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:


5- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case

6- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Eight Cases

**7:00 P.M. RECONVENE OPEN SESSION**

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

Pledge of Allegiance Led by Vice Mayor Pete V. McCracken
Invocation

**PROCLAMATIONS**

Michael Allen Taylor – Eagle Scout
Parks & Recreation Month

**PRESENTATIONS**

Employee of the Month – Rowena Jose
Introduction of New Employees
Track to Valleywide Job Creation – Supervisor Mike Ennis
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. City Council Minutes of June 2, 2009 and June 23, 2009

2. Claim – Ramiro Ruiz
   Re: Considering rejection of a claim in an amount of $1,500 for vehicle damages that were allegedly incurred when the claimant struck a pothole near the railroad tracks on Henderson Avenue west of Main Street on May 12, 2009.

3. Authorization to Advertise for Bids – Well No. 31 Project (Pumping Plant)
   Re: Approval of the Plans and Project Manual for the project consisting of the installation of a 250 HP pump, electrical system, above ground discharge piping and other items of work necessary to provide a complete pumping plant at the well located on the west side of Mathew Street, approximately 100 feet south of Orange Avenue.

4. Award of Contract – Community Center Parking Lot Project
   Re: Awarding contract in an amount of $89,286.75 to Mark Hoffman Engineering of Tulare for the project consisting of new paving, curb and gutter, sidewalk, drive approaches, irrigation sleeves under hardscape areas, and appurtenances at the Community Center building on Putnam Avenue.

5. Acceptance of Project – OHV (Off-Highway Vehicle) Park Spectator Awning
   Re: Accepting project as complete from Webb & Son, and authorizing the filing of the Notice of Completion for the project consisting of the installation of ±1205 square feet of light gauge steel awning and ±625 square feet of new concrete patio area at the OHV Park.

6. Acceptance of Project – Core Area Curb, Gutter and Sidewalk, PH 2 & 4
   Re: Accepting project as complete from Halopoff & Sons, Inc., and authorizing the filing of the Notice of Completion for the project consisting of the installation of new curbs, gutters and sidewalk along various streets within the Core Area (South of Henderson, East of Jaye Street, West of Plano, and North of Hwy 190).

7. Acceptance of Project – ‘G’ Street Reconstruction (Henderson Avenue to 700’ South)
   Re: Accepting project as complete from Halopoff & Sons, Inc., and authorizing the filing of the Notice of Completion for the project consisting of the installation of curb, gutter, sidewalk, drive approaches, curb returns, new paving, sewer main connection, sewer laterals, water services, storm drain and appurtenances on ‘G’ Street from Henderson Avenue to 700’ ± south.
8. **Program Supplement to the Local Agency-State Master Agreement – Indiana Street (Olive to Roby), Prospect Street (Tomah to Olive) and Henderson Avenue (Plano to 1000’ East) Shoulder Stabilization Project**  
Re: Adoption of a resolution approving Program Supplement Agreement No. N037 for the construction of curb, gutter and sidewalk on Indiana Street (Olive to Roby), Prospect Street (Tomah to Olive), and Henderson Avenue (Plano to 1000’ east).

9. **Authorization to Execute a Consultant Service Agreement for Surveying Services – Olive Avenue Rehabilitation and Tomah Avenue Storm Drain**  
Re: Authorization to execute a Consultant Service Agreement with Quad Knopf at an agreed fee of $8,660.00 for surveying services on Olive Avenue from Villa Street to Plano Street, and for Tomah Avenue from Porter Road to Wisconsin Street.

10. **Approval of Lease Agreement With the Housing Authority of the County of Tulare for the Santa Fe Depot**  
Re: Considering approval of a new Lease Agreement with the Housing Authority for the Santa Fe Depot, which provides for City controlled utilization of the property for general community-based activities for a term of 20 years.

11. **Airport Lease Renewal - Lot 39**  
Re: Considering approval of an extension of the Lease Agreement between the City of Porterville and Mr. Ben Favroldt of Porterville, CA, for Lot 39 at the Porterville Municipal Airport.

12. **Status Report on the City of Porterville Housing Element Update**  
Re: Informational report on the status of the Draft Housing Element that was submitted to the California Department of Housing and Community Development on March 10, 2009.

13. **Request to Apply for Edward Byrne Memorial Justice Assistance Grant Funds**  
Re: Considering approval of a request to apply to the Bureau of Justice Assistance for a grant award of $30,690 for funds from the Byrne Memorial Justice Assistance Grants Program.

14. **Adoption of Annual Appropriation Limit**  
Re: Approval of a resolution adopting an appropriation limit of $48,067,656 for the 2009/2010 fiscal year pursuant to Article XIII-B of the California Constitution.

15. **Authorization to Roll Weed Abatement Balances to the Property Tax Rolls**  
Re: Adoption of a resolution authorizing the County Auditor to place weed abatement balances on the property tax rolls for collection.

Re: Considering approval of the draft Response to the Grand Jury Report concerning Housing Blight in Tulare County.
17. **Authorization to Reorganize the Field Services Division - Public Works Department**  
   Re: Considering approval of a resolution authorizing a change in the Table of Organization in the Field Services Division of the Public Works Department.

18. **Proposed Change in the Table of Organization Within Administrative Services Department and Finance Department**  
   Re: Considering approval of a resolution authorizing a change in the Table of Organization in the Administrative Services Department and the Finance Department.

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

**PUBLIC HEARINGS**

19. **Annexation No. 1 to Landscape and Lighting Maintenance District No. 32, and Establishing Assessments**  
   Re: Considering adoption of a resolution ordering Annexation No. 1 to Landscape and Lighting Maintenance District No. 32, approving Engineer’s Report, and the method and levy of assessments.

**SCHEDULED MATTERS**

20. **Status Report of Council Subcommittee on Consideration of a Planning Committee**  
   Re: Informational report regarding the Council Sub-Committee’s consideration of alternatives for the establishment of a Planning Committee.

21. **Consideration of Setting a Public Hearing to Consider Modification or Revocation of Conditional Use Permit 4-2007 (Brickhouse Bar & Grill)**  
   Re: Considering the scheduling of a public hearing to consider modification or revocation of Conditional Use Permit 4-2007 due to the generation of nuisance noise which constitutes a violation of the conditions of approval of the CUP.

22. **Preliminary Annual Engineer’s Report of Assessments for Lighting & Landscape Maintenance Districts and Setting a Public Hearing**  
   Re: Considering approval of resolutions ordering the preparation of an Engineer’s Report for the Landscape and Lighting Maintenance Districts; giving preliminary approval to the Engineer’s Report; and declaring the intent to levy and collect assessments, and scheduling a public hearing for July 21, 2009 at 7:00 p.m.

22a. **Neighborhood Stabilization Program 2 (NSP2) of the American Recovery and Reinvestment Act, 2009 (ARRA)**  
   Re: Considering approval of a Memorandum of Understanding between the City of Porterville and the California Department of Housing and Community Development, acting as the lead member, for the purpose of applying as a consortium for NSP2 funds.

23. **Councilmember Appointments**  
   Re: Consideration of the appointment of the Councilmembers.
24. **Councilmember Requested Agenda Item – Status Report of Building Permits Issued in 2009**  
Re: An informational report providing an analysis of building permits issued for the calendar year through June 30, 2009.

25. **Councilmember Requested Agenda Item - Report on Status of City’s Regulations Pertaining to Alarm Systems**  
Re: Informational report regarding the City’s regulations pertaining to alarm systems.

26. **Councilmember Requested Agenda Item – Report on Status of Noise Ordinance**  
Re: Informational report regarding the status of the noise ordinance.

**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 July 21, 6:00 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 Office of City Clerk at (559) 782-7464. 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.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection during normal business hours at the Office of City Clerk, 291 North Main Street, Porterville, CA  93257, and on the City’s website at www.ci.porterville.ca.us.