Call to Order at 6:00 p.m.
Roll Call: Council Member Irish (arrived late), 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: Porterville Citizens for Responsible Hillside Development v. City of Porterville.
   2- Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: City of Porterville v. County of Tulare
   3- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: One Case.
   7- Government Code Sec. 54957 - Public Employee Performance Evaluation - Title: City Attorney.

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported the following action:


Ms. Lew reported that the City Council approved an agreement pertaining to the Plano Street Bridge Widening Project for the purchase of real property, APNs 261-020-011 and 261-322-068, in the amount of $54,500. She stated that a fee for the temporary easement in the amount of $21,100 for the first year, and $5,000, plus $2,300 per month, for each month in the second year, was also approved.

Ms. Lew reported that the City Council approved the sale of the real property located at 129 East Date Avenue, APN 261-080-011 at the appraised value of $36,000.

Pledge of Allegiance Led by Renato Garza
Invocation - a moment of silence was observed.

PROCLAMATIONS
“Teresa de la Rosa Day”
“Dakota Smith Day”

PRESENTATIONS
Employee of the Month - Carl Jordan
Plaque for Sgt. Major Jason Hillman
Renato Garza - Certificate of Recognition

Mayor Martinez recognized Mr. Hank Handelsman in the audience and thanked him for the positive influence he had on his life.

Deputy City Manager/Fire Chief Frank Guyton introduced seven new firefighters hired with the Measure H funds.

The Council recessed for ten minutes.

ORAL COMMUNICATIONS
• Muriel Anderson, 221 S. Corona Dr., spoke of the hardship of installing a sidewalk, per the City requirements, which she attributed to cost associated with hard bedrock foundation, and requested relief from the Council. Ms. Anderson then commended the Porterville Fire Department on their quick action to extinguish a grass fire that had occurred in close proximity to her residence. City Manager John Longley indicated that staff would assess the situation and report back to the Council.
• Greg Shelton, 888 N. Williford Dr., voiced agreement with staff’s recommendation for Item 30, and suggested that a local designer be sought. Mr. Shelton then noted Tulare County’s deferment plan for improvements, suggesting something similar might be helpful in Ms. Anderson’s case.
• Harold Landsford, 231 S. Williams Dr., requested that he have the opportunity to speak when the Council discussed Item 32.
• David Prestage, 225 S. Westwood St., came forward on behalf of the Optimist Club of Porterville, thanked the City, particularly Mr. Jim Perrine of Parks & Leisure Services, for the support of their upcoming Camp Country Jamboree event to benefit children with cancer. He then informed everyone that June was Cancer Awareness Month and of the efforts by the Optimist Club.

• Donnette Silva-Carter, Porterville Chamber of Commerce, came forward and requested the Council’s inaction on Item 23, noting recent meetings with Kern County and the EDC during which, due to Kern County’s likely inaction with regard to widening Highway 65, a strategy was developed to shift focus to prioritizing Highway 190.

CONSENT CALENDAR

Item 23 was removed for further discussion.

1. CLAIM - COUNTY OF TULARE

Recommendation: That the Council reject said claim and refer the matter to the City’s insurance adjustor, and direct the City Clerk to give the claimant proper notification.

Documentation: M.O. 01-060606
Disposition: Approved.

2. CLAIM - JOSEPH WITTMAN

Recommendation: That the Council reject said claim and refer the matter to the City’s insurance adjustor, and direct the City Clerk to give the claimant proper notification.

Documentation: M.O. 02-060606
Disposition: Approved.

3. REPAIRS TO TRANSIT VEHICLE

Recommendation: That the City Council:
1. Accept the check from California Transit Insurance Pool and direct it to be deposited in Account No. 50-1170-54;
2. Authorize the payment of $6,917.36 from Account No. 50-1170-54; and
3. Direct staff to take the appropriate actions to recover the repair costs from the “at fault” party, including the filing of a small claims action, if needed.

Documentation: M.O. 03-060606
Disposition: Approved.

4. NEGOTIATED PURCHASE - CHLORINE GENERATION EQUIPMENT

Recommendation: That the City Council authorize the purchase of the equipment outlined in the quotation provided by Severn Trent Water Purification, Inc. as described in the staff report.
5. AUTHORIZATION TO ADVERTISE FOR BIDS - INDIANA STREET RECONSTRUCTION PROJECT, PUTNAM AVENUE TO OLIVE AVENUE

Recommendation: That the City Council:
1. Approve the Plans and Project Manual for the Indiana Street Reconstruction Project, from Putnam Avenue to Olive Avenue; and
2. Authorize staff to advertise for bids.

Documentation: M.O. 04-060606
Disposition: Approved.

6. AUTHORIZATION TO NEGOTIATE A CONTRACT - CONSULTING SERVICES FOR VARIOUS CMAQ PROJECTS

Recommendation: That the City Council authorize the Mayor to sign and execute a $10,000 service agreement, as amended, to secure the services of Adrianus Resources for the purpose of writing two proposals for matching funds relative to recent CMAQ grant projects and to advise senior staff on future alternative fuel options.

Documentation: M.O. 05-060606
Disposition: Approved.

7. AUTHORIZATION TO DESIGN A SEWER MAIN EAST OF RIVER AVENUE AND “G” STREET INTERSECTION

Recommendation: That the City Council:
1. Authorize staff to design the sewer main extension west of the intersection of River Avenue and G Street;
2. Authorize the City Engineer to record the easements in accordance with Resolution 1590; and
3. Authorize staff to generate a Payback Agreement at the appropriate time.

Documentation: M.O. 06-060606
Disposition: Approved.

8. AUTHORIZATION TO AWARD ENVIRONMENTAL SERVICES - COMPLIANCE ANALYSIS

Recommendation: That the City Council authorize issuing a purchase order to Vector Environmental, Inc. to prepare Authority to Construct permit applications, as required by the Air Pollution Control District, for two new IC engines and the modification of three existing IC engines.
9. AWARD CONTRACT - PNEUMATIC RUBBER TIRE ROLLER

Recommendation: That the City Council award the contract for one (1) Pneumatic Rubber Tire Roller to Pape Machinery of Fowler, California, in the amount of $54,952.50. Further, that the Council authorize payment upon satisfactory delivery of the equipment.

Documentation: M.O. 09-060606
Disposition: Approved.

10. ACCEPTANCE OF THE SKATEBOARD PARK PARKING LOT

Recommendation: That the City Council:
1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

Documentation: M.O. 10-060606
Disposition: Approved.

11. ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN # 261-280-003 - POPLAR IRRIGATION COMPANY, A CORPORATION - PLANO BRIDGE WIDENING PROJECT

Recommendation: That the City Council:
1. Authorize staff to make payment to Poplar Irrigation Company, owner of the subject property, in the amount of $1,000;
2. Authorize the Mayor to sign all necessary documents; and
3. Authorize staff to record all documents with the County Recorder.

Documentation: Resolution 66-2006
Disposition: Approved.

12. ACCEPTANCE OF COUNTER OFFER FOR RIGHT OF WAY LOCATED AT APN 261-094-008 – ROGELIO N. AND JOANDREW ZELENY ORTIZ – DATE AVENUE RECONSTRUCTION PROJECT

Recommendation: That the City Council:
1. Authorize staff to begin escrow, with the City paying the escrow fees;
2. Authorize staff to make payment to Regelio N. And Joandrew Zeleny Ortiz, owners of the subject property, in the amount of $36,070, after completion of escrow;
3. Authorize the Mayor to sign all necessary documents; and
4. Authorize staff to record all documents with the County Recorder.

Documentation: Resolution 67-2006
Disposition: Approved.

13. AUTHORIZATION TO SUBMIT AN ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION FOR AN AIRPORT LAND USE FEASIBILITY STUDY

Recommendation: That the City Council:
1. Adopt a resolution authorizing a grant application to the Economic Development Administration for the preparation of an airport land use feasibility study; and
2. Authorize staff to proceed with all necessary preparations, including the pre-application.

Documentation: Resolution 68-2006
Disposition: Approved.

14. PROGRAM SUPPLEMENT TO THE LOCAL AGENCY-STATE MASTER AGREEMENT - PURCHASE OF TWO HYBRID VEHICLES

Recommendation: That the City Council:
1. Approve the subject program supplement by passing a resolution authorizing the Mayor to sign the subject program supplement; and
2. Direct staff to return the signed program supplement to Caltrans.

Documentation: Resolution 69-2006
Disposition: Approved.

15. BICYCLE LANE PROJECT UPDATE

Recommendation: Informational item only.

Documentation: None.
Disposition: Report received by the Council.

16. AFFIRM CITY OF PORTERVILLE POLICY FOR LAND ACQUISITION FOR STATE AND FEDERALLY FUNDED PROJECTS

Recommendation: That the City Council affirm by resolution the City of Porterville Policy for Land Acquisition for State and Federally Funded Projects.

Documentation: Resolution 70-2006
Disposition: Approved.
17. APPROVAL OF AN ENCROACHMENT AGREEMENT WITH FIRST MISSIONARY BAPTIST CHURCH

Recommendation: That the City Council approve the terms of the Encroachment Agreement, as amended, and authorize the Mayor to execute the Agreement.

Documentation: M.O. 11-060606
Disposition: Approved.

18. AUTHORIZE EVENT CO-SPONSORSHIP AND LOAN OF CITY EQUIPMENT FOR OPTIMIST CLUB CAMP COUNTRY JAMBOREE

Recommendation: That the City Council authorize the City Manager to provide co-sponsorship of the Optimist Club Camp Country Jamboree Event, and make arrangements for the loan of portable badminton equipment, volleyball game equipment, and portable generators for the 2006 event.

Documentation: M.O. 12-060606
Disposition: Approved.

19. AMENDMENT TO ADOPTED INVESTMENT POLICY

Recommendation: That the City Council adopt the draft resolution amending the Statement of Investment Policy as presented to the Council.

Documentation: Resolution 71-2006
Disposition: Approved.

20. UPDATE ON THE PRELIMINARY PROPOSAL FOR INFRASTRUCTURE AND OPERATIONAL ENHANCEMENTS

Recommendation: Informational item only.

Documentation: None.
Disposition: Report received by the Council.

21. AGREEMENT WITH SHELTERED WORKSHOP FOR GRAFFITI REMOVAL SERVICES

Recommendation: That the City Council approve the Agreement for Graffiti Removal Services with Porterville Sheltered Workshop, and authorize the Mayor to sign the agreement.

Documentation: M.O. 13-060606
Disposition: Approved.
22. TRANSIT CENTER LEASE WITH SIERRA MANAGEMENT

Recommendation: That the City Council:
1. Approve the draft Lease with Sierra Management; and
2. Authorize the Mayor and the City Clerk to execute the Lease, which will become effective July 1, 2006.

Documentation: M.O. 14-060606
Disposition: Approved.

24. RESOLUTION OF SUPPORT FOR PROPOSITION 1A

Recommendation: That the City Council approve the draft Resolution in Support of Proposition 1A on the November 7, 2006 Statewide Ballot.

Documentation: Resolution 72-2006
Disposition: Approved.

24A. AUTHORIZATION TO SURPLUS BAT BOXES

Recommendation: That the City Council authorize the surplus of thirty (30) bat boxes under the City’s surplus property policy and procedures.

Documentation: M.O. 15-060606
Disposition: Approved.

Council Member Stadtherr moved that the Council approve Item Nos. 1 through 22, and 24 through 24A.

Council Member West seconded the motion.

City Manager John Longley requested that staff be allowed to offer clarifications on Item Nos. 6 and 17.

Regarding Item No. 6 - Authorization to Negotiate a Contract - Consulting Services for Various CMAQ Projects, City Engineer Mike Reed indicated that the City Attorney had recommended revisions to the agreement proposed by Consulting Firm Adrianus Resources, Inc. He then requested that Ms. Lew review said changes with the Council.

Ms. Lew indicated that the following changes should be made to the Agreement:

Under Paragraph 10 (Conflict of Interest), the following language should be added:

“Consultant agrees to comply with the regulations of City’s “Conflict of Interest Code.” Said Code is in accordance with the requirements of the
Political Reform Act of 1974. Consultant covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of service required hereunder. The term “conflict” shall include, as a minimum, the definition of a “conflict of interest” under the California Fair Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.”

New paragraph:

Disputes; Venue. If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that the venue thereof shall be the County of Tulare, State of California. Consultant hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedures, Section 394.

New paragraph:

Attorneys’ Fees. If any litigation is commenced between the parties to this Agreement concerning the Agreement or the rights and duties of either in relation to the Agreement, the party prevailing in that litigation shall be entitled, in addition to any other relief that may be granted in the litigation, to a reasonable sum as and for its attorneys’ fees in the litigation, which shall be determined by the Court in that litigation or in a separate action brought for that purpose.

Regarding Item No. 17, Parks & Leisure Services Director Jim Perrine indicated that the Paragraph No. 4 of the proposed Encroachment Agreement - Rails to Trails 2006-1 had been slightly modified to more clearly define the cooperative relationship between the church and the City, and the placement of signs regarding parking regulations. He added that the revised agreement had been distributed to the Council.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that the Council approve Item Nos. 1 through 22, and 24 through 24A, including the modifications as stated to Item Nos. 6 and 17. The motion carried unanimously.

23. RESOLUTION OF SUPPORT FOR HIGHWAY 65, PORTERVILLE TO BAKERSFIELD

Recommendation: That the City Council approve the draft Resolution of Support for Highway 65, Porterville to Bakersfield.

Council Member Stadtherr acknowledged the Chamber of Commerce’s efforts to date and involvement in pursuing the widening of State Route 65. He noted the Chamber’s request that evening to reconsider moving forward with the item and requested that it be continued until the next meeting so as to allow time to look into the matter further.
Council Member Irish indicated that he could wait until the next meeting, and noted a potential
glimmer of hope that Kern County might actually decide to proceed with the widening project on their
end. He attributed the likely change of heart to the recent development of ranchettes along Highway
65.

The Council concurred with Council Member Stadtherr’s request to continue the item until the
meeting of June 20th.

Disposition: Continued to June 20, 2006.

PUBLIC HEARINGS

25. CONSIDERATION OF SOLID WASTE SERVICE FEES

Recommendation: That the City Council:
1. Conduct a public hearing to receive public comments;
2. Approve the proposed refuse rate increase;
3. Adopt the draft resolution establishing fees, charges, and frequency for
solid waste collection and disposal services; and
4. Authorize the new rate structure to become effective July 1, 2006.

City Manager John Longley presented the item, and called on City Engineer Mike Reed for the
staff report. Mr. Reed referred the presentation to the Field Services Division, after which
Administrative Analyst Juliann Owens provided the report.

The public hearing opened at 7:53 p.m. and closed at 7:54 p.m. when nobody came forward.

Council Member Irish voiced concern with language in the staff report that referred to a negative
impact due to the recent annexations and questioned the validity of such a statement. Mr. Longley
indicated that until such time as the City acquired the entire annexed area for services, the level of
efficiency would be negatively impacted. He elaborated on state requirements which allowed the
previous service provider to continue offering services for a period of time.

In response to a inquiry regarding graffiti, City Attorney provided an update on the prosecutions
of graffiti offenders.

Mayor Martinez voiced concern with increasing yet another fee.

City Manager John Longley clarified that the fee was actually for the addition of another service,
being the curbside recycling. He added that the $.90 increase was exactly what had been proposed in
the RFP, and that choices existed for customers which had the potential to favorably impact their rates.
A discussion ensued as to how Porterville’s refuse rate structure compared to other cities in the region,
during which it was stated that Porterville was third from the bottom.
Council Member Irish requested that the rate be brought back to the Council for review in one year. City Manager John Longley confirmed that staff would schedule to bring the item back at the first meeting in June 2007.

Council Member Stadtherr moved that the Council approve staff’s recommendation, and direct staff to bring the rate back to the Council for review at the first meeting in June, 2007.

Council Member West voiced concern with already increasing the rate when the Council had just approved the recycling program. The City Manager clarified that the rate adjustment had been a part of the proposal process for the curbside recycling program. He stated that the City was successful in the RFP process, due to this proposed rate of $.90.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that the Council approve the proposed refuse rate increase; adopt the draft resolution establishing fees, charges, and frequency for solid waste collection and disposal services; authorize the new rate structure to become effective July 1, 2006; and direct staff to bring the rate back to the Council for review at the first meeting of June, 2007.

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

Disposition: Approved.

26. ZONE CHANGE 4-2006 AND ANNEXATION 464 (LIME STREET & MULBERRY AVENUE)

Recommendation: That the City Council adopt the draft resolution approving the Negative Declaration for Zone Change 4-2006 and Annexation 464.

City Attorney Julia Lew noted a conflict of interest, recused herself from the discussion, and left the Council Chambers.

City Manager John Longley presented the item, and Community Development Director Brad Dunlap presented the staff report. Mr. Dunlap then noted correspondence that had not been included in the agenda packets from Mr. Hank Handelsman, a resident in subject annexation area. He summarized and addressed the concerns raised by Mr. Handelsman as being environmental impacts, specifically to the kit fox habitat, and noise impacts associated with the development of the annexed area.

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

• Jim Winton, business address at 150 W. Morton Avenue, came forward on behalf of the applicant and spoke in favor of the Council’s approval of both the annexation and the
zone change. Mr. Winton noted the east side location of the project and the infrastructure, in terms of City sewer and water, already in place.

- Greg Shelton, 888 N. Williford Drive, spoke in favor of the annexation, as long as the City did not mandate connection to City sewer if the residents’ wells were properly functioning.
- Hank Handelsman, 1382 N. Lime Street, spoke against the proposed development, citing concerns with the proposed density and associated impacts with regard to noise levels.
- Paul Puitt, 1561 N. Plano Street, spoke against the proposed annexation, citing concerns primarily with traffic and roads. He then voiced opposition to the Environmental Impact Report and voiced concern with the current status of roads, specifically citing Main Street north of Henderson as an example. Mr. Puitt then suggested that the City would create more islands if it proceeded with the annexation.
- John Richardson, came forward and identified himself as a property owner on Plano Street. He voiced concern with drainage and runoff issues, noting that the subject property had been designated as a flood plain by the County.
- Ralph Howard, 1018 N. Lime Street, spoke against the proposed development, voicing concerns with increased noise and drainage issues due to the local topography. Mr. Howard then commented on potential drug abuse at a property near his residence. Staff informed him that he would need to contact the Sheriff’s Department, as the subject property was currently outside of the City’s jurisdiction.
- Kevin Puitt, a Plano Street resident, spoke against the proposed development, noting problems with drainage and traffic issues. Mr. Puitt then contended that the City’s sewer system currently in place was inadequate to handle the proposed development and questioned who would fund the necessary upgrades.
- Joe Velasquez, a Plano Street resident, spoke against the proposed development, citing concerns with density, increase noise levels, safety issues due to increased traffic, and environmental impacts.
- Shirley Hughes, 1382 N. Lime Street, voiced opposition to the proposed development, voicing concern with the proposed density of the project, drainage issues and the negative impact on wildlife, particularly the kit fox. Ms. Hughes then questioned the necessity of voting on the annexation and zone change together.
- Jane Caves, 1394 N. Lime Street, voiced opposition to the proposed development, noting concerns with drainage issues and problematic soil for development.
- Bob Kimbrall, 1401 N. Lime Street, spoke against the proposed development, voicing concerns with the proposed density and drainage issues caused by the local topography.

- The public hearing closed at 8:35 p.m.

The Council recessed for ten minutes.

Mayor Martinez indicated that he had consulted with City Attorney during the recess, and because he had conducted business with several property owners in the subject area, a potential conflict of interest existed. He stated that he would therefore recuse himself from discussion on the item. Mayor Martinez then left the Council Chambers.
Council Member Irish noted the need to move cautiously and voiced support for directing staff to schedule a meeting to involve the developer, staff and the concerned residents so as to address some of the issues raised that evening. He then suggested that the concerned residents appoint a spokesperson or spokespeople to represent them.

Council Member Stadtherr agreed and suggested that the issues be condensed into a “frequently asked questions” type of format.

Council Member West agreed with Council Members Irish and Stadtherr’s comments.

Mayor Pro Tem Hamilton questioned whether a meeting would change anything. He then noted that the City’s focus had been on in-fill, and voiced concern with whether the proposed annexation had been a part of the General Plan. Staff confirmed that the annexation was in the current General Plan, as well as the developing General Plan, and fell within the Urban Development Boundary of the City. Mayor Pro Tem Hamilton then pointed out that the County would gladly hand over maintenance of the roads in the subject area.

**COUNCIL ACTION:** MOVED by Council Member Irish, SECONDED by Council Member West that the City Council continue the item until the meeting of July 5, 2006.

M.O. 16-060606

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<th>AYES</th>
<th>Irish, West, Hamilton, Stadtherr</th>
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<td>NOES:</td>
<td>None</td>
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<td>ABSTAIN:</td>
<td>Martinez</td>
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Mayor Pro Tem Hamilton requested that concerned residents follow Senior Planner Julie Boyle out into the hallway so they could provide contact information.

Disposition: Continued to July 5, 2006.

Mayor Martinez returned to the Council Chambers.

27. ALEX PLACE TENTATIVE SUBDIVISION MAP (LEONARDO NAVARRETE)

Recommendation: That the City Council adopt the draft resolution approving Alex Place 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 8:55 p.m.

- Jim Winton, business address of 150 West Morton, came forward on behalf of the applicant and spoke in favor of the proposed map, pointing out that the proposal was an in-fill project.
The public hearing closed at 8:57 p.m.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Stadtherr that the City Council adopt the draft resolution approving Alex Resolution 74-2006 Place Tentative Subdivision Map. The motion carried unanimously.

Disposition: Approved.

Mayor Martinez noted that there had been a request to move Item No. 32 up on the Agenda, and requested that item be presented next.

SCHEDULED MATTERS

32. REQUEST TO CONSIDER MANUFACTURED HOUSING AS AN ASPECT OF CITY HILLSIDE DEVELOPMENT

Recommendation: That the Council provide direction to staff.

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

Council Member Irish suggested that the issue be referred to the Hillside Development Committee for review. He then questioned whether the process could be slowed until such time as a recommendation was made.

Mayor Martinez agreed with Council Member Irish’s suggestion.

Mayor Pro Tem Hamilton also concurred.

A discussion ensued as to the status of the Hillside Ordinance, during which staff advised that according to the consultant, draft policies were to be forthcoming in the very near future. Community Development Director Brad Dunlap stated that the ordinance would not be to the Council for action for at least several months. He elaborated that as currently written, the interim ordinance only regulated subdivisions, and not individual lots. Mr. Dunlap indicated that regulating individual hillside lot development would entail developing standards for architecture, either in the form of square footage of residences, or architectural treatments. He then emphasized that state law prohibited the preclusion of manufactured homes.

City Attorney Julia Lew indicated that she believed the consultant had previously indicated there were design review issues to be discussed.

Community Development Director Brad Dunlap confirmed that he would speak with the consultant regarding the issue and report back to the Council via memorandum.

It was noted that Mr. Harold Landsford had evinced an interest in speaking on Item No. 32 when the Council discussed the matter.
Harold Landsford, 231 S. Williams Drive, spoke of the petition signed by residents in the Corona Heights area that had been provided to the City Manager’s office. He voiced concern with the devaluation of real property values in the Corona Heights area due to the recent placement of a manufactured home on the hillside behind the Barn Theater. Mr. Landsford commented that he believed the interim ordinance to be vaguely written and voiced concern with what he believed was inaccurate boundaries identifying “hillside” areas. He then spoke of the subject manufactured home and alleged sub-standard construction as to both the placement of the home and of an outbuilding on the site. Mr. Landsford requested the Council’s assistance in protecting their investments, and invited all those in attendance that evening on the matter to stand. (Approximately 6 to 8 audience members stood.)

City Manager John Longley confirmed that staff would discuss the addition of design review elements in the ordinance and report back to the Council via memorandum.

Disposition: Direction provided to staff.


Recommendation: That the City Council adopt the draft resolution containing findings and conditions in support of approval for “D” Overlay Site Review 1-2006.

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

Council Member West moved to approve staff’s recommendation.

Ben Ennis, 643 Westwood Street, developer of the project, came forward and spoke in favor of the item. Mr. Ennis pointed out that the exterior elevations shown in the presentation were inadvertently from another project in Fresno, and clarified that the rock would be changed to cobblestone to match the name of the subject project. He added that the exterior would slightly change to enhance its aesthetics.

Council Member Irish spoke of the consistent quality of Mr. Ennis’ projects.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council adopt the draft resolution containing findings and conditions in support of approval for “D” Overlay Site Review 1-2006. The motion carried unanimously.

Disposition: Approved.

29. RESOLUTION OF AMBIGUITY - PROJECT REVIEW COMMITTEE SUBMITTAL REQUIREMENTS

Recommendation: That the City Council interpret Zoning Ordinance Section 2619 as it relates to information submitted to the Project Review Committee.
City Manager John Longley presented the item, and Community Development Director Brad Dunlap presented the staff report.

**COUNCIL ACTION:** MOVED by Hamilton, SECONDED by Council Member Irish that the City Council interpret Zoning Ordinance Section 2619 as proposed as it relates to information submitted to the Project Review Committee. The motion carried unanimously.

Disposition: Approved.

30. **CONSIDER SERVICE AGREEMENT WITH KTU+A PLANNING AND LANDSCAPE ARCHITECTURE FOR REDESIGN OF BALLFIELDS ADJACENT TO THE HERITAGE CENTER**

Recommendation: That the City Council direct the distribution of a design services Request for Proposals for phased implementation of two full-size lighted baseball fields.

City Manager John Longley presented the item, and Parks & Leisure Services Director Jim Perrine presented the staff report.

Mayor Pro Tem Hamilton suggested that at least one of the Commission Members, such as John Hardin, be assigned to the project.

Council Member Irish voiced concern with appointing a Commission Member to the project, and instead suggested that the Commissioner should appoint a member.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council direct staff to distribute a design services Request for Proposals for phased implementation of two full-size lighted baseball fields; and direct the Parks & Leisure Services Commission to appoint a member to the project. The motion carried unanimously.

Disposition: Approved.

31. **DEBARMENT PROCEDURES – CITY PUBLIC WORKS CONTRACTORS**

Recommendation: That the City Council direct the City Attorney, in conjunction with the Public Works Department, to develop an ordinance setting forth grounds and procedures for contractor debarment, utilizing the sample ordinances provided in the staff report; and provide additional direction as the Council deems appropriate.

City Manager John Longley presented the item, and City Attorney Julia Lew presented the staff report.
COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council direct the City Attorney, in conjunction with the Public Works Department, to develop an ordinance setting forth grounds and procedures for contractor debarment, utilizing the sample ordinances provided in the staff report; and provide additional direction as the Council deems appropriate. Direction was further given to bring the item back to the Council when the ordinance was ready. The motion carried unanimously.

Disposition: Approved.

ORAL COMMUNICATIONS
• Greg Shelton, address on record, voiced support for Mr. Hardin’s contributions with respect to Item 30; and requested that single family dwellings be excluded from requirements discussed in Item 29.

OTHER MATTERS
• Mayor Martinez addressed an unidentified individual, noted his frequent attendance of late and thanked him for his interest in the issues facing the City.

ADJOURNMENT
The Council adjourned at 9:36 p.m. to the meeting of June 13, 2006.

Patrice Hildreth, Deputy City Clerk

ATTEST:

Pedro R. Martinez, Mayor