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

Adjourn to a Joint Meeting of the Porterville City Council and Porterville Redevelopment Agency.

**JOINT CITY/PORTERVILLE REDEVELOPMENT AGENCY AGENDA**

Roll Call: Vice Chairperson McCracken, Member Pedro Martinez, Member Felipe Martinez, Member Ward (arrived late), Chairperson Hamilton

**ORAL COMMUNICATIONS**

- Ken Walker, Springville resident and City Clerk/Finance Director with the City of Lindsay, came forward to concede the City of Lindsay’s crushing defeat to the City of Porterville at the Mayor’s Bike Race in Visalia on December 1st. Mr. Walker then challenged the City of Porterville to a dodgeball game to take place during 2009 at the McDermott Field House.

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION**:

A. Closed Session Pursuant to:


City Attorney Julia Lew advised that Council Member Felipe Martinez, Vice Mayor McCracken, and Mayor Hamilton had conflicts of interest on the matter. She stated that in order to achieve a quorum, the rule of necessity would be invoked, and as had been done on this item previously, Mayor Hamilton would be brought back to participate.

Adjourned to a meeting of the Porterville City Council.

**CLOSED SESSION**:

B. Closed Session Pursuant to:


5- Government Code 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Two Cases.

7:00 P.M. RECONVENE OPEN SESSION AND REPORT ON ANY COUNCIL AND/OR AGENCY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that no action had been taken.

Pledge of Allegiance Led by Council Member Brian Ward
Invocation – a moment of silence was observed.

PRESENTATIONS
Employee Service Awards
• Leon Phillips – 25 years of service
• Jeff Friedman – 10 years of service

ORAL COMMUNICATIONS
• Nikki Edwards, spoke in favor of Item 12 regarding Animal Control and elaborated on the needs of animals currently at the shelter. She requested that additional time be given so as to place the animals, indicating that various shelters in nearby states had evinced an interest to help.
• Herman Livingston spoke of his efforts to open a recycling center in Porterville and of the challenges he has faced with regard to zoning. Mayor Hamilton requested that staff assist him.

CONSENT CALENDAR
Items 14, 15 and 16 were removed for further discussion.

1. CITY COUNCIL MINUTES OF DECEMBER 2, 2008
Recommendation: That the City Council approve the Minutes of December 2, 2008.
Documentation: M.O. 01-121608
Disposition: Approved

2. CLAIM – JAIME GONZALEZ
Recommendation: After consideration and investigation, staff recommends that the Council reject said claim; refer the matter to the City’s insurance adjustor; and direct the City Clerk to give the Claimant proper notification.
3. CLAIM – ADAM HOLT

Recommendation: After consideration and investigation, staff recommends that the Council reject said claim; refer the matter to the City’s insurance adjustor; and direct the City Clerk to give the Claimant proper notification.

Documentation: M.O. 03-121608
Disposition: Approved

4. CLAIM – MANUEL MADRIGAL, ET AL.

Recommendation: After consideration and investigation, staff recommends that the Council reject said claim; refer the matter to the City’s insurance adjustor; and direct the City Clerk to give the Claimant proper notification.

Documentation: M.O. 04-121608
Disposition: Approved

5. AWARD OF CONTRACT – HENDERSON AVENUE (JAYE STREET TO SAN JOAQUIN VALLEY RAILROAD CROSSING) REHABILITATION PROJECT

Recommendation: That City Council:
1. Award the Henderson Avenue Rehabilitation Project to Mitch Brown Construction in the amount of $491,946.84;
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. 05-121608
Disposition: Approved

6. ACCEPTANCE OF PROJECT – NEWCOMB STREET TRENCH PATCH AND CONCRETE REPLACEMENT PROJECT

Recommendation: That 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. 06-121608
Disposition: Approved
7. AUTHORIZATION TO ADVERTISE FOR BIDS – G STREET RECONSTRUCTION PROJECT (FROM HENDERSON AVE TO 700’± SOUTH)

Recommendation: That City Council:
1. Approve staff’s recommended plans and project manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 07-121608
Disposition: Approved

8. AUTHORIZATION TO ADVERTISE FOR BIDS – FIRE STATION NO. 2 CLASSROOM BUILDING HVAC

Recommendation: That City Council:
1. Approve staff’s recommended plans and project manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 08-121608
Disposition: Approved

9. TRUCK PARKING ALONG OLIVE AVENUE IN COUNTY JURISDICTION

Recommendation: None. Information only.

Disposition: No action required.

10. CONTINUATION OF VOLUNTARY ODD/EVEN WATERING SCHEDULE

Recommendation: That City Council approve continuation of the voluntary odd/even watering schedule and adjust the public information campaign as it relates to winter conditions.

Documentation: M.O. 09-121608
Disposition: Approved

11. STATUS OF GRANT WRITER EVALUATIONS

Recommendation: For information only.

Disposition: No action required.

12. REQUEST FOR COORDINATION PERIOD FOR USE OF LINDSAY ANIMAL CONTROL FACILITY

Recommendation: Authorize a 90-day coordination period with the City of Lindsay regarding the operation of the Lindsay Animal Control Facility.
13. APPROVAL FOR COMMUNITY CIVIC EVENT – COMISION HONORIFICA MEXICO AMERICANA AND EL FUTURO CREDIT UNION “DIRECTO A MEXICO” ON JANUARY 10, 2009

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Comision Honorifica Mexico Americana and El Futuro Credit Union, subject to the stated requirements contained in the Application, Agreement and Exhibit “A”.

COUNCIL ACTION: MOVED by Council Member Felipe Martinez, SECONDED by Council Member Ward that the City Council approve Items 1 through 13. The motion carried unanimously.

14. LEGAL SERVICES AGREEMENT – CITY ATTORNEY

Recommendation: That the City Council:
1. Approve the Legal Services Agreement; and
2. Authorize the Mayor to execute the Legal Services Agreement on behalf of the City Council.

Deputy City Manager John Lollis introduced the item and presented a supplemental staff report.

COUNCIL ACTION: MOVED by Council Member Felipe Martinez, SECONDED by Vice Mayor McCracken that the City Council approve the Legal Services Agreement, and authorize the Mayor to execute the Legal Services Agreement on behalf of the City Council. The motion carried unanimously.

Disposition: Approved

15. PROPOSAL TO FORM PART-TIME PORTERVILLE AIRPORT AREA MANAGER

Recommendation: That the City Council authorize the formation of a part-time, at-will Airport Area Manager, including the indicated work schedule and compensation.

Deputy City Manager Lollis introduced the item and presented the staff report, during which he provided clarification on the new approach proposed for management of the Municipal Airport.
COUNCIL ACTION: MOVED by Council Member Felipe Martinez, SECONDED by Council Member Pedro Martinez that the City Council authorize the formation of a part-time, at-will Airport Area Manager, including the indicated work schedule and compensation.

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

Disposition: Approved

16. CONSIDERATION OF ESTABLISHING NEW COMMISSIONS IN THE CITY OF PORTERVILLE

Recommendation: That the City Council approve the formation of an interim Youth Commission and a Community Arts Commission, asking both to develop draft ordinances or resolutions establishing the Commissions of the City for the Council’s consideration.

Deputy City Manager Lollis introduced the item. Council Member Pedro Martinez requested that students in the audience come forward to address the Council.

- Jessie Trujillo, 14763 Imperial Road, Porterville College ASB President, spoke in favor of the development of a Youth Commission.
- Jose Lopez, Strathmore resident, Porterville College ASB Treasurer, was in attendance to support the formation of a Youth Commission and introduced himself to the Council.
- Jessica Facio, 971 N. Jaye Street, La Sierra High School Student, was in attendance to support the formation of a Youth Commission and introduced herself to the Council.
- Brittany Cavahee, Monache High School Treasurer, was in attendance to support the formation of a Youth Commission and introduced herself to the Council.
- Daniel Wright, 2490 Porter Creek Avenue, Harmony Magnet Academy, was in attendance to support the formation of a Youth Commission and introduced himself to the Council.

Council Member Pedro Martinez spoke in support of his request and of his experience in meeting with youth in the community.

Council Member Ward then spoke in support of his request for an Arts Commission and of the benefits of a working relationship with the arts community. Council Member Felipe Martinez also voiced support for the establishment of an arts commission.

Vice Mayor McCracken inquired about the fiscal impact of both commissions on the City’s budget, and of the support and involvement of the schools and the Chamber in the programs. Council Member Pedro Martinez addressed Vice Mayor McCracken’s concerns, and a discussion ensued about the importance of youth involvement in city government.
Mayor Hamilton emphasized the importance of defining a purpose for the commission to encourage longevity, and suggested that the commissions be established by resolution. City Attorney Lew stated she would need to research the City’s Charter to determine if an ordinance would be required to establish the commissions.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Council Member Felipe Martinez that the City Council approve the formation of an interim Youth Commission, as amended to request that a draft resolution establishing the Commission be developed for the Council’s consideration. The motion carried unanimously.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Council Member Felipe Martinez that the City Council approve the formation of a Community Arts Commission, as amended to request that a draft resolution establishing the Commission be developed for the Council’s consideration. The motion carried unanimously.

Disposition: Approved

The Council recessed for ten minutes.

SCHEDULED MATTER

17. City Council Study Session to Review the Latest Developments with the Comprehensive Zoning Ordinance Update and Provide Comment on the Proposed Standards

Recommendation: For information purposes only.

Mayor Hamilton requested that the Comprehensive Zoning Ordinance Update be reviewed in sections due to the significant amount of information being presented.

Community Development Director Dunlap introduced City Planner Ben Kimball as the presenter.

City Planner Kimball presented the first component to the Council for further direction and feedback. Mr. Kimball indicated that efforts were being made to consolidate, organize, and clarify the codes for development in the community, and provided examples throughout his presentation. He summarized the information and focused on major policy issues and changes that were considered to be significant to the community; as well as any issues where there may have been varying opinions amongst staff and the committees.

Disposition: No action required.

ORAL COMMUNICATIONS

None
OTHER MATTERS

- Vice Mayor McCracken updated the Council on the recent withdrawal of Delta Vector Control from the Mosquito Abatement Study Group, and requested that the item scheduled for the January 6, 2009 meeting be an action item.

- Council Member Pedro Martinez:
  1. Requested that congratulatory letters be sent to those high schools that did well on their exams;
  2. Spoke of his attendance at the Mariachi Christmas event, and requested that a letter be sent to the organization thanking them for the event; and
  3. Spoke of the lack of entries into the Holiday Decorations Contest and inquired whether the Council could nominate contenders. Glen Faison, Porterville Recorder Editor, advised that one entry had been received that day, and that he would look into the posted rules for the contest.

- Council Member Ward:
  1. Wished everyone a Merry Christmas;
  2. Spoke of the issue of trucks parking along Olive Avenue and advised that his comments should be considered a “formal complaint.” A brief discussion ensued as to enforcement; and
  3. Thanked the Council Members for their support in proceeding with the youth and arts commissions.

- Council Member Felipe Martinez:
  1. Inquired as to the status of the banners that were to have been placed along and across Main Street. Mayor Hamilton indicated that he recalled the banners were cost-prohibitive, and advised that he would speak with another potential vendor and report back to the Council;
  2. Wished everyone a very Merry Christmas; and
  3. Thanked City staff for their hard work.

- Mayor Hamilton spoke of comments made by Supervisor Ennis with regard to a lack of higher education opportunities in Porterville.

- Deputy City Manager Lollis spoke of the Employee Holiday Luncheon scheduled for December 18th and invited the Council to participate.

ADJOURNMENT
The Council adjourned at 9:47 p.m. to the meeting of January 6, 2009 at 6:00 p.m.