Call to Order
Roll Call

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

**CLOSED SESSION:**
A. Closed Session Pursuant to:
   6- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case.
   7- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Three Cases.

7:00 P.M. RECONVENE OPEN SESSION
**REPORT ON ANY CITY COUNCIL ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Council Member Felipe A. Martinez
Invocation

**PROCLAMATIONS**
Extended Opportunity Programs and Services (EOPS)

**PRESENTATIONS**
Employee of the Month – Chris McGuire
Outstanding Business
Eagle Mountain Air Show
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.


2. Budget Adjustment for the 2009-10 Fiscal Year
Re: Considering approval of budget adjustments consisting of an increase of $22,722 in appropriation for additional staff at Santa Fe Elementary School’s afterschool program, and a $49,000 increase in appropriation for the Shop Upgrade Project at the City’s CNG facility.

3. Claim – Kenneth Balderama
Re: Considering rejection of a claim in an amount exceeding $10,000 for post traumatic stress, which the claimant alleges is the result of an accidental discharge from an off-duty Porterville police officer’s gun on February 19, 2009, in the vicinity of the 900 block of N. Shadowood Court.

4. Negotiated Purchase – Sewer Lift Station #9 Equipment
Re: Authorizing the purchase of equipment from Smith & Loveless Inc., in the amount of $28,000 for the replacement of two existing pumps and equipment at Lift Station #9.

5. Authorization to Negotiate a Contract – Architectural & Engineering Services for the City of Porterville Animal Shelter and Dog Park Project
Re: Authorizing the execution of a Consultant Service Agreement with Taylor-Teter Partnership at an agreed fee of $100,000 for the design and preparation of plans and project manual for the Animal Shelter Project.

5a. Micro-Surfacing Project – Failure to Execute Contract
Re: Considering rejection of a bid received from Bond Blacktop, Inc., and awarding contract to Valley Slurry Seal in the amount of $460,517.90 for the project consisting of a durable thin asphalt overlay on several streets within the city.

6. Acceptance of Project - Henderson Avenue Rehabilitation Project (Jaye Street to SJVRR)
Re: Accepting project as complete from Mitch Brown Construction, and authorizing the filing of the Notice of Completion for the project consisting of the rehabilitation of Henderson Avenue, from Jaye Street to the San Joaquin Valley Railroad, by implementation of “Full Depth Reclamation” process.

7. Acceptance of Improvements - Ranch Victoria, Phase One (Thomas McNamara & Janice McNamara)
Re: Accepting the public improvements of Ranch Victoria, Phase One Subdivision for maintenance from Thomas and Janice McNamara, and authorizing the filing of the Notice of Completion.
8. **Intent to Vacate a Portion of Oak Avenue, Ruth Street, Olive Avenue and Public Utility Easement (Porterville Public Cemetery District)**  
Re: Considering approval of a resolution of intent to vacate a portion of Oak Avenue, Ruth Street, Olive Avenue and public utility easement between Crestview Street and Olivecrest Avenue per an agreement between the City of Porterville, the Porterville Public Cemetery District, and Tuesday’s Angels.

9. **Program Supplement to the Local Agency-State Master Agreement – Prospect Street Reconstruction and Concrete Improvements Project**  
Re: Considering approval of Program Supplement Agreement No. N038-N for the installation of new curb and gutter, sidewalk, driveways, asphalt concrete paving, fire hydrant assemblies, water services, sewer laterals, and storm drain inlets along Prospect Street between Median Avenue and North Grand Avenue.

10. **Amended Agreement with Sierra Management**  
Re: Considering approval of an amended agreement with Sierra Management for the purpose of indemnifying the contractor from any liability arising out of the City’s maintenance of the fleet.

11. **Consolidated Waste Management Authority Membership Agreement Payment**  
Re: Considering authorization of payment to Consolidated Waste Management Authority for the City’s membership contribution for 2009/2010 in the amount of $52,071.

12. **Approval of Lease Agreement with City of Lindsay for Lindsay Animal Shelter**  
Re: Considering approval of a Lease Agreement with the City of Lindsay for use of their animal shelter at a cost of $1.00 per year for the purpose of providing the City’s Animal Control Unit with additional kennel space.

13. **Visalia’s Haz Mat Program**  
Re: Informational report regarding funding for the City of Visalia’s Haz Mat Team.

14. **Rescind Resolution 2-2009 and Adopt a Revised Resolution Establishing a Repayment Schedule from the Farming Operation to the General Fund for Costs Incurred in the Replacement of the Porterville Municipal Airport Kit Fox Preserve**  
Re: Considering approval of a draft resolution rescinding Resolution 2-2009, and approval of a draft resolution establishing a Repayment Schedule from the Farming Operation to the General Fund for costs incurred in the replacement of the Porterville Municipal Airport Kit Fox Preserve.

15. **Resolution for Funding from the California RELEAF American Recovery and Reinvestment Act Grant Program**  
Re: Considering adoption of a resolution authorizing the submittal of an application for American Recovery and Reinvestment Act funding for tree projects and urban forestry programs.

16. **Renewal of Personnel Examining Services Agreement Between the City of Porterville and Cooperative Personnel Services**  
Re: Considering approval of a resolution authorizing the renewal of the Test Security Agreement with Cooperative Personnel Services for test services utilized in the City's recruitment process.
17. **Appointment to the Uniform Housing & California Building Code Appeals Board**  
   Re: Considering appointment of candidates as the City of Porterville’s Uniform Housing and California Building Code Appeals Board for a term of 5 years beginning October 12, 2009.

18. **Approval for Community Civic Event – Central California Family Crisis Center’s Annual Candlelight Vigil for Domestic Violence – October 15, 2009**  
   Re: Considering approval of an annual Civic Event consisting of a candlelight vigil at Centennial Plaza on Thursday, October 15, 2009, from 4:30 p.m. to 8:30 p.m.

19. **Approval for Community Civic Event – Mariachi Academy Foundation and the Time Marches on Committee – Fabulous Music Jam III – November 7, 2009**  
   Re: Considering approval of a Civic Event consisting of an entertainment and music fundraiser at the Centennial Plaza on Saturday, November 7, 2009, from 10:00 a.m. to 9:00 p.m., on Main Street from Morton Avenue to Putnam Avenue.

20. **Approval for Community Civic Event – Veterans’ Homecoming Committee – Veterans’ Day Parade – November 11, 2009**  
   Re: Considering approval of an annual Civic Event consisting of a parade on Wednesday, November 11, 2009, from 5:00 a.m. to 12:00 p.m., on Main Street from Danner Avenue to Orange Avenue.

21. **Approval for Community Civic Event – City of Porterville’s Parks & Leisure Services – Annual Veterans’ Day Run – November 11, 2009**  
   Re: Considering approval of an annual Civic Event consisting of a 5K-run/walk and 10K-run/walk on Wednesday, November 11, 2009, from 5:00 a.m. to 10:00 a.m.

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

PUBLIC HEARINGS

22. **Precise Alignment of Mathew Street Between Castle Avenue and North Grand Avenue**  
   Re: Considering the adoption of a precise alignment for Mathew Street between Castle Avenue and North Grand Avenue.

SCHEDULED MATTERS

23. **Lighting Maintenance Districts Consolidation**  
   Re: Considering the consolidation of lighting-only maintenance districts as a cost saving measure.

24. **Council Member Requested Agenda Item – Commercial Truck Parking Re-Visited**  
   Re: Informational report regarding commercial truck parking within City limits.

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 October 20, 2009 at 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.