CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
APRIL 20, 2010, 6:00 P.M.

Call to Order
Roll Call

ORAL COMMUNICATIONS
This is the opportunity to address the City Council on any matter scheduled for Closed Session. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

CLOSED SESSION:
A. Closed Session Pursuant to:
7- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case.
8- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Four Cases.
9- Government Code Section 54957 - Public Employee Performance Evaluation - Title: City Manager.

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

Pledge of Allegiance Led by Mayor McCracken
Invocation
PROCLAMATIONS
Child Abuse Prevention Month – April, 2010
Cinco De Mayo Week – April 28-May 5
Denim Day – April 21, 2010
Iris Festival Day – April 24, 2010
Arbor Day – April 30, 2010

PRESENTATIONS
Tulare County Child Abuse Prevention Council
Fill the Boot – Muscular Dystrophy Association

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. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

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 March 16, 2010

2. Claim – Brian Hulstine
Re: Consideration of a claim in an amount exceeding $10,000 in the unlimited jurisdiction of Superior Court, for property damages and bodily injury which the claimant alleges were incurred on October 20, 2009, when his vehicle was struck by another vehicle at the intersection of Newcomb Street and Morton Avenue.

3. Claim – Cathy Conner, Randall Steen, and David Steen
Re: Consideration of a claim in an amount exceeding $10,000 in the unlimited jurisdiction of Superior Court for the wrongful death of Vincent Steen, son and brother of the named claimants, who was shot and killed by Porterville Police Officers on January 10, 2010, at 693 W. Oakmont.

4. Budget Adjustments for the 2009-10 Fiscal Year
Re: Considering approval of a budget adjustment in the amount $220,000 to remove the appropriation for the planning of a new library from the Measure H Expenditure Plan.

5. Authorization to Advertise for Bids – Jaye Street Sewer and Water Extension Project
Re: Considering approval of staff’s plans and project manual for the project consisting of the installation of sewer main, sewer laterals, water main, water services and related appurtenances in Jaye Street and Montgomery Avenue.

6. Authorization to Reject Bids and Re-Advertise – CNG Pickup Trucks
Re: Considering the rejection of bids for the six (6) one-half ton full size pickup trucks with CNG conversion and authorizing staff to re-advertise the equipment.
7. **Award of Contract – Solar Panel Radar Speed Signs**  
Re: Considering awarding contract in the amount of $20,736.28 to FLASHCO of Fresno, CA, for the purchase of four solar powered radar speed signs to be installed by City staff in four different school zones.

8. **Adopt Resolution for Acquisition of Right of Way – Property Located at APN 269-120-006**  
– Nadine Hardaway AKA Margaret Nadine Hardaway, Surviving Trustee of the Richard and Nadine Hardaway Revocable Living Trust Dated October 28, 2000 – Jaye Street – Hwy 190 to Gibbons Project  
Re: Considering approval of a corrected resolution authorizing the purchase of property located at APN 269-120-006 from Nadine Hardaway, Surviving Trustee of the Richard and Nadine Hardaway Revocable Living Trust.

9. **Adopt Resolution for Acquisition of Right of Way – Property Located at APN 269-130-001**  
– Stanley M. Noble, Successor Trustee of the Isaac Gonzalez Residence Trust, Created Under the Edward B. Cornell and Elizabeth F. Cornell Revocable Trust Dates April 6, 1989 – Jaye Street – Hwy 190 to Gibbons Project  
Re: Considering approval of a corrected resolution authorizing the purchase of property located at APN 269-130-001 from Stanley M. Noble, Successor Trustee of the Isaac Gonzalez Residence Trust.

10. **Report – Cooperation Agreement Between the City of Porterville and the Tule River Indian Tribe**  
Re: Informational report regarding the agreement effective April 1, 2010, which sets forth a framework for dealing with new land uses on 40-acres of Tribe-owned land within the city limits.

11. **Approve Airport Lease – Lot 61A**  
Re: Considering approval of a lease agreement between the City of Porterville and Central Valley Mortgages Services, Inc., for Lot 61A at the Porterville Municipal Airport.

12. **A Resolution Approving the Application for State Off-Highway Vehicle Grant Funds**  
Re: Considering adoption of a resolution approving the application for State Off-Highway Vehicle Grant Funds.

13. **Visalia’s Haz-Mat Response Team**  
Re: Informational report regarding the Tulare County Hazardous Materials Response Team provided by the City of Visalia.

14. **Porterville Youth Football Playing Field Development**  
Re: Informational report regarding the use of Muller Field for sports playing fields, and considering approval of the use of temporary lighting at the Sports Complex by the Porterville Youth Football.
15. Request for Sponsorship of the Third Annual Porterville Municipal Airport Fly-In and Eagle Mountain Airshow
   Re: Considering authorizing the City to provide insurance for the Air Show from Risk Management and General Fund sources, and allocating $7,500 from General Fund sources to support Airshow logistics and operation.

16. Approval for Community Civic Event – Annual Porterville Fair – May 12-16, 2010
   Re: Considering approval of the annual event to take place Wednesday, May 12th, to Sunday, May 16th, 2010, at the Porterville Fairgrounds.

17. Approval for Community Civic Event – 2010 AMGEN Tour of California and Related Events – May 20, 2010
   Re: Considering approval of the AMGEN Tour of California and related events to take place in Porterville on May 19-20, 2010.

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

PUBLIC HEARINGS
18. Reconsideration of Ordinance 1761, Pertaining to Fireworks
   Re: Re-consideration of Ordinance 1761, An Ordinance of the City Council of the City of Porterville Amending Chapter 12, Article II, Fireworks, of the Porterville Municipal Code.


20. Adoption of the City of Porterville 2009-2014 Housing Element and Negative Declaration
   Re: Public hearing to receive comment regarding the adoption of the 2009-2014 Housing Element and Negative Declaration, and approving the continuance of the public hearing to May 4, 2010.

SCHEDULED MATTERS
21. Consideration of Appointment to Fill Council Member Vacancy
   Re: Considering an appointment to fill the vacant office on the City Council, including any method or process utilized to do so.

22. Consideration of Appointments to the Transactions and Use Tax Oversight Committee
   Re: Considering appointment of five individuals to fill five four-year term seats, and one individual to fill an unexpired term on the committee.

23. Approval of Joint Powers Agreement (JPA) – Tulare County Association of Governments (TCAG)
   Re: Considering approval of a resolution approving an amendment to the original Tulare County Association of Governments Joint Powers Agreement.
24. **Approval of Murry Park Concession License**  
Re: Considering approval of a Concession License with Richard Sanchez for operation of the concessions at the Murry Park Pool.

25. **Appeal of Street Tree Removal Denial at 182 N. Main**  
Re: Considering a request to appeal the decision of the Parks and Leisure Services Commission to deny a request for tree removal at 182 N. Main Street.

26. **Alert TC (Reverse 911)**  
Re: Considering approval of an agreement with Tulare County committing the appropriation of funds for the City’s cost share of the Telephone Emergency Notification System.

27. **Formalizing a Youth Commission**  
Re: Considering alternative roles and establishment options for a Youth commission.

28. **Council Member Requested Item – Consideration of Establishing an Arts Commission as an Advisory Body to the City Council**  
Re: Consideration of a request to authorize the establishment of an Arts Commission.

**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 May 4, 2010 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.