Call to Order
Roll Call

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

**CLOSED SESSION:**
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.
   2- Government Code Section 54956.9(b) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.

7:00 P.M. RECONVENE OPEN SESSION

**REPORT ON ANY ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Council Member Richard Stadtherr
Invocation

**PROCLAMATION**
“Kelly C. Morgan Day” - September 5, 2006

**PRESENTATION**
Employee of the Month - Paula David
Outstanding Business Presentation - Sprague's Outdoor Power Center
City Manager’s Featured Projects for August 2006

**ORAL COMMUNICATIONS**
This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time.

**CONSENT CALENDAR**
All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar.
1. Approval of City Council Minutes of July 18, 2006 and August 1, 2006

2. Claims - David Dina Leon; Kimberly Lona; Miguel Leon; and Augustin Leon
   Re: Consideration to reject claims for injuries and damages, in an amount exceeding $25,000
   in the jurisdiction of Tulare County Superior Court, allegedly sustained when claimants’ vehicle
   struck a water line compartment cover thereby allegedly causing loss of control of the vehicle.

3. Addendum to the Mitigated Negative Declaration for the Airport Water Inter-tie and Well System Improvements Project
   Re: Considering addendum to permit the extension of sewer lines along the same route and at
   the same time as the project’s water lines.

4. Authorization to Advertise for Bids - Airport Water Inter-tie Project
   Re: Approving plans and project manual, and authorizing staff to advertise for bids for project
   to extend the water mains to interconnect the City’s Central Pressure Zone to the Airport Water System.

5. Authorization to Advertise for Bids - Municipal Pool Complex Water Slide Project
   Re: Approving plans and project manual, and authorizing staff to advertise for bids to install a
   140 foot flume length water slide, and related equipment.

6. Authorization to Advertise for Bids - Miscellaneous Concrete Improvements Project
   Re: Approving plans and project manual, and authorizing staff to advertise for bids to provide
   concrete repair/replacement services at various locations throughout the City for a 12 month
   period, with annual renewal option by the City.

7. Acceptance of CMAQ Project - Hybrid Vehicle
   Re: Accepting the project as complete; authorizing the completion of all reimbursement
   documents and transmission to Caltrans for reimbursement in the amount of $19,744.78 for the
   purchase of a 2006 Honda Civic Hybrid vehicle in the amount of $22,302.92.

8. Porterville Heritage Center Playground Acceptance
   Re: Accepting project as complete from Sierra Range Construction for the project, and
   authorizing the recording of the Notice of Completion.

9. Acceptance of the Bicycle Storage Facilities Project
   Re: Accepting project as complete from Bicycle Storage Company for installation of bicycle
   lockers at the City’s Field Services Facilities; the City parking lot on Hockett Street and
   Cleveland Avenue; the Transit Center; and the Park & Ride lot west of Jaye Street near
   Springville Avenue; and authorizing the recording of the Notice of Completion.

10. Acquisition of Right of Way - Property Located at Apn 254-010-036 – Owner Carlos A.
     Marques, Jr. and Ann Michele Marques, Co-Successor Trustees of the Marques Living Trust
     – Granite Hills Street Project
    Re: Authorizing purchase of real property in the amount of $75,000.
Re: Authorizing the purchase of approximately 4,886 square feet of right of way in the amount of $27,500.

12. Annual Reclamation Area Report
Re: Informational annual report on the budget and cost analysis of the City’s reclamation area.

13. Extending Reimbursement Period on CIEDB Sewer Loan
Re: Authorizing 9 month extension of time to enable completion of various projects identified and deemed necessary by the Regional Water Quality Control Board, pursuant to the terms of the loan.

14. Reimbursement Agreement for Installation of a Regional Sewer Improvement Project North of North Grand Avenue
Re: Establishing that property owners benefitting from improvements be required to remit proportionate share of costs for work prior to being permitted to develop, for reimbursement to parties contributing funds toward the project, in a total amount not to exceed $12,049.50

15. Reimbursement for Underground Improvements Along Pioneer Avenue by Smee Builders, Inc. - Meadowood, Phase Three Subdivision
Re: Establishing that property owners benefitting from improvements be required to remit proportionate share of costs for work prior to being permitted to develop, for reimbursement to parties contributing funds toward the project, in a total amount not to exceed $9,035.72.

16. Extension of Time for “Sierra Estate,” Formerly “Northgate Estates” Tentative Subdivision Map
Re: Considering a two-year extension to allow developer to keep the map active and fulfill the development requirements for Phases Two and Three, for development generally located on the northeast corner of Grand Avenue and Leggett Street.

17. General Plan Update 2006 - Request for Approval of Additional Services
Re: Authorizing additional services by consultant Dyett & Bhatia to include an Urban Water Management Plan, an Airport Land Use Plan and the development of policies for areas of interest outside of the Planning Area, specifically related to the Lake Success area, for a combined cost of $59,790.

Re: Approving civic event to be held at the Porterville Fairgrounds, pursuant to the terms and conditions as stated in the application documents.

19. Set a Public Hearing for Consideration of Police Fees, Other Fees and Adjustments
Re: Setting a public hearing for September 5, 2006 to consider fee revisions.

20. Transaction and Use Tax Oversight Committee
Re: Status report from the Transaction and Use Tax Oversight Committee.
21. City of Porterville Conflict of Interest Code - Biennial Report and Amendment
Re: Report indicating need to amend the City’s Conflict of Interest Code, pursuant to Government Code Section 87306.5, to account for new positions, including consultants; revisions to titles of existing positions; and revisions to disclosure categories.

22. Authorization to Roll Weed Abatement Balances to the Property Tax Rolls
Re: Consideration to adopt resolution authorizing the County Auditor to place delinquent weed abatement charges on property tax rolls.

Re: Accepting the annual report on the on the status of the Health Insurance Fund.

24. This item has been removed.

25. Authorization to Subdivision Airport Lot 31-C into Six Parcels
Re: Considering request by Dr. Creager to subdivide Lot 31 at the Porterville Municipal Airport, at no cost to the City.

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

PUBLIC HEARINGS
26. Riverwalk Marketplace Commercial Center Project; A Request for Approval of Conditional Use Permit 4-2006 Within the Viejo Robles Planned Development Generally Located at the Northwest Corner of Jaye Street and State Route 190
Re: Opening the public hearing and continuing it to the City Council Meeting of September 5, 2006.

27. Conditional Use Permit 5-2006 - Wireless Communications Tower (James Strachan)
Re: Considering approval of a CUP to allow the construction of communications tower and accessories at the southeast corner of Olive Avenue and Mathew Street within the All American Mini Storage area.

28. Reimbursement Agreement for Concrete Improvements Constructed by the City - Henderson Avenue Reconstruction Project
Re: Considering resolution to implement development charges for the construction of curbs, gutters, sidewalks and drive approaches for work completed in the Henderson Avenue Reconstruction Project, and authorizing staff to record general notice of reimbursement fee.

29. Water Conservation Phase II, Water System Status
Re: Considering remaining in Phase II of the City’s Water Conservation Plan.

SECOND READING
30. Ordinance No. 1702, Disestablishment of the Business Improvement Area of Porterville
Re: Giving second reading to Ordinance 1702 disestablishing the Business Improvement Area of the City of Porterville, waiving further reading, and adopting said ordinance.
SCHEDULED MATTERS

31. Design Overlay Site Review 3-2006
   Re: Considering request for approval of three office buildings totaling approximately 30,013 square feet to be located at the northeast corner of Morton Avenue and Prospect Street.

32. Consideration of Revised Agreement with the Chamber of Commerce
   Re: Considering agreement between the City and the Porterville Chamber of Commerce to include modifications to annual fee and City and Chamber responsibilities.

33. Farm Management and Farmland Lease Agreement RFP
   Re: Consideration to authorize staff to advertise for a farm consultant for the purpose of preparing a Farm Management RFP and to assist the City Attorney and staff in the preparation of a Farm Lease Agreement.

34. Budget Adjustment and Allocation of Funds for the Porterville Community Center Non-Use Maintenance Expenditures
   Re: Consideration to cancel the Tule River Parkway Phase III Land Acquisition Project and reallocate budgeted monies to the Porterville Community Center for non-use maintenance expenditures; and to establish process for determining the future use of the Center.

35. Amendment to Traffic Resolution No. 10-2001 - Intersection Safety Improvement - Designation of North Grand Avenue and Newcomb Street as a 4-Way (All-Way) Stop Intersection
   Re: Consideration to amend Traffic Resolution No. 10-2001 designating North Grand as a 4-way stop; authorizing notification to the public of same; and approving installation of stop signs.

36. Council Member Request to Reconsider Porterville Commercial Center
   Re: Reconsideration of the Porterville Commercial Center at the corner of Jaye Street and Highway 190.

37. Engineer’s Estimate of Probable Cost - Olive Avenue
   Re: Informational report of estimated costs to reconstruct or repair Olive Avenue from Main Street to State Route 65.

38. Request by Council Member - Discussion of Drafting Ordinance Prohibiting Sexual Offenders Moving to the Community
   Re: Discussion and consideration of legal options for prohibiting relocation of sexual offenders into Porterville.

39. Preliminary Proposal for Infrastructure and Operational Enhancements
   Re: Considering authorization for staff to complete an agreement with Johnson Controls to include infrastructural enhancements to City facilities for energy saving purposes; and authorizing staff to investigate the water meter system.

ORAL COMMUNICATIONS

OTHER MATTERS
CLOSED SESSION

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

ADJOURNMENT - to the meeting of September 5, 2006

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Chief Deputy City Clerk at (559) 782-7442. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.