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:

4. Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: John Hale et al. v. City of Porterville et al.

7:00 P.M. RECONVENE OPEN SESSION

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

Pledge of Allegiance Led by Mayor Pro Tem Felipe Martinez
Invocation

**PRESENTATIONS**

Employee of the Month - Carol Bodine
City Managers Featured Projects

**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. Claim - A. Rodriguez
Re: Consideration of rejecting of a claim from Angelica Rodriguez in the amount of $400.00 for damage to bedding and clothing from oily residue allegedly caused by a flushed water line on October 12, 2007 at 28 South Villa Street.
2. **Budget Adjustments for the 2006-07 Fiscal Year**  
Re: Authorizing staff to modify revenue and expenditure estimates for the Chamber of Commerce Agreement, Y.E.S. Program Revenue, Airport Management Conferences, and Solid Waste Container Purchases.

3. **Acceptance of Remington - Elsag Mph-900 Mobile LPR System**  
Re: Authorization to accept a mobile license plate reader system for the Police Department. The system to be purchased by the Tulare County OES from a Homeland Security Grant.

4. **Acceptance of the Skateboard Project**  
Re: Accepting the project by California Landscape and Design, dba California Skateparks, in the amount of $391,012.68, authorizing the filing of the Notice of Completion, and authorizing the release of the 10% retention after 35 days.

5. **Approval of an Encroachment Agreement at 12 South Main Street (Sansome Pacific Properties, Inc.)**  
Re: Approving an encroachment for the purpose of constructing an architectural feature which will overhang the public right of way 17" along a small portion of the Main Street frontage.

6. **Acceptance of Final Subdivision Map - Summit Estates, Phase One (Gary Smee)**  
Re: Approving the Final Subdivision Map for a subdivision located generally south of Olive Avenue, north of the Tule River, east of Westwood Park Subdivision, Phases 2 and 3, and west of Mathew Street.

7. **Partnership with Smith Enterprises to Replace a Deteriorated Sewer Main (Neil Smith)**  
Re: Consideration of a payback agreement to replace a portion of the City sewer main serving the commercial center housing the new Longs Drug Store in the amount of $45,066.

8. **Funding for West Street Industrial Park Development**  
Re: Approving the use of revenues from the lease and sales of the West street industrial property for costs associated with site development.

9. **Resolution of Ambiguity - Developer’s Request for Council to Clarify and Reconsider Staff’s Interpretation of Open Space Requirements for Proposed Apartment Complex Consisting of 30 Units at the Southwest Corner of Willow Avenue and E Street**  
Re: Adoption of a resolution of ambiguity indicating that open space requirements as in “Rear Yard” Sections 305, 405, and 505 of the City of Porterville Zoning Ordinance will be subject to intents, such as: a open space requirement of a minimum area of 750 square foot; the open space be uncovered and open to the sky (unobstructed by building overhang); and that the open space area has a minimum dimension of ten feet; and the location of open space be in the rear 1/3 of the lot; and that the resolution of ambiguity will be effective as of January 1, 2007 for newly submitted applications.

10. **Initiate Preparation of Findings for a Zone Change on Recently Annexed Property**  
Re: Authorization to prepare approved findings regarding the correction of two areas, consisting of four properties, incorrectly zoned during the processing of Annexations 458 and 459.

11. **Approval for Travel**  
Re: Approving travel to Seattle, Washington for staff to present the City’s Economic Development Administration grant proposal to the EDA.
12. Appointment to Library Board of Trustees  
Re: Consideration of appointing Vikki Cervantes to the Porterville Library Board of Trustees to a term expiring in October, 2009.

13. Submission of Quarterly Financial/Budget Reports  
Re: Changing the submission time for the Quarterly Portfolio Summary, Interim Financial Status Report, and Quarterly Budget Review from the second meeting in January, April, July and October of each year to the submittal to the Council by the thirtieth day of the month following the end of each quarter, with the report being on the following agenda.

14. Adoption of Resolution Seeking a Surface Water Mitigation Resolution in the San Joaquin River Settlement to Address Surface Water Loss in the Central Valley  
Re: Consideration of adopting a resolution supporting an appropriation for the San Joaquin River mitigation measures to support replacement of Kern water lost to the San Joaquin River restoration.

15. Mayor Hamilton and Mayor Pro Tem Martinez Trip to Washington D.C. for San Joaquin River Settlement Meetings  
Re: Approval of travel to Washington D.C. to meet with Federal legislators and officials concerning the implementation of the San Joaquin River settlement on January 28 through 30, 2007.

16. Amendment No. 1 to Modified Employment Agreement - City Manager  
Re: Amending the City Manager’s March 15, 2005, Employment Agreement to allow for, among other items, a 30 day written resignation requirement, a salary adjustment for PERS, second tier continuing education, and a vehicle allowance.

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

**PUBLIC HEARINGS**

17. Initiation of Preliminary Proceedings and Resolution of Application for Annexation No. 471  
Re: Consideration of filing the necessary application and proposal for Annexation 471 located at the southeast corner of Olive Avenue and Leggett Street.

18. Ennis Estates Tentative Subdivision Map (Ennis Homes)  
Re: Considering request to continue the item and public hearing to the Meeting of February 6, 2007.

19. Request to Continue Public Hearing - “C” Street Vacation (Sansome Pacific Properties, Inc. - David McDowell)  
Re: Continuation of the proposed abandonment of the northern portion of “C” Street, between Vine and Olive Avenues, to a date after the proposed development project is reviewed by the Project Review Committee.

**SECOND READING**

20. Ordinance No. 1710, Extending the Cable TV Franchise  
Re: Give Second Reading to Ordinance 1710 extending Ordinance 1544, as transferred by Ordinance 1582, to extend the expiration date of the City’s current cable television franchise to January 2, 2008 to preserve City’s existing rights.

**SCHEDULED MATTERS**

21. Neighborhood Watch Programs  
Re: A PowerPoint presentation by the Police Department on the Neighborhood Watch Program.
22. Heritage Center “Wall of Fame” Nominations
Re: Consideration of requests for the placement of plaques to honor Frank “Buck” Shaffer and Carman Martinez-Eoff on the Heritage Center “Wall of Fame.”

23. Evaluation of Skateboard Park Rules
Re: Review and evaluation of the posted Skatepark rules in force for the last three months.

24. Consider Master Plan and Design Services for Baseball Fields Project at Heritage Center Site
Re: Consideration of approving the Master Plan for the Heritage Center site and authorizing the design of full site improvements, with provisions for an initial construction phase to partially develop the southerly field.

25. Public Improvement Agreement –Riverwalk Development
Re: Considering Agreement pertaining to the construction of public improvements associated with the Riverwalk Project at Highway 190 and Jaye Street.

26. Approval for Funding assistance for Volunteer Income Tax Assistance (VITA) Program
Re: Consideration of assisting the Vita Program with the acquisition of computers, and approving a budget appropriation of $2500 from reserves to be donated to the Comision Honorifica Mexicana Americana.

27. This Item has Been Pulled

28. Update on Curbside Recycle Program and Setting of Date for “One Day” Refuse/Green Waste and Recycled Waste Collection Study Session
Re: Setting a date for a study session to discuss the merits of providing single day refuse/green waste & curbside recycling “pick-up” service to the City’s residents.

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 January 19, 2007 at 3:30 p.m.

*It shall be the policy of the City Council to complete meetings, including closed sessions, by 11:00 p.m. unless, upon consensus, Council elects to continue past the adjournment hour.*

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.