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 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Two Cases.

6- Government Code 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – One Case.

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

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

Pledge of Allegiance Led by Mayor Cameron Hamilton

Invocation

**PROCLAMATIONS**

Exchange Club of Porterville Month – February, 2009

**PRESENTATIONS**

Mayor’s State of the City Address
Employee of the Month – Annamarie Olson
East County Mosquito Abatement Study Steering Committee

**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 January 6, 2009

2. Claim – Hugo Martinez
   Re: Considering rejection of a claim in an amount of $281.07 for damages to claimant’s vehicle that allegedly occurred when it was struck by a golf ball on December 27, 2008 while parked on North Leggett in the vicinity of the Porterville Municipal Golf Course.

3. Claim – George Verdugo
   Re: Considering rejection of a claim for personal injuries, in the limited jurisdiction of Tulare County Superior Court, allegedly sustained when claimant’s vehicle was rear-ended by a Porterville Police patrol vehicle at the intersection of North Grand and Newcomb Street on March 7, 2008.

4. Authorization to Re-Advertise for Bids – Fire Station No. 2 Classroom Building HVAC
   Re: Approving staff’s amended Estimate of Probable Cost for the installation of four HVAC units and related appurtenances at the Fire Station No. 2 Classroom Building on Newcomb Street.

5. Acceptance of Project – Roche Sewer Project – Morton Avenue (Roche School to Henrahan Street)
   Re: Accepting project as complete from 99 Pipeline, Inc., and filing the Notice of Completion for the project consisting of the installation of 6” sanitary sewer piping, manholes and related appurtenances along the north side of Morton Avenue from Roche School to Henrahan Street.

6. Acceptance of Project – Fire Station No. 2 (Sewer Connection) Project
   Re: Accepting project as complete from Serna Construction, Inc., and filing the Notice of Completion for the project including the installation of a sewer lateral, manhole connection, trench patching, and concrete and pavement improvements within and adjacent to the Newcomb Street right of way.

7. Acceptance of Project – Park Playground Replacements
   Re: Accepting project as complete from Game Time for the project consisting of the replacement of all existing playground equipment and sand at each park with new playground structures and engineered wood fibers to meet current codes and regulations.

8. Authorization to Encroach into City Right of Way - Frank's Stop N' Go Market
   Re: Acceptance of the proposed Agreement authorizing the encroachment into City right of way along Villa Street at Olive Avenue for the purpose of installing new gasoline pumping equipment and canopy to meet the new emission standards established by the San Joaquin Valley Air Pollution Control District.

9. Abandonment of Henderson Avenue Pioneer Irrigation Pipe & Agreement on Use of Muller Field
   Re: Considering an agreement with the Pioneer Water Company which would allow for the completion of concrete improvements along the south side of Henderson Avenue between Fourth Street and Plano Street as part of the City’s Core Area 2 & 4 Concrete Improvement Project.

10. Street Performance Measure – 2nd Quarter Update
    Re: Informational report on the progress made in street reconstruction, overlay, micro-overlay and pothole repair efforts for the period of October 1 through December 31, 2008.

11. Code Enforcement Update

12. Interim Financial Status Reports and Grants Summary Report
    Re: Acceptance of the interim financial status reports and grants summary report for the second fiscal quarter, in accordance with Council Minute Order Nos. 13-041602 and 10-011607.
12a. FY2008-2009 Mid-Year General Fund Budget Report  

13. Quarterly Portfolio Summary  
Re: Acceptance of the quarterly Portfolio Summary for the second fiscal quarter in accordance with SB 564 and SB 866.

Re: Approving annual event to take place from 5:00 a.m. to 11:00 a.m. along Tulsa Street, Olive Avenue, Crestview Street, Morton Avenue, Connor Street and Putnam Avenue.

15. Attendance Report for City Commissions, Boards and Committees – 2nd Quarter Update  
Re: Informational report consisting of the second quarter FY2008/2009 attendance records for the Parks & Leisure Services Commission; Library Board of Trustees; Transaction and Use Tax Oversight Committee; CDBG Advisory and Housing Opportunity Committee; and Redevelopment Advisory Committee.

16. Seafood Café/El Reventon Update  
Re: Informational update of ABC, police, and building permit activity for the Seafood Cafe/El Reventon establishment since the October 7, 2008 City Council Meeting.

17. Redevelopment Agency Annual Report to Legislative Body  

18. Informational Update of ‘Wall of Fame’ Honorees  

19. Animal Control Services Update  

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

PUBLIC HEARINGS
20. Request for Modification to Conditional Use Permit 9-2007 (Mr. Iqbal Singh – Friendly Liquor)  
Re: Considering a request for a modification to CUP 9-2007 to allow for deviation from the originally approved gas canopy design for the convenience market located at 814 W. Olive.

SCHEDULED MATTERS
Re: Considering approving participation in a JPA with Tulare County and the Cities of Dinuba, Farmersville and Tulare for the purpose of distributing Neighborhood Stabilization Program funds.

22. CDBG Citizens’ Advisory and Housing Opportunity Committee and Citizen Participation Plan  
Re: Adoption of the 2009 Citizen Participation Plan and the appointment of existing committee members to the Citizens’ Advisory and Housing Opportunity Committee for a one-year term.

23. Re-visiting City’s Sewer Connection Policy  
Re: Directing the Sewer Connection Policy Committee to meet and formulate options that address the full range of issues affecting home owners with failing septic tanks and property owners of vacant lots that lie outside 1,320’ from the nearest sewer mains.
24. Council Member Request – Information Concerning Certain Terms of Agricultural Management Agreement for Reclamation Area Management Cost Recovery Program

Re: Informational report concerning the Agricultural Management Agreement between City of Porterville and Robert Nuckols, specifically the current legal provisions for termination of the Agreement.

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 February 17, 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.