated differently. Council Member Irish stated that if they were treated the same, then they would work it out. He stated that the only thing they could do was try and be fair and consistent, and he was inclined to allow both licenses.

John Davis, Director of the Kings/Tulare County Area Agency on Aging, came forward and spoke about the importance of his program, which was a meal and socialization program, and the benefit to the senior who participated in the program. He stated that the program was not restricted on the days they were allowed to play.

Council Member Stadtherr stated that the Council provided the strategic vision, and the City staff implements the vision. He stated that this was on the operational level where the City Manager made the day to day decisions. He stated that for the same reason they supported Mr. Dunlap in Item 10, the Manager’s decision should stand here.

Mayor Pro Tem Hamilton questioned how this would be an ordinance change. He stated that competition was fair.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the Council approve the license as initially requested, Monday and Wednesday through Friday, with the exception of 10:00 to 2:00.
M. O. 08-050206

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

Grace Reed, 1343 W. Morton, #144, stated that there were bingo facilities for two groups to play, and she knew exactly why they were shut out—Mr. West. She stated that she doesn’t see why they can’t play downstairs.

Disposition: No action taken.

17.  ALLOCATION OF FUNDS FOR DISASTER PREPAREDNESS PLANNING

Recommendation: That the Council:
- authorize staff to support the program
- authorize the donation of $1,000 to the Chamber for printed materials

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council authorize staff to support the program, and authorize the donation of $1,000 to the Chamber for printed materials.

M.O. 09-050206 The motion carried unanimously.

Disposition: Approved.

12.  AUTHORIZATION TO PAY FOR A REGIONAL SEWER IMPROVEMENT

Recommendation: That City Council:
1) Authorize staff to expend the funds to cover the cost of the sewer main along the east property line of the commercial property;
2) Authorize a 10% contingency for the City’s share;
3) Authorize the City Engineer to record the easements in accordance with Resolution 1590; and
4) Authorize staff to generate a Payback Agreement at the appropriate time.

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the City Council authorize payment on this project as recommended. The motion carried unanimously.

Disposition: Approved.
13. CRITERIA FOR CONNECTING TO CITY SEWER

Recommendation: That City Council provides direction on the proper course relative to the installation of septic tanks versus connecting to City sewer.

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

Staff is looking for direction in this matter and proposes the following options:

Option 1: Stay the course and enforce the City’s policy requiring connection to the City’s sewer system if a sewer main is within 1320’ of the property to be developed.

Option 2: Temporarily adopt Tulare County’s “Building Sewers” policy. This policy is the same as Chapter 7 of the Uniform Plumbing Code. This policy considers sewer to be unavailable if the controlling agency’s sewer system is further than 200’ from the proposed building. It is recommended that a “sunset clause” of 12 months be adopted if this option is selected. Further, it is recommended that the City modify and adopt language stating that the sewer be considered unavailable if the controlling agency’s sewer system is further than 200’ from the property owner’s property line.

Mayor Pro Tem Hamilton stated that he didn’t see the difference between this item and No. 10, they were changing the ordinance. Although he agreed with this, it was not being consistent.

Council Member West made a motion to approve Option No. 2, with a one year sunset clause, Council Member Stadtherr seconded the motion.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Stadtherr made a motion to amend the motion to require that all pending projects must have their complete set of plans submitted within 90 days. The motion carried unanimously.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council approve Option No. 2 with a one year sunset clause, as amended. The motion carried unanimously.

Disposition: Approved.

14. CONSIDERATION OF APPOINTMENTS TO THE TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE

Recommendation: That the City Council members establish the initial Transactions and Use Tax Oversight Committee with their selections of the following individuals:

Mayor Martinez: 4-year term - Carmen Martinez-Eoff
2-year term - Teresa de la Rosa
Mayor Pro Tem Hamilton: 4-year term - Gregory Gillett
2-year term - Shirley Hickman
Council Member Stadtherr: 4-year term - Rick McIntyre
2-year term - John Baumgartner
Council Member West: 4-year term - Greg Shelton
2-year term - Jack Irish
Council Member Irish: 4-year term - Dick Eckhoff
2-year term - Bob Gray

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Mayor Martinez that the Council establish the initial Transactions and Use Tax Oversight M.O. 12-050206 Committee with the selection of the above stated individuals. The motion carried unanimously.

Disposition: Approved.

15. TRUCK PARKING OPTIONS

Recommendation: That the City Council:
1. Select one of the options described herein and direct the Public Works director to implement or facilitate the execution of the selected option; or
2. Select an option provided by Council and direct the Public Works Director to implement or facilitate the execution of Council’s option; or
3. Direct the Public works Director to meet again with the commercial operators with the hope that a combination of the options discussed can lead to a successful resolution of this matter.

City Manager John Longley presented the item, and Public Works Director Baldo Rodriguez presented the staff report with the following options:

A. Allow parking on at least two privately owned properties located within City limits.
B. Allow commercial truck parking at an existing truck site located in the southeast part of town.
C. Identify and allow truck parking adjacent to commercial areas along Westwood Street, Olive Avenue, Plano Street, Poplar Avenue between Jaye Street & ‘E’ Street, ‘E’ Street between Poplar Avenue & Springville Avenue, and Springville Avenue between ‘E’ Street & Jaye Street.
D. Allow commercial parking at the airport behind the fence line. A fee would be charged to all commercial operators for the right to park at this location.
E. Allow commercial parking along the east side of the Sports Park Monday through Friday.

Council Member Irish suggested looking at different options, such as no truck parking in the City, and look at ordinances from other cities that restrict truck parking.

Mayor Pro Tem Hamilton stated that they had to look at what they were trying to accomplish, were they looking at safety concern. He stated that the options they were reviewing that night were temporary.
Council Member West made a motion to accept the staff’s recommendation No. 3, and Council Member Stadtherr seconded the motion.

City Manager Longley asked if Council wanted to look at no parking in the City limits, and Council Member Irish stated that he felt they should look at that, and if Council wanted to get restrictive, they could do something temporarily. Council Member Irish stated that it would have to be something that they followed up on to make sure it was working.

Mayor Martinez stated that Council Member West was making a motion for Option C. Council Member West later clarified that he did mean “B.”

Council discussed various options, and agreed that since most of the complaints were coming from along North Westwood Street, that area should be removed from the equation.

City Manager Longley stated that Council should direct staff to bring back an ordinance designating that area as a no truck parking area.

Public Works Director Baldo Rodriguez stated that Council should put a certain time limit on any temporary measures. He discussed the four properties in question for possible truck parking.

**COUNCIL ACTION:** MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council direct the Public works Director to meet again with the commercial operators with the hope that a combination of the options discussed can lead to a successful resolution.

M.O. 13-050206

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

Disposition: Motion failed.

Council discussed Option A, which would allow parking with an aggregate base and asphalt cover.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve Option A, with a sunset clause of one year from this night; and, with the amendment that the area along Westwood Street, between Pioneer Avenue and the Tule River, to be no truck parking. The motion carried unanimously.

City Manager Longley stated that an ordinance would be brought back for the no parking area along Westwood.

Disposition: Approved.
16. SHORT RANGE TRANSIT PLAN/STUDY SESSION

Recommendation: That the Council:
- hold a special meeting on May 9, 2006.
- that the meeting be scheduled for either 6:00 p.m. or 7:00 p.m.

Mayor Pro Tem Hamilton stated that he couldn’t make a May 9 meeting. The City Manager stated that staff would call around tomorrow and set a date.

Disposition: Meeting to be set and the public notified.

Mayor Martinez stated that he would like to bring back Item 10 for reconsideration.

COUNCIL ACTION: MOVED by Mayor Martinez, SECONDED by Council Member Irish that the City Council reconsider Item 10
M.O. 15-050206

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

Disposition: Approved.

10. APPEAL OF ZONING ADMINISTRATOR DECISION REGARDING LOT COVERAGE FOR THE CLAREMONT TERRACE SUBDIVISION

Recommendation: That the City Council direct staff to initiate amendment of the zoning ordinance increasing the minimum lot size to 45%.

Gary Smee, Smee Builders, 2571 W. Memory Lane, came forward and spoke in favor of the change to 45% lot coverage, not just for this subdivision, but for the community. He stated that such a change would be supported by the Building Industry, and the City Planning Department. He stated that he would like to see this item reconsidered and approved for 45% lot coverage.

Chris Shaw, 919 N. Jaye Street, asked who the previous speaker was.

Council discussed looking at options and having

COUNCIL ACTION: MOVED by Mayor Martinez, SECONDED Mayor Pro Tem Hamilton by that the Council approved the variance for the 45% lot coverage on the Claremont Terrace Subdivision Map, and ask Mr. Dunlap to come back with an ordinance based on percentage.

M.O. 16-050206

AYES: West, Hamilton, Martinez
NOES: Irish, Stadtherr
ABSTAIN: None
ABSENT: None
The City Attorney clarified what the Council was acting on. Mr. Dunlap stated that he had a problem with approving the project without having the Code in place. He stated that if it was the Council’s desire was to facilitate this provision to go to a higher lot coverage, the most direct way to do it, if time was of the essence, was to go with percentage lot coverage. The City Attorney stated that with Mr. Smee’s request, they could come back as quickly as possible with an ordinance on the 45%. Mr. Dunlap stated that such an ordinance could be brought back at the next meeting, and it would eliminate the ambiguity. He stated that they could then evaluate the setbacks in the longer term period of time.

COUNCIL ACTION: MOVED by Mayor Martinez, SECONDED Mayor Pro Tem Hamilton by that the Council direct staff to change the ordinance to 45% and have it back at the next meeting. The motion carried unanimously.

Disposition: Approved.

ORAL COMMUNICATIONS
• Gilbert Rivas thanked Council for their action on Item No. 13.
• Pete McCracken 656 Village Green, asked Council to speak into their microphones as it was difficult to hear them at times.
• Jack Irish brought up that Ordinance 1663, adopted March 31, 2005, was already in place preventing trucks from parking on City streets, and the Council should enforce that ordinance.
• Dick Eckhoff, 197 N. Main, asked for clarification on what was passed on truck parking.

OTHER MATTERS
• Council Member Irish stated that people should raise their hands if they cannot hear and Council will speak up.
• Mayor Hamilton stated that he apologized for speaking over Councilman Stadtherr earlier.
• Mayor Martinez stated that the local events coming up were:
  • Day of Prayer - May 4
  • Hooping for Homeless - May 6
  • Cinco De Mayo - May 6
  • First Coffee - May 5

ADJOURNMENT
The Council adjourned at 9:55 p.m. to the meeting of May 16, 2006 at 6:00 p.m.

Georgia Hawley, Chief Deputy City Clerk

ATTEST:

Pedro R. Martinez, Mayor