Call to Order at 6:05 p.m.
Roll Call: Council Member Hamilton, Council Member Pedro Martinez, Council Member Felipe Martinez, Vice-Mayor Ward, Mayor McCracken

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

JOINT CITY(PORTERVILLE REDEVELOPMENT AGENCY AGENDA

Roll Call: Member Hamilton, Member Pedro Martinez, Member Felipe Martinez, Vice-Chairman Ward, Chairman McCracken

ORAL COMMUNICATIONS
None

REDEVELOPMENT AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:

During Closed Session, the Redevelopment Agency adjourned to a meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   3- Government Code Section 54956.9(e) – Conference with Legal Counsel – Anticipated Litigation – One Case.
   4- Government Code Section 54957 - Public Employee Performance Evaluation - Title: City Manager.

7:00 P.M. RECONVENE OPEN SESSION AND REPORT ON ANY COUNCIL AND/OR REDEVELOPMENT AGENCY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that no action took place during Closed Session.

Pledge of Allegiance Led by Council Member Felipe A. Martinez
Invocation – one individual participated.

**PROCLAMATIONS**

Porterville High School Girls’ Tennis

**PRESENTATIONS**

Employee Service Awards

**ORAL COMMUNICATIONS**

- John Coffee, a Porterville resident, spoke of an article appearing recently in the Fresno Bee regarding water overdraft, and spoke of the need for the City to take a proactive approach with water conservation efforts. Mr. Coffee then provided the Council with a copy of said article.
- Joe Moreno, on behalf of the Library Board of Trustees, requested the Council’s approval of Item 19.
- Dick Eckhoff, Chairman of the Zalud House Revenue Committee, requested that he have the opportunity to speak during the Council’s consideration of Item 18.

**CONSENT CALENDAR**

1. **CITY COUNCIL MINUTES OF NOVEMBER 24, 2009**

   Recommendation: That the City Council approve the City Council Minutes of November 24, 2009.

   Documentation: M.O. 01-121509
   Disposition: Approved.

2. **BUDGET ADJUSTMENT – BEVERLY STREET WATER SYSTEM DESIGN**

   Recommendation: That the City Council:
   1. Direct the Public Works Director to begin design of the Beverly Street Water Project immediately;
   2. Direct the City Manager to prepare and implement a budget adjustment to the 2009/2010 Annual Budget in the amount of $28,000 to cover design and environmental costs for the Beverly Street Water System Project;
   3. Authorize the Public Works Director to augment the existing “Revolving Survey” contract by $10,000; and
   4. Authorize the Public Works Director to engage the services of James Winton and Associates or the services of Dee Jaspar & Associates for the purpose of obtaining topographic survey data along Beverly Street from W. North Grand Avenue to Castle Avenue.

   Documentation: M.O. 02-121509
   Disposition: Approved.

3. **CLAIM – MICHAEL FEAGIN, III**

   Recommendation: That the City Council, after consideration and investigation, 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. 03-121509  
Disposition: Approved.

4. CLAIM – DORA E. RODRIGUEZ ON BEHALF OF VINCE CERVANTES

Recommendation: That the City Council, after consideration and investigation, accept said claim and authorize payment in the amount of $7,489.68.

Documentation: M.O. 04-121509  
Disposition: Approved.

5. AUTHORIZATION TO ADVERTISE FOR BIDS – PORTERVILLE FAIRGROUNDS OFF-SITE IMPROVEMENTS PROJECT

Recommendation: That the City Council:
1. Authorize a budget adjustment by appropriating ($175,000) of Measure R Local Funds for the street frontage improvements;
2. Authorize a budget adjustment by appropriating ($200,000) of Sewer Revolving Funds for the sewer main extension to properties proposed for development;
3. Approve staff’s recommended plans and project manual; and
4. Authorize staff to advertise for bids for the Porterville Fairgrounds Offsite Improvements Project.

Documentation: M.O. 05-121509  
Disposition: Approved.

6. RESOLUTION APPROVING AMENDMENT 2 TO THE MEASURE R EXPENDITURE PLAN

Recommendation: That the City Council:
1. Affirm by Resolution the five (5) amendments to the Measure R Expenditure Plan;
2. Authorize the Mayor to sign the resolution; and
3. Direct the City Clerk to transmit the executed resolution to the attention of Ted Smalley, Tulare County Transportation Authority.

Documentation: Resolution 106-2009  
Disposition: Approved.

7. RESOLUTION OF SUPPORT – TULE RIVER PARKWAY FROM MAIN STREET TO PLANO STREET

Recommendation: That the City Council:
1. Approve and authorize the Mayor to execute the proposed Resolution of
Project Support; and

2. Direct the Public Works Director to transmit the executed Resolution of Project Support to Caltrans District 6: Local Projects.

Documentation: Resolution 107-2009
Disposition: Approved.

8. PORTERVILLE ANIMAL SHELTER – COLORED EXTERIOR BUILDING ELEVATIONS

Recommendation: That the City Council:
1. Review the colorized exterior building elevations and provide input requiring the consultant’s attention; and
2. Approve the color renderings as presented.

Documentation: M.O. 06-121509
Disposition: Approved.

9. MUTUAL SETTLEMENT AND RELEASE – RICK PERIGO ROADSIDING

Recommendation: That the City Council approve the proposed Mutual Release and Compromise Agreement.

Documentation: M.O. 07-121509
Disposition: Approved.

10. AUTHORIZE PAYMENT FOR OHV FACILITY DOZER REPAIRS

Recommendation: That the City Council authorize payment in the amount of $9,100.04 for OHV Facility dozer repairs.

Documentation: M.O. 08-121509
Disposition: Approved.

11. THIS ITEM WAS REMOVED.

12. SCHEDULE A JOINT MEETING WITH THE LIBRARY BOARD FOR CONSIDERATION OF THE LIBRARY FACILITIES AND SPACE NEEDS ASSESSMENT

Recommendation: That the City Council schedule a joint meeting with the Library Board of Trustees for consideration of the Library Facilities and Space Needs Assessment on January 12, 2010 at 5:30 p.m. in the Community Room.

Documentation: M.O. 09-121509
Disposition: Approved.

13. INFORMATION ON CSET URBAN FORESTRY PROGRAM
14. REQUEST TO PURSUE GANG REDUCTION, INTERVENTION, AND PREVENTION (CALGRIP) PROGRAM FUNDING

Recommendation: That the City Council authorize Police Department staff to investigate and, if qualified, pursue the CalGRIP funding opportunity.

Documentation: M.O. 11-121509
Disposition: Approved.

15. ASSIGN AIRPORT LEASE – LOT 45

Recommendation: That the City Council approve the assigning of the Lease Agreement for Airport hangar Lot 45 between the City of Porterville and Mr. Michael Archer to Gillespie Ag Services.

Documentation: M.O. 12-121509
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Vice Mayor Ward that the Council approve Items 1 through 15. The motion carried unanimously.

PUBLIC HEARINGS

16. ZONING ORDINANCE TEXT AMENDMENT TO AMEND SECTION 801.1 (A) OF THE PORTERVILLE ZONING ORDINANCE TO ALLOW CAR WASHES AS CONDITIONAL USES IN THE CENTRAL COMMERCIAL (C-2) ZONE

Recommendation: That the City Council:
1. Approve the proposed Ordinance Amendment and give first reading to the draft ordinance; and
2. Waive further reading; approve Ordinance Amendment 2009-01; and order the ordinance to print.

City Manager John Lollis presented the item, and City Planner Ben Kimball presented the staff report.

The public hearing opened at 7:32 p.m.

- John Hale, applicant and Bakersfield resident, spoke of the benefits to the City, and requested the Council’s approval of said item.
Dick Eckhoff, business address at 197 North Main Street, spoke in favor, and of the need for the Council to carefully address such requests.

The public hearing closed at 7:35 p.m.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Felipe Martinez that the Council approve the proposed ordinance and give first reading; waive further reading; and order the ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE MUNICIPAL CODE APPENDIX A – ZONING ORDINANCE SECTION 801.1(A) PERTAINING TO CAR WASHES IN THE CENTRAL COMMERCIAL (C-2) ZONE. The motion carried unanimously.

The City Manager read by title only.

Disposition: Approved.

SECOND READINGS

17. ORDINANCE 1758, ZONE CHANGE 1-2009

Recommendation: That the City Council give Second Reading to Ordinance 1758; waive further reading; and adopt said Ordinance.

City Manager Lollis presented the item and the staff report.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Council Member Hamilton that the Council give Second Reading to Ordinance 1758; waive further reading; and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 1-2009 BEING A PRE-ZONING FROM COUNTY C-1 (NEIGHBORHOOD COMMERCIAL) TO CITY C-1 (NEIGHBORHOOD COMMERCIAL) FOR THAT 3.45± ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF STATE ROUTE 65 AND WESTFIELD AVENUE. The motion carried unanimously.

The City Manager read by title only.

Disposition: Approved.

SCHEDULED MATTERS

18. ZALUD HOUSE FEES AND CHARGES

Recommendation: That the City Council consider the Zalud House related fees and charges; provide direction for any appropriate changes; and direct that a public hearing be noticed for January 19, 2010 for consideration of adoption of Zalud House related fees and charges.
City Manager John Lollis presented the item, and Parks and Leisure Services Director Jim Perrine presented the staff report.

A discussion ensued as to the current usage of the Zalud House facility and the past and present fee structure.

- Dick Eckhoff, President of the Zalud House Revenue Recommendation Committee spoke of the marketing efforts and of the need to increase revenue and interest.

**COUNCIL ACTION:** MOVED by Council Member Pedro Martinez, SECONDED by Council Member Hamilton that the Council direct staff to schedule a public hearing at the first meeting in February, 2010 to consider re-establishing the fee schedule for the Zalud House that was in effect prior to March 2006.

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

Disposition: Staff directed to schedule public hearing for February 2, 2010.

19. EARLY LITERACY PROGRAM

Recommendation: That the City Council receive the recommendation of the Library Board of Trustees and approves the new Early Literacy program components commencing in January 2010.

City Manager Lollis presented the item, and City Librarian Vikki Cervantes presented the staff report.

**COUNCIL ACTION:** MOVED by Vice Mayor Ward, SECONDED by Council Member Felipe Martinez that the Council receive the recommendation of the Library Board of Trustees and approve the new Early Literacy program components commencing in January 2010. The motion carried unanimously.

Disposition: Approved.

20. COUNCIL MEMBER REQUESTED AGENDA ITEM – SUMMARY OF COMMUNITY PARTNER MEETING REGARDING EARLY LITERACY

Recommendation: That the City Council accept the informational report.

City Manager Lollis presented the item and the staff report.

Vice Mayor Ward elaborated on the community partner meeting in which he participated, and spoke of the benefits to the community in moving forward with the proposed concept. After a brief
discussion, the Council directed staff to continue working with Council Member Ward to move the program forward, and report back to the City Council in sixty days.

Disposition: Staff direction provided.

21. COUNCIL MEMBER REQUESTED AGENDA ITEM – CONSIDERATION OF RESOLUTION OF SUPPORT FOR TULARE MOTORSPORTS COMPLEX

Recommendation: That the City Council consider the adoption of a resolution of support for the Tulare Motorsports Complex.

City Manager Lollis presented the item and the staff report.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Felipe Martinez that the Council adopt the draft resolution of support for the Resolution 108-2009 Tulare Motorsports Complex. The motion carried unanimously.

Disposition: Approved.

22. COUNCIL REVIEW OF 2009 PRIORITY PROJECTS, AND CONSIDERATION OF 2010 PRIORITY PROJECTS

Recommendation: That the City Council review the progress of its 2009 Priority Projects, and consider the adoption of 2010 Priority Projects.

City Manager Lollis presented the item and the staff report. A discussion ensued as to the methodology utilized in past priority project reviews and the effectiveness of same. It was proposed that the “dot” system again be utilized for identifying priority projects for Calendar Year 2010.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Pedro Martinez that the Council direct staff to schedule a study session on an M.O. 15-121509 available Saturday in January, 2010; and publicize the meeting for public input.

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

Disposition: Approved; direction given to staff.

The City Council adjourned at 8:34 p.m to a Meeting of the Porterville Redevelopment Agency.
REDEVELOPMENT AGENCY AGENDA
December 15, 2009

Roll Call: Agency Member Hamilton, Agency Member Pedro Martinez, Agency Member Felipe Martinez, Vice Chairman Ward, Chairman McCracken

ORAL COMMUNICATIONS
None

WRITTEN COMMUNICATIONS
None

SCHEDULED MATTERS
PRA09-08 PRA-01 REQUEST FOR AN EXCEPTION TO THE REDEVELOPMENT AGENCY DEVELOPMENT AGREEMENT FOR THAT SITE LOCATED AT 298 N. MAIN STREET

Recommendation: That the Redevelopment Agency adopt the draft resolution granting the exception to the approved DDA as proposed.

City Manager John Lollis presented the item. The staff report was waived by Council.

AGENCY ACTION: MOVED by Agency Member Hamilton, SECONDED by Agency Member Felipe Martinez that the Redevelopment Agency adopt the proposed resolution granting the exception to the approved DDA.

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

Disposition: Approved.

The Redevelopment Agency adjourned at 8:37 p.m. to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS
• Dick Eckhoff, business address at 197 North Main Street, spoke of the Zalud House, posed questions for the Council to consider in its analysis of the marketing and use of the property; and cautioned of its sensitivity.
• John Coffee, advised the Council that he believed the Kearny Mansion in Fresno was owned by UC Davis.
• Kay Chandler, a young gentleman in the audience, greeted the Council at the encouragement of Council Member Felipe Martinez.

OTHER MATTERS
• Council Member Hamilton 1) thanked Parks & Leisure Services for the successful Senior Dinner; 2) thanked the Police Department for its Santa Claus event; and 3) reiterated his interest in nominating Mr. Roy Rockholt and Mr. Jim Maples for
placement on the Wall of Fame.

- Council Member Pedro Martinez lauded the Mariachi Winter Wonderland event held at the Buck Shaffer Auditorium that weekend, noting the quality of Mariachi performances.
- Council Member Felipe Martinez 1) thanked the Police Department for its presence at the PHS Panther’s Division III Valley Championship game; 2) spoke of the benefits of the rainy weather the area has been experiencing; and 3) lauded the recent CMAQ award of approximately $2.9 million to the City of Porterville.
- Vice Mayor Ward 1) concurred with all of the comments made by fellow Council Members; 2) wished everyone a Merry Christmas, 3) encouraged all to Shop Porterville First; and 4) congratulated Ms. Claudia Elliott on her appointment as the new Editor of the Porterville Recorder.
- Mayor McCracken thanked the Police Department for its successful and well-attended Santa Claus event.
- Council Member Hamilton thanked City Attorney Lew for the homemade holiday goodies.
- City Manager Lollis advised the Council of the recent award of $2.9 million from CMAQ to the City of Porterville; spoke of the Employee Christmas Luncheon scheduled for Thursday, December 17th and invited the Council to attend; and advised of the upcoming Council of Cities Meeting schedule for Wednesday, December 16th.

**ADJOURNMENT**

The City Council adjourned at 8:48 p.m. to the meeting of January 12, 2009 at 5:30 p.m.

---

Patrice Hildreth, Chief Deputy City Clerk

SEAL

Pete V. McCracken, Mayor