Call to Order at 6:02 p.m.
Roll Call: Council Member McCracken, Council Member Pedro Martinez (arrived late), Mayor Pro Tem Felipe Martinez, Council Member Hernandez, Mayor Hamilton

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:
   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 no action had been taken

Pledge of Allegiance Led by Council Member Pedro Martinez
Invocation - One person participated.

PROCLAMATIONS
“Adult Literacy Day” - April 19, 2007
“Municipal Clerks Week” - April 29 - May 5, 2007
“Cinco de Mayo Week” - April 30 - May 6, 2007
“World Asthma Day” - May 1, 2007

PRESENTATION
Outstanding Business Honoree - KTIP Radio Station
Semi-Annual Report from the Library Board of Trustees
Semi-Annual Report from the Parks & Leisure Services Commission
CAFR
City Manager’s Featured Projects for April 2007
   1. Code Enforcement Officer – Clayton Dignam
   2. WDR Annexation
   3. Date Avenue Housing Project (HOME)

Council Member Pete Martinez thanked the individuals that participate and serve on the Library Board of Trustees. He stated that he would also like to see a Mobile Library implemented in the future to allow those who were not able to go to the library to check out books. He also thanked
the Parks & Leisure Services Commission for their work and ideas. He mentioned that he had previously had the opportunity to work with Mr. Dignam and knew him to be a strong worker, and that he would surely do a good job for the community.

ORAL COMMUNICATIONS

- Larry Stoneburner, 1660 N. Newcomb, spoke about Carlos Rivas, a Porterville College student who was recognized for academic achievement and featured in USA Magazine; and spoke of the Granite Hills High School student newspaper that was designated as one of the top three student newspapers in the U.S.
- Robert Davis, 450 W. Morton, presented additional information to accompany the petition he had already presented to Council regarding removing the bike lane in front of the apartments at 450 W. Morton.
- Dick Eckhoff, Downtown Porterville Association, 197 North Main Street, inquired about using the Community Center funds to pay for the City Hall air conditioner.
- Boyd K. Leavitt, 457 East Oak Avenue, thanked the Council because there were no diesels parked in his neighborhood; and spoke of the “Praying with Icons” display at the Museum thru May 17.
- Martha Alcazar Flores, 249 South Indiana Street, stated that she was pleased to see the Code Enforcement Officer hired; spoke of the burglary of her home on March 6; and asked Council to bring back the Neighborhood Watch Program.

CONSENT CALENDAR

Items 5, 10, 11, 13, 15 and 16 were removed for further discussion or abstention.

1. CITY COUNCIL MINUTES OF MARCH 6, 2007

Recommendation: That the City Council approve the City Council Minutes of March 6, 2007.

Documentation: M.O. 01-041707

Disposition: Approved

2. CLAIM – MONTALVO

Recommendation: That the Council reject said claim; refer the matter to the City’s insurance adjuster; and direct the City Clerk to give the Claimant proper notification.

Documentation: M.O. 02-041707

Disposition: Approved

3. CLAIM – SOUTHERN CALIFORNIA EDISON

Recommendation: That the Council reject said claim; refer the matter to the City’s insurance adjuster; and direct the City Clerk to give the Claimant proper notification.

Documentation: M.O. 03-041707

Disposition: Approved
4. BUDGET ADJUSTMENTS FOR THE 2006/2007 FISCAL YEAR

Recommendation: That the Council approve the proposed budget adjustments, and authorize staff to modify revenue and expenditure estimates as described in staff’s report.

Documentation: M.O. 04-041707
Disposition: Approved

6. ACCEPTANCE OF IMPROVEMENTS – MEADOW BREEZE, PHASE ONE (GRAY SMEE – SMEE BUILDERS)

Recommendation: That City Council:
1. Accept the public improvements of Meadow Breeze, Phase One Subdivision for maintenance;
2. Authorize the filing of the Notice of Completion; and
3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

Documentation: M.O. 05-041707
Disposition: Approved

7. CONVEYANCE OF LAND AND STATION BUILDING TO PORTERVILLE HISTORICAL MUSEUM

Recommendation: That the City Council adopt the draft resolution authorizing the quitclaim of the subject property, and authorizing the Mayor to sign all necessary documents.

Documentation: Resolution 20-2007
Disposition: Approved

8. INTENT TO VACATE TEMPORARY EASEMENTS OF VEHICULAR ACCESS AND STORM WATER FLOW AND RETENTION RELATED TO THE DEVELOPMENT OF SIERRA MEADOWS, PHASE TWO SUBDIVISION (SMEE BUILDERS)

Recommendation: That the City Council:
1. Pass a Resolution of Intent to Vacate easements dedicated to the City of Porterville by document numbers 2004-0134036 and 2004-0134037, recorded December 28, 2004 in the Office of the Tulare County Recorder; and
2. Set the Council Meeting of May 25, 2007, or as soon thereafter, as the time and place for a public hearing.
9. **INTENT TO VACATE A PORTION OF PUBLIC WATER, SEWER AND STORM DRAIN FACILITIES EASEMENT RELATED TO THE DEVELOPMENT OF THE SKILLED NURSING FACILITY (SIERRA VIEW DISTRICT HOSPITAL)**

Recommendation: That the City Council:

1. Pass a Resolution of Intent to Vacate a portion of an easement for maintenance of water, sewer and storm drain facilities dedicated to the City of Porterville by Document No. 2006-0042458, recorded April 21, 2006 in the Office of the Tulare County Recorder; and
2. Set the Council Meeting of May 15, 2007, or as soon thereafter, as the time and place for a public hearing.

12. **APPROVAL OF ADMINISTRATIVE POLICY REGARDING EMPLOYEE IDENTIFICATION CARDS**

Recommendation: That the City Council approve and authorize staff to proceed with the implementation of Administrative Policy IV-B-7, “Employee Identification Cards.”

14. **ZALUD HOUSE “MEMORIES OF YESTERDAY” FUNDRAISER**

Recommendation: That the City Council authorize the “Memories of Yesterday” Zalud House Wine Tasting event on May 12, 2007.

17. **APPROVAL FOR COMMUNITY CIVIC EVENT – ROLLIN’ RELICS CAR CLUB—ROLLIN’ RELICS CAR SHOW – MAY 5, 2007**

Recommendation: That the Council approve the Community Civic Event Application and Agreement submitted by the Rollin’ Relics Car Club, subject to the stated requirements contained in the Application, Agreement and Exhibit “A”.

Page 4 of 19
COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED Council Member McCracken by to accept items 1 through 4, 6 through 9, 12, 14 and 17. The motion carried unanimously.

5. OHV PARK BUDGET ADJUSTMENT FOR THE 2006-07 FISCAL YEAR

Recommendation: That the Council authorize a total budget increase of $43,000 to be distributed among the Off Highway Vehicle Park expenditure accounts as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-5065-01</td>
<td>Salaries, Regular</td>
<td>$6,500</td>
</tr>
<tr>
<td>01-5065-02</td>
<td>Salaries, Part-time</td>
<td>$8,500</td>
</tr>
<tr>
<td>01-5065-03</td>
<td>Overtime</td>
<td>$400</td>
</tr>
<tr>
<td>01-5065-09</td>
<td>Benefits</td>
<td>$1,000</td>
</tr>
<tr>
<td>01-5065-11</td>
<td>Vehicle Maintenance</td>
<td>$1,775</td>
</tr>
<tr>
<td>01-5065-12</td>
<td>Bldg/Grounds Maint</td>
<td>$4,225</td>
</tr>
<tr>
<td>01-5065-19</td>
<td>Other Equip Maint</td>
<td>$9,545</td>
</tr>
<tr>
<td>01-5065-23</td>
<td>Professional Services</td>
<td>$4,000</td>
</tr>
<tr>
<td>01-5065-23</td>
<td>Rentals</td>
<td>$6,755</td>
</tr>
<tr>
<td>01-5065-35</td>
<td>Tools under $1,000</td>
<td>$300</td>
</tr>
</tbody>
</table>

City Manager Longley presented the item.

Mayor Hamilton asked if refraining from spending the additional revenues on some of the items listed in the recommendation would free up some monies for a water truck. Parks and Leisure Services Director Jim Perrine stated that the additional spending was needed in order to keep operations going. He also stated that the funds going into the vehicle maintenance and other equipment maintenance were to deal with the tractor that needed service, and was anticipated to go out before the end of the fiscal year. Mayor Pro Tem Felipe Martinez asked when it was anticipated the water truck would need to be replaced. Mr. Perrine stated that as part of budget development and grant requests, they would be looking into making a case for equipment replacement as part of the state grant requests. He indicated that if they were successful, it would be replaced next fiscal year; otherwise, money would have to be put aside.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Council Member Pedro Martinez that the Council authorize a total budget increase of $43,000 to be distributed among the Off Highway Vehicle Park expenditure accounts as proposed. The motion carried unanimously.

Disposition: Approved

10. WATER CONSERVATION PLAN

Recommendation: That the City Council:

1. Approve the City moving into Phase II as of May 1, 2007
2. Set a Public Hearing for June 5, 2007 to move into Phase II for the months of June thru September if severe water supply shortage is projected; and
3. If severe water supply shortage is not projected, City staff will only have a Water Conservation Report at the June 5, 2007 Meeting.

City Manager Longley presented the item.

Council Member Pete Martinez requested that the Mayor and Mayor Pro Tem record public service announcements in English and Spanish to air on the radio.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Mayor Tem Felipe Martinez to approve the City moving into Phase II as of May 1, 2007; set a Public Hearing for June 5, 2007 to move into Phase II for the months of June thru September if severe water supply shortage is projected; and if severe water supply shortage is not projected, City staff will only have a Water Conservation Report at the June 5, 2007 Meeting. The motion carried unanimously.

Disposition: Approved

11. MEMORANDUM OF UNDERSTANDING BETWEEN THE PORTERVILLE DEVELOPMENT CENTER AND THE CITY OF PORTERVILLE

Recommendation: That the City Council:
1. Review and approve the amended Memorandum of Understanding between the Porterville Developmental Center and the City of Porterville; and
2. Authorize the Memorandum of Understanding to be implemented.

City Manager Longley presented the item.

A brief discussion ensued regarding the safety of City personnel. Fire Chief Garcia confirmed that he was comfortable with the proposed Memorandum of Understanding.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Mayor Pro Tem Felipe Martinez that the Council approve the amended Memorandum of Understanding between the Porterville Developmental Center and the City of Porterville; and authorize the Memorandum of Understanding to be implemented. The motion carried unanimously.

Disposition: Approved

13. RETIREMENT OF POLICE SERVICE DOG “EMOR”

Recommendation: That the City Council:
1. Approve the retirement and sale of K-9 “Emor” to Jake Castellow, his current handler, for one dollar ($1.00); and
2. Authorize the Mayor to execute the agreement necessary to complete the transaction.

City Manager Longley presented the item.

Council Member Hernandez stated that after 7 years of service he would have liked to have seen “Emor” in attendance to honor him and give him a pat.

COUNCIL ACTION: MOVED by Council Member Hernandez, SECONDED by Mayor Pro Tem Felipe Martinez to approve the retirement and sale of K-9 “Emor” to Jake Castellow, his current handler, for one dollar ($1.00); and authorize the Mayor to execute the agreement necessary to complete the transaction. The motion carried unanimously.

Disposition: Approved

15. APPROVAL FOR COMMUNITY CIVIC EVENT – BOYS AND GIRLS CLUB OF PORTERVILLE RECEPTION

Recommendation: That the Council approve the Community Civic Event Application and Agreement from the Boys & Girls Clubs of the Sequoias, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit “A” of the Community Civic Event Application.

City Manager Longley presented the item. Council Member Hernandez commented on the need and benefits of programs like the Boys & Girls Club.

- Wendy (last name inaudible), from the Boys & Girls Club stated that they were honored to be coming into the community and looked forward to helping those kids in need.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member McCracken that the Council approve the Community Civic Event Application and Agreement from the Boys & Girls Clubs of the Sequoias, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit “A” of the Community Civic Event Application.

AYES: Hamilton, F. Martinez, McCracken, Hernandez
NOES: None
ABSTAIN: P. Martinez
ABSENT: None

Disposition: Approved

Recommendation: That the Council:

1. Approve the Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc., subject to the restrictions contained in the Application, Agreement, and Exhibit “A”; and

2. Authorize the Chief of Police, or his designee, to close Olive Avenue between A Street and Plano Street, if warranted to address public safety concerns.

City Manager Longley presented the item.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member McCracken that the Council approve the Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc., subject to the restrictions contained in the Application, Agreement, and Exhibit “A”; and authorize the Chief of Police, or his designee, to close Olive Avenue between A Street and Plano Street, if warranted to address public safety concerns.

AYES: Hamilton, F. Martinez, McCracken, Hernandez
NOES: None
ABSTAIN: P. Martinez
ABSENT: None

Disposition: Approved

PUBLIC HEARINGS

18. MULTIFAMILY HOUSING REVENUE BOND ISSUANCE BY CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR PAM DEVELOPMENT

Recommendation: That the City Council:

1. Hold a Public Hearing for the sale of tax-exempt obligations for the financing of the acquisition and rehabilitation of the Evergreen Apartments and the Alder Apartments;

2. Approve the draft resolution approving the issuance and sale of bonds by the California Statewide Communities Development Authority for the purpose of financing the acquisition and rehabilitation of the Evergreen Apartments and Alder Apartments within the City of Porterville pursuant to the Internal Revenue Code of 1986; and
3. Authorize the Mayor to execute all documents related to the City’s approval of the issuance of the tax-exempt bonds.

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

The hearing opened to the public at 8:28pm, seeing no one, the Mayor closed the public hearing at 8:29pm.

In response to questions posed by Council, Mr. Dunlap elaborated on the nature of the project’s status.

- (First Name inaudible) Cannon, Pam Development, Inc. spoke of their intent to spend $700,000 to $800,000 on Evergreen Apartments to address deferred maintenance, bring the property up to code compliance, and address long-term capital needs. He also confirmed that rents would remain restricted.

COUNCIL ACTION:

MOVED by Council Member Pedro Martinez, SECONDED by Mayor Pro Tem Martinez that the Council approve the draft resolution approving the issuance and sale of bonds by the California Statewide Communities Development Authority for the purpose of financing the acquisition and rehabilitation of the Evergreen Apartments and Alder Apartments within the City of Porterville pursuant to the Internal Revenue Code of 1986; and authorize the Mayor to execute all documents related to the City’s approval of the issuance of the tax-exempt bonds. The motion carried unanimously.

Disposition: Approved

19. CONDITIONAL USE PERMIT 1-2007 – PROPOSED FAMILY PIZZERIA/ARCADE TO BE LOCATED AT 45 NORTH SECOND STREET (FORMERLY THE POLICE PAL BUILDING)

Recommendation: That the City Council:

1. Require the developer to install one nostalgic style streetlight; or
2. Honor the developer’s request and allow him to place two exterior wall mounted lights that match the Redevelopment theme, and have the developer pay the in-lieu streetlight fee in the amount of $227; and
3. Adopt the draft resolution approving Conditional Use Permit 1-2007 subject to conditions of approval as amended.

City Manger Longley introduced the item, and Community Development Director Dunlap presented the staff report.

The public hearing was opened at 8:36 p.m.
• Pat Mena, 22660 Ave. 178, asked if the Council would allow him to install two wall-mounted lights in front of the building in lieu of the street light, which would be too costly.

• Dick Eckhoff, 197 N. Main, stated that there was a definite need for more lighting, especially on the west side of the street; expressed his support for the project; and indicated that he would like to see consistency in the lighting downtown.

• Mark Hillman, 263 N. Third St., stated that he was confused about the number of wall-mounted lights, and that he was in favor of two lights.

The public hearing was closed and brought back to Council at 8:43 p.m.

Council Member Pedro Martinez suggested that two additional wall-mounted lights be added to the back of the building.

A discussion ensued as to the level of safety, after which the proposed resolution was amended to include lights at the rear of the project.

Council Member McCracken requested that language be added in the conditional use permit indentifying the instance as unique, and not applicable to all downtown redevelopment areas.

**COUNCIL ACTION:**

MOVED by Council Member Pedro Martinez, SECONDED by Mayor Pro Tem Felipe Martinez that the City Council honor the developer’s request and allow him to place two exterior wall mounted lights that match the Redevelopment theme; have the developer pay the in-lieu streetlight fee in the amount of $227; and adopt the draft resolution approving Conditional Use Permit 1-2007 subject to conditions of approval, as amended to include the addition of two lights in the back of the building. The motion carried unanimously.

Disposition: Approved, as amended.

20. CONDITIONAL USE PERMIT 2-2007 (JOHN HALOPOFF)

Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit 2-2007

City Manager Longley introduced the item, and Development Associate Jose Ortiz presented the staff report.

The hearing was opened to the public at 8:55 pm.

• Mark Hillman, 263 N. Third St., representing the applicant, Mr. Halopoff, thanked staff for their work on the project.
The hearing was closed to the public at 8:57 pm.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Council Member Hernandez that the Council adopt the draft resolution approving Conditional Use Permit 2-2007. The motion carried unanimously.

Disposition: Approved

21. CONDITIONAL USE PERMIT 3-2007 (MR. & MRS. JOHAL, OLIVE MINIT MART)

Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit 3-2007, subject to conditions of approval.

The item was introduced by City Manager Longley, and Development Assistant Jose Ortiz presented the staff report.

Community Development Director Dunlap notified the Council that Conditions 20 and 21 were duplicates. He requested approval to revise condition No. 21 to read that the subject site would be developed in accordance with the site plan, elevation plan, and the building colors and materials labeled Exhibit “A”.

Mr. Ortiz stated that the hours of operation of the minit mart would be weekdays, 6:30 a.m. to 12:00 a.m., and weekends, 7:00 a.m. to 11:00 p.m. Mr. Ortiz also stated that the applicant/agent had indicated the lighting beneath the canopy would be on during business hours only.

The hearing was opened to the public at 9:05 pm.

- Mark Hillman, 263 N. Third, stated that the 28-foot spotlight would be removed and down lights beneath the canopy added to mitigate the problem of light shining on the property to the south. He also referenced a letter written by Bob Hathley, 28 S. Cottage, and addressed to the Council in support of the minit mart, and noted the addition of landscaping.

- Dick Eckhoff, 197 N. Main, noted some confusion in regards to the location description in the staff report.

The hearing was closed to the public at 9:08 pm.

COUNCIL ACTION: MOVED by Council Member Pete Martinez, SECONDED by Mayor Pro Tem Felipe Martinez that the Council adopt the draft resolution approving Conditional Use Permit 3-2007, subject to conditions of approval, as amended noting the revision of Condition No. 21 to read,
“The subject site will be developed in accordance with the site plan, elevation plan, and the building colors and materials labeled Exhibit “A’.” The motion carried unanimously.

Disposition: Approved, as amended.

22. TENTATIVE PARCEL MAP 1-2007 (CITY OF PORTERVILLE)

Recommendation: That the City Council:
1. Adopt the draft resolution approving the Mitigated Negative Declaration for Tentative Parcel Map 1-2007; and
2. Adopt the draft resolution approving Tentative Parcel Map 1-2007 subject to conditions of approval.

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

The hearing was opened to the public at 9:21 p.m., seeing no one; the Mayor closed the public hearing at 9:21 p.m.

At Council’s request, Mr. Dunlap provided clarification on the item.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member Pedro Martinez to adopt the draft resolution approving the MND for Tentative Parcel Map 1-2007, as amended to account for modification to mitigation; and adopt the draft resolution approving Tentative Parcel Map 1-2007 subject to conditions of approval. The motion carried unanimously.

Disposition: Approved, as amended.

23. ORDINANCE PROVIDING FOR CODE ENFORCEMENT OFFICER AND ESTABLISHING AN ADMINISTRATIVE CODE ENFORCEMENT CITATION PROGRAM

Recommendation: That the City Council hold a public hearing, consider all public testimony, and give first reading to the proposed ordinance.

City Manager Longley introduced the item, and City Attorney Julia Lew presented the report. Additionally, Chief Garcia provided a Powerpoint presentation on the mechanics and philosophy underlying the program.

The public hearing was opened at 9:40 p.m., seeing no one; the Mayor closed the public hearing at 9:40 p.m.
In response to questions posed by Council, City Manager Longley advised that the hearing officer would be appointed by the City Manager, and that any fines would be collected by the City.

City Manager Longley informed the Council that the hearing officer would be appointed by the City Manager, but had not been designated; and that the fines would be collected by the City.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member McCracken that the Council give first reading to the proposed ordinance being, AN ORDINANCE OF THE COUNCIL OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE REPEALING AND REPLACING SECTION 1-9 OF CHAPTER 1, ADDING ARTICLE IV, SECTIONS 2-26.1 THROUGH 2-26.4, AND ADDING ARTICLE XIV, SECTIONS 2-141 THROUGH 2-155, TO CHAPTER 2 OF THE PORTERVILLE MUNICIPAL PERTAINING TO CODE ENFORCEMENT OFFICER AND AN ADMINISTRATIVE CODE ENFORCEMENT CITATION PROGRAM. The motion carried unanimously.

The City Manager read the ordinance by title only.

Disposition: Approved

24. SUBDIVISION ORDINANCE AMENDMENT – MUNICIPAL CODE AMENDMENT TO CHAPTER 21

Recommendation: 1. Adopt the draft ordinance approving an amendment to Article 21 of the Porterville Municipal Code, and give first reading to the draft ordinance.

2. Waive further reading of the draft ordinance, approving an amendment to Article 21 of the Porterville Municipal Code, and order to print.

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

The hearing was opened to the public at 10:01 p.m.

- Jim Winton, 150 W. Morton, stated that he appreciated staff’s efforts to answer his questions and address his concerns during the revision process, and spoke in support of the ordinance.

The public hearing was closed at 10:02 p.m.

Mr. Dunlap stated that the issues expressed by The Homebuilder’s Association drew into question the legality of the additional requirement of pocket parks requested by the Council.
Mayor Hamilton asked how the legality could be in question if the mechanism was used in the Landscape Maintenance District. Mr. Dunlap clarified that it was not the mechanism for maintenance and improvement, but the requirements of designating land for that purpose that was questionable.

A discussion ensued regarding park impact fees.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member Hernandez to adopt the draft ordinance approving amendment to Article 21 of the Porterville Municipal Code, give first to the draft ordinance being, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 21 OF THE MUNICIPAL CODE PERTAINING TO SUBDIVISION REGULATIONS, waive further reading of the draft ordinance, and order to print. The motion carried unanimously.

The City Manager read the ordinance by title only.

Disposition: Approved

25. REQUEST TO ESTABLISH FEES FOR APPLICATIONS FOR TEMPORARY SIGNS

Recommendation: That the City Council:
1. Approve the resolution adopting a $19.75 fee for applications for a Temporary Sign Permit; and
2. That the effective date shall be April 18, 2007.

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

The hearing was opened to the public at 10:24 p.m., seeing no one; the Mayor closed the public hearing at 10:25 p.m.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member Pedro Martinez that the Council approve the resolution adopting a $19.75 fee for applications for a Temporary Sign Permit; and that the effective date shall be April 18, 2007. The motion carried unanimously.

Disposition: Approved

26. ENNIS ESTATES TENTATIVE SUBDIVISION MAP (ENNIS LAND DEVELOPMENT, INC.)

Recommendation: That the City Council continue the item to the May 1, 2007 meeting.
Council Member McCracken stated that he hoped progress was being made.

**COUNCIL ACTION:** MOVED by Council Member Pedro Martinez, SECONDED by Mayor Pro Tem Felipe Martinez to continue the item to the May 1, 2007 meeting. The motion carried unanimously.

Disposition: Approved

27. MURRY PARK MASTER PLAN

Recommendation: Receive and file.

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

Disposition: No action taken.

**SECOND READING**

28. ORDINANCE NO. 1719, REGULATION OF SQUATTER CAMPS

Recommendation: That Council give Second Reading to Ordinance No. 1719, waive further reading, and adopt said ordinance.

The City Manager presented the item and the report.

**COUNCIL ACTION:** MOVED by Council Member Pedro Martinez, SECONDED by Mayor Pro Tem Felipe Martinez that the Council give Second Reading to Ordinance No. 1719 being, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADDING ARTICLE VII, SECTIONS 18-76 THROUGH 18-83 TO CHAPTER 18 OF THE PORTERVILLE MUNICIPAL CODE PERTAINING TO THE REGULATION OF SQUATTER CAMPS, waive further reading and adopt said ordinance. The motion carried unanimously.

City Manager read the ordinance by title only.

Disposition: Approved

The City Manager read the ordinance by title only.

**SCHEDULED MATTERS**

29. “D” OVERLAY SITE REVIEW 2-2007 (MISSION TRAILS)

Recommendation: That the City Council adopt the draft resolution containing findings and conditions in support of approval for “D” Overlay Site Review 2-2007.
City Manager Longley introduced the item, and Community Development Director Dunlap presented the staff report.

Mayor Pro Tem Felipe Martinez inquired about a playground area and bike racks. Mr. Dunlap stated that most of the open area had been utilized for the pool and the clubhouse building, but there was a school nearby, which will allow access to large open play areas. He indicated that the applicant would not mind including bike racks.

Council Member Hernandez stated that he felt the project would enhance the community, but expressed concern regarding the intersection of Matthew and Olive, and the condition of the west side of the street. Mr. Dunlap stated that there was a traffic signal that Public Works Department had designed for that intersection. He added that the property on the west side was a legal non-conforming use.

COUNCIL ACTION: MOVED by Council Member Hernandez, SECONDED by Mayor Pro Tem Felipe Martinez that the Council adopt the draft resolution containing findings and conditions in support of approval for “D” Overlay Site Review 2-2007 with the addition of bike racks at the clubhouse building. The motion carried unanimously.

Disposition: Approved, as amended.

30. AUTHORIZATION TO ADVERTISE FOR BIDS FOR HVAC UNIT REPLACEMENT AT CITY HALL AND PUTNAM COMMUNITY CENTER, AND APPROVAL OF AN ASSOCIATED BUDGET ADJUSTMENT

Recommendation: That the City Council consider the options for HVAC unit replacements at City Hall and the Putnam Community Center; determine which option staff should proceed with implementing; and either

A. Authorize staff to finalize a project manual and advertise for bids as necessary to implement option 1, and approve and direct the $25,000 budget adjustment for the fiscal year ending June 30, 2007; or
B. Authorize staff to finalize a project manual and advertise for bids as necessary to implement option 2, and direct staff to prepare an amendment to the Johnson Controls PDA Agreement for the one unit and air duct work at City Hall; or
C. Direct staff to prepare an amendment to the Johnson Controls PDA Agreement for the single unit and air duct modifications at City Hall as well as redefining the energy savings program to include the Community Center single unit replacement.

City Manager Longley introduced the item, and Parks & Leisure Services Director Perrine presented the staff report.
In response to questions posed by Council, staff provided pros and cons for each option and discussed the equipment replacement fund.

**COUNCIL ACTION:** MOVED by Mayor Hamilton, SECONDED by Council Member Pedro Martinez that the Council authorize staff to finalize a project manual and advertise for bids as necessary to implement Option 1, and approve and direct the $25,000 budget adjustment for the fiscal year ending June 30, 2007. The motion carried unanimously.

At Council’s request, staff provided updates on downtown parking, specifically noting the lot at the Singer Building location.

Disposition: Approved

**31. APPROVAL OF CONSIDERATIONS FOR SOFTBALL CHALLENGE BETWEEN CITIES OF PORTERVILLE AND TULARE**

Recommendation: That the City Council approve:
1. The Youth Services Foundation as the City of Porterville’s fundraising beneficiary for the event;
2. The Youth Services Foundation to operate the Sports Complex concession during the event;
3. The Youth Services Foundation to share equally with the Tulare Boys & Girls Scouts the parking fees collected at the event; and
4. The Youth Services Foundation to offer a BBQ meal at the conclusion of the event for donations.

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

Council Member Pedro Martinez suggested a photo opportunity and public service announcement to advertise the event. Mayor Hamilton stated that he was glad that the Youth Services Foundation was selected as the beneficiary for the event, because it would increase community awareness of the foundation.

**COUNCIL ACTION:** MOVED by Council Member Pete Martinez, SECONDED by Mayor Pro Tem Felipe Martinez that the Council approve the Youth Services Foundation as the City of Porterville’s fundraising beneficiary for the event; the Youth Services Foundation to operate the Sports Complex concession during the event; the Youth Services Foundation to share equally with the Tulare Boys & Girls Scouts the parking fees collected at the event; and The Youth Services Foundation to offer a BBQ meal at the conclusion of the event for donations. The motion carried unanimously.

Disposition: Approved
32. REQUEST BY COUNCIL MEMBER—DISCUSSION OF STANDARD DOWNTOWN DESIGN REQUIREMENTS AND COLOR PALATE PROGRAM

Recommendation: None

City Manager Longley presented the item. City Attorney Julia Lew stated for the record that Council Member McCracken had to disqualify himself from any consideration of the item, due to the Political Reform Act restrictions.

Council Member Pedro Martinez asked that Council consider the expansion of the Color Palate Program and extend the boundaries of the program. City Attorney Julia Lew stated that Council Member McCracken could be included in the discussion if the policy being considered was City-wide.

Community Development Director Dunlap asked permission to provide Council with alternatives. Staff was directed to bring back a report.

Disposition: Direction given.

33. REQUEST BY COUNCIL MEMBER—DISCUSSION OF IMPLEMENTATION OF A PROPERTY IMPROVEMENT AWARD PROGRAM

Recommendation: None

City Manager Longley presented the item.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member Pedro Martinez that the Council direct the Parks & Leisure Services Department to draft a Property Improvement Award Program for Council consideration.

AYES: Hamilton, F. Martinez, P. Martinez
NOES: McCracken, Hernandez
ABSTAIN: None
ABSENT: None

Disposition: Approved

34. CONSIDERATION OF RETAINING A LEGISLATIVE ADVOCATE TO ASSIST WITH ECONOMIC DEVELOPMENT PROJECT

Recommendation: Authorize the City Manager to negotiate consistent with the terms outlined, and the Mayor to execute an agreement with Michael J. Arnold and Associates, Inc., an agreement for State legislative assistance. Monies for the project in the amount of $36,000 should be budgeted from the City’s Emergency Reserve.
City Manager Longley introduced the item and presented the staff report.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Council Member Hernandez that the Council authorize the City Manager to negotiate an agreement for State legislative assistance with Michael J. Arnold and Associates, Inc., consistent with the terms outlined; authorize the Mayor to execute the agreement; and approve agreement for with Michael J. Arnold And Associates, Inc.; and approve the budgeting of $36,000 from the City’s Emergency Reserve for the project. The motion carried unanimously.

Disposition: Approved

ORAL COMMUNICATIONS
• Dick Eckhoff, 197 N. Main, commented on Item No. 32, suggesting that a sunset clause would be appropriate; stated that the color pallet should be inclusive of all downtown areas, but a little more tolerant; made mention to lighting issues downtown; and spoke in favor of one central theme.

OTHER MATTERS
• Council Member Pedro Martinez:
  1. Requested that Carlos Rivas and Granite Hills be recognized with Proclamations;
  2. Requested that staff look into installing a banner across Main Street;
  3. Spoke about Mayor Hamilton’s grandfather; and
  4. Suggested that the City look into hosting a League meeting.
• Mayor Pro Tem Felipe Martinez:
  1. Spoke of his recent discussion with Senator Ashburn regarding the Courthouse;
  2. Spoke of his recent trip to Sacramento; and
  3. Suggested that the Chamber be invited to Sacramento.
• Council Member Hernandez spoke of his discussion with Police Chief McMillan about a neighborhood watch program.
• Mayor Hamilton spoke briefly about his attendance at an Indian Gaming Seminar.

ADJOURNMENT
The Council adjourned at 11:27 p.m. to the meeting of April 27, 2007.

__________________________________
Patrice Hildreth, Deputy City Clerk
By: Luisa Herrera

Cameron Hamilton, Mayor