Call to Order at 6:00 p.m.
Roll Call: Council Member Hamilton, Council Member Irish, Council Member Martinez, Vice Mayor Ward, Mayor McCracken

ORAL COMMUNICATIONS

- Johnny Dormay, 372 W. Belleview, voiced concern with the release of suspects in the recent shooting incident on Belleview and requested information on the investigation; and spoke in favor of the passage of a law similar to that of Arizona’s and the institution of check points into Porterville.

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 – Two Cases.

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that the Council took no action during Closed Session.

Pledge of Allegiance Led by Council Member Cameron Hamilton
Invocation – one individual participated.

PRESENTATIONS

Employee of the Month – Clayton Dignam
ORAL COMMUNICATIONS

• Jessica Garcia, address not given, spoke of her husband who was recently murdered in a shooting incident on Belleview, and voiced concern with the manner in which the investigation and apprehension/detention of suspects was being handled.
• Candace Boulton, 123 South Williams Drive, voiced concern with the public notification of the proposed Redevelopment Area Amendment; requested better communication in the future; and proposed that the public should be afforded the ability to make suggestions during the process.
• Edward Patino, Jr., 1218 ½ W. Tomah, spoke of the upcoming election on June 8, 2010.
• Gloria Lopez, 564 W. Dexter, spoke of the recent murder of Eric Garcia, and voiced concern for the safety of children.
• Sonya Garcia, mother of deceased Eric Garcia, address not given, spoke of her son and voiced concern with the handling of the investigation and apprehension/detention of the suspects in the case.
• Chris Alvarado, 273 W. School, spoke of the recent murder of Eric Garcia and voiced concern with the manner in which the investigation was being handled.
• Tori Azano, 2341 W. Putnam Court, voiced concern that the investigation into the murder of Eric Garcia was not being handled properly, and spoke of the need for justice.
• Connie Johnson Dormay, 372 W. Belleview Ave., spoke of the incident during which Eric Garcia was murdered, and of the inability for willing bystanders to offer medical assistance to Mr. Garcia due to police protocol; and voiced concern with the release of suspects.
• Marilyn Gentry, a Porterville resident, voiced safety concerns associated with being homeless; and spoke of the need for shelters for women in the Porterville area.
• Jessica Mahoney, a Terra Bella resident, suggested that a breakdown in communication regarding resources had occurred in the Garcia murder investigation; voiced support for a Gang Summit; and voiced concern with threats she has received.
• Brock Nealy, a Porterville resident, requested that more information be provided prior to the Council taking any action on Item Nos. 3 and 4; and voiced concern with Council Member Hamilton being referred to as Mayor in a political advertisement.
• Adrian Monte Reyes, 44 S. Park, spoke in favor of the establishment of an Arts Commission as proposed in Item 17.
• Connie Johnson Dormay, address on record, inquired why a Porterville vendor was not being utilized in Item No. 3.

CONSENT CALENDAR

Item Nos. 3 and 4 were removed for further discussion.

1. CITY COUNCIL MINUTES OF JANUARY 19, 2010 AND FEBRUARY 2, 2010

Recommendation: That the City Council approve the Minutes of January 19, 2010 and February 2, 2010.

Documentation: M.O. 01-060110
2. CLAIM – HILL FAMILY TRUST

Recommendation: After consideration and investigation, staff recommends that the Council 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. 02-060110

5. ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN 269-060-050 – WAL-MART STORES, INCORPORATED – JAYE/GIBBONS STREET IMPROVEMENT PROJECT

Recommendation: That the City Council:
  1. Authorize staff to begin escrow, with the City paying escrow fees;
  2. Authorize staff to make payment to Wal-Mart Stores, Incorporated, in the amount of $6,101.00 after completion of escrow;
  3. Authorize the Mayor to sign all necessary documents; and
  4. Authorize staff to record all documents with the County Recorder.

Documentation: Resolution 64-2010

6. AMENDMENT TO TRAFFIC RESOLUTION NO. 10-2001 - INTERSECTION SAFETY IMPROVEMENT - DESIGNATION OF LEGGETT STREET AND GRAND AVENUE AS A 2-WAY STOP INTERSECTION ALONG GRAND AVENUE

Recommendation: That the City Council:
  1. Pass a resolution amending Traffic Resolution No. 10-2001, designating Leggett Street and Grand Avenue as a 2-way stop intersection along Grand Avenue;
  2. Authorize the City Engineer to notify the public, by any effective means, of the application of a traffic control device, namely a 2-way stop along Grand Avenue, at the intersection of Leggett Street and Grand Avenue; and
  3. Authorize the City Engineer to install traffic control devices, namely 2-way stop signs along Grand Avenue, at the intersection of Leggett Street and Grand Avenue.

Documentation: Resolution 65-2010

7. WATER WELL EFFICIENCY REBATE
Recommendation: That the City Council:
1. Authorize entering into agreements with Southern California Edison for rebates for increasing water well operating efficiencies; and
2. Authorize the Public Works Director to sign the agreements.

Documentation: M.O. 03-060110
Disposition: Approved

8. WATER SHARE PURCHASES

Recommendation: That the City Council authorize the Public Works Director to submit sealed bids for the four different lots of delinquent shares in an effort to secure as many shares as possible.

Documentation: M.O. 04-060110
Disposition: Approved

9. COMMUNITY DEVELOPMENT BLOCK GRANT BUSINESS ASSISTANCE PROGRAM – CHARLES AND JAN CRISSMAN

Recommendation: That the City Council:
1. Approve the use of Community Development Block Grant Business Assistance funds in the amount of $100,000 for Charles and Jan Crissman for the acquisition of the business located at 721 N. Sunnyside Street;
2. Authorize staff to place the funds into escrow pending the close of the business transaction; and
3. Authorize the Mayor to sign all documents and agreements necessary to complete the project.

Documentation: M.O. 05-060110
Disposition: Approved

10. CALHOME PROGRAM APPLICATION

Recommendation: That the City Council:
1. Adopt the draft resolution approving the submittal of a CalHome Program funding application to the California Department of Housing and Community Development;
2. Authorize the Mayor to execute all documents pertaining to the CalHome Program; and
3. Authorize the Community Development Director to execute, in the name of the City of Porterville, project drawdown requests, and all other administrative documents required by the California Department of Housing and Community Development for administration of the CalHome Program.
11. SEQUOIA VALLEY ENTERPRISE ZONE TARGETED EMPLOYMENT AREA DESIGNATION

Recommendation: That the City Council adopt a resolution establishing the Targeted Employment Boundaries for the Sequoia Valley Enterprise Zone.

Documentation: Resolution 67-2010
Disposition: Approved

12. SIERRA MANAGEMENT TRANSIT CENTER LEASE

Recommendation: That the City Council:
1. Approve the Lease with Sierra Management; and
2. Authorize the Mayor and the City Clerk to execute the Lease which will go into effect as of July 1, 2010.

Documentation: M.O. 06-060110
Disposition: Approved

13. AIRPORT LEASE RENEWAL – FBO LOT 10

Recommendation: That the Council approve the twenty year extension of the Lease Agreement between the City of Porterville and Arrow Falcon Exporters, Inc., for Fixed Base Operator Lot 10 at the Porterville Municipal Airport.

Documentation: M.O. 07-060110
Disposition: Approved

14. ANNUAL REVIEW OF CITY OF PORTERVILLE/CHAMBER OF COMMERCE AGREEMENT

Recommendation: That the City Council accept the Chamber of Commerce Activity Report and Financial Statements, and authorize payment consistent with the City Budget.

Documentation: M.O. 08-060110
Disposition: Approved

15. APPROVAL FOR COMMUNITY CIVIC EVENT – WORLD OF VICTORY CHURCH – COMMUNITY OUTREACH – JUNE 19, 2010

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the World of Victory Church, subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit ‘A’ and Exhibit ‘B’ of the Community Civic Event Application.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish that the City Council approve Item Nos. 1, 2 and 5 through 15. The motion carried unanimously.

3. AWARD CONTRACT – ONE-HALF TON CNG PICKUP TRUCKS

Recommendation: That Council awards the contract for six (6) new one-half ton pickup trucks with CNG conversion to Hansel Ford of Santa Rosa, CA, in the amount of $214,466.55. Further, that Council authorize payment upon satisfactory delivery of the equipment.

City Manager John Lollis introduced the item, and Public Works Director Baldo Rodriguez presented the staff report.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Vice Mayor Ward that the City Council award the contract for six (6) new one-half ton pickup trucks with CNG conversion to Hansel Ford of Santa Rosa, CA, in the amount of $214,466.55; and authorize payment upon satisfactory delivery of the equipment. The motion carried unanimously.

Disposition: Approved

4. ACCEPTANCE OF PROJECT – MORTON AVENUE BUS TURNOUTS

Recommendation: That the City Council:
1. Accept the project as complete; and
2. Authorize the filing of the Notice of Completion.

City Manager Lollis introduced the item, and the staff report was presented by Public Works Director Rodriguez.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Martinez that the City Council accept the project as complete and authorize the filing of the Notice of Completion. The motion carried unanimously.

Disposition: Approved

The Council recessed for ten minutes.
16. CONSIDERATION OF THE CITY MANAGER’S PROPOSED BUDGET FOR FISCAL YEAR 2010-2011 AND SETTING STUDY SESSION AND PUBLIC HEARING DATES

Recommendation: That the City Council:

1. Schedule the Fiscal Year 2010-2011 budget study session on June 8, 2010 at 6:00 p.m.; and

City Manager Lollis introduced the item, and Finance Director Maria Bemis presented the staff report.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Martinez that the City Council schedule the Fiscal Year 2010-2011 budget study session on June 8, 2010 at 6:00 p.m.; and schedule the Public Hearing on the Fiscal year 2010-2011 Budget on June 15, 2010.

AYES: Irish, Martinez, Ward, McCracken
NOES: None
ABSTAIN: None
ABSENT: Hamilton

Disposition: Approved

17. CONSIDERATION OF ESTABLISHING AN ARTS COMMISSION AS AN ADVISORY BODY TO THE CITY COUNCIL

Recommendation: That the City Council consider authorizing the establishment of an Arts Commission as an Advisory Body to the City Council.

City Manager Lollis introduced the item and presented the staff report.

Vice Mayor Ward spoke in favor of establishing and arts commission, and elaborated on the inclusion of youth in the commission.

A discussion ensued with regard to operational costs, and funding for activities and/or events that a commission may wish to pursue.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish that the City Council authorize the establishment of an Arts Commission as an Advisory Body to the City Council.

AYES: Hamilton, Irish, Martinez, Ward
NOES: McCracken
ABSTAIN: None
ABSENT: None
The City Council adjourned at 8:25 p.m. to a Joint Meeting of the Porterville City Council and the Porterville Redevelopment Agency.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA
June 1, 2010

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

ORAL COMMUNICATIONS
None

WRITTEN COMMUNICATIONS
City Manager/Agency Secretary Lollis reported that the Agency had received written communications from the following individuals regarding Item PRA-01:
- Candace Boulton
- Dorothy Martin
- Less and Claudia Guthrie
- Dave Hall
- Rosemarie A. Wiggins and William R. Wiggins
- Wade Crawford
- Perley Gilbert

PUBLIC HEARINGS
PRA-01 JOINT PUBLIC HEARING ON THE PROPOSED 2010 AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PORTERVILLE REDEVELOPMENT PROJECT NO. 1

Recommendation: Open and conduct the joint public hearing pursuant to the Joint Public Hearing Procedures contained under Tab 1 of the Record and consider and adopt all Resolutions and the Ordinance as appropriate.

Agency Board Actions:
1. Adopt a Draft Resolution of the Porterville Redevelopment Agency approving its Report to the City Council Concerning the Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1 and Authorizing Transmittal of Said Report and the Amended Plan to the City Council of the City of Porterville (As described in the Joint Public Hearing Procedures, this action should be taken prior to opening of the joint public hearing.);
2. Adopt a Draft Resolution of the Porterville Redevelopment Agency Making and Approving Findings Supporting the Inclusion of Certain Parcels of Land Which Are in Agricultural Use Within the Porterville
Redevelopment Project No. 1, as Proposed to be Amended by the 2010 Amendment;

3. Adopt a Draft Resolution of the Porterville Redevelopment Agency Finding and Determining that the Use of Taxes Allocated from the Territory Proposed to be Added to the Porterville Redevelopment Project No. 1 by the Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1, for the Purpose of Providing Affordable Housing Outside the Amended Project Area, Will be of Benefit to the Added Territory and the Overall Redevelopment Project;

4. Adopt a Draft Resolution of the Porterville Redevelopment Agency Certifying the Final Program Environmental Impact Report for the Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1; Making Written Findings Pursuant to the California Environmental Quality Act; Adopting a Statement of Overriding Considerations; and Adopting a Mitigation Monitoring Program; and

5. Adopt a Draft Resolution of the Porterville Redevelopment Agency Approving the Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1 and Recommending the City of Porterville City Council Approve Said Amendment.

City Council Actions:

1. Adopt a Draft Resolution of the City Council of the City of Porterville Finding and Determining that the Use of Taxes Allocated from the Territory Proposed to be Added to the Porterville Redevelopment Project No. 1 by the Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1, for the Purpose of Providing Affordable Housing Outside the Amended Project Area, Will be of Benefit to the Added Territory and the Overall Redevelopment Project;

2. Adopt a Draft Resolution of the City Council of the City of Porterville Certifying the Final Program Environmental Impact Report for the Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1; Making Written Findings Pursuant to the California Environmental Quality Act; Adopting a Statement of Overriding Considerations; and Adopting a Mitigation Monitoring Program; and

3. Unless written objections are received, approve the proposed Ordinance of the City Council of the City of Porterville Approving and Adopting the 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1 and give first reading of the draft Ordinance; and

4. Waive further reading of the draft Ordinance, approve Ordinance and order to print.
City Attorney Lew indicated that Council/Agency Members Hamilton and Irish owned property within the area; Vice Mayor/Chair Ward had no property within the area or within 500 feet of the area; Council/Agency Member Martinez owned property just within the 500 feet; and Mayor/Chair McCracken no longer had any interest within the area, but had a remote interest just within the 500 feet. She stated that the three members sitting would be Mr. McCracken, Mr. Martinez and Mr. Ward.

Agency Secretary Lollis introduced the item, and Project Consultant John Huffman of Urban Futures, Inc. presented the staff report. Mr. Huffman noted for the record that he would be discussing and referencing the contents of the binder titled, “Joint Public Hearing Evidentiary Record – Proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project Area No. 1”.

**AGENCY ACTION:**

MOVED by Vice Chair Ward, SECONDED by Agency Member Martinez that the Redevelopment Agency adopt a draft resolution of the Porterville Redevelopment Agency approving its report to the City Council concerning the proposed 2010 Amendment to the Redevelopment Plan for the Porterville Redevelopment Project No. 1 and authorizing transmittal of said report and the Amended Plan to the City Council of the City of Porterville.

AYES: Martinez, Ward, McCracken
NOES: None
ABSTAIN: Hamilton, Irish
ABSENT: None

Mayor/Chair McCracken explained the purpose of the joint public hearing and identified documents that would be under consideration.

The public hearing was opened at 8:56 p.m.

- Jake Raper, Director of Resource Management for Tulare County, provided a summary of correspondence relative to the proposed amendment; spoke in opposition of the amendment, citing inadequacies of the Environmental Impact Report, long-term fiscal impacts to the County and procedural errors regarding notification of the public hearing.
- Greg Shelton, 888 N. Williford Drive, spoke against the proposed amendment citing a lack of Redevelopment funds available due to the State taking funds; and commented on the City’s selection of projects for use of redevelopment funds and the use of the term “blight”.

- Perley Gilbert, 157 So. Williams Drive, indicated that she was supportive of redevelopment in the city, but was not in favor of the inclusion of the Williams Drive area as it did not meet the necessary criteria.
- Rose Marie Wiggins, 166 So. Williams Drive, spoke against the inclusion of Corona Heights in the amendment and requested that the area be removed.
- Dorothy Martin, 141 So. Williams Drive, spoke in favor of the exclusion of the Williams Drive area in the redevelopment project area; communicated concerns regarding traffic; and presented
a petition signed by her neighbors who were also opposed to their inclusion in the redevelopment project area.

- Dave Hall, no address given, indicated that the written communication he submitted to the Council reiterated previously made comments in opposition to the inclusion of Corona Heights.
- Dick Eckhoff, 197 N. Main, spoke of experience and familiarity with the topic of redevelopment; addressed comments made in opposition of the inclusion of Corona Heights; and spoke of ways the city would benefit from approval of the proposed amendment.
- Donnette Silva Carter, Porterville Chamber of Commerce, Redevelopment Advisory Committee Member, spoke in favor of the proposed amendment and identified ways in which the City could benefit from expansion of the redevelopment area.
- Rebecca Gervaise, 1156 Westside Street, urged the Council to consider that the children would have to pay back the money in taxes; and advised the City to consider costs of litigation.
- Linda Hazelwood, Westwood Village #121, spoke of gang problems and safety issues in her former neighborhood.

The public hearing was closed at 9:34 p.m.

Mayor/Chair McCracken noted that written communications had been received by the Council/Agency and indicated that a written response was required.

COUNCIL/AGENCY ACTION: MOVED by Council/Agency Member Martinez, SECONDED by Vice Mayor/Chair Ward that the City Council/Redevelopment Agency continue consideration of the Item to June 15, 2010.

AYES: Martinez, Ward, McCracken
NOES: None
ABSTAIN: Hamilton, Irish
ABSENT: None

Disposition: Item continued.

The City Council/Redevelopment Agency adjourned at 9:34 p.m. to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS
None

OTHER MATTERS
- Council Member Hamilton spoke of recent Memorial Day activities he attended.
- Council Member Felipe Martinez spoke of Memorial Day activities he also attended.
- Vice Mayor Brian Ward thanked City staff for their efforts in making the Porterville section of Stage Five of the AMGEN Tour of California a success; and spoke of the opening of the Murry Park pool.
- Mayor McCracken lauded the AMGEN Tour of California event.
ADJOURNMENT
The Council adjourned at 9:38 p.m. to the meeting of June 8, 2010 at 6:00 p.m.

____________________________
Luisa Herrera, Deputy City Clerk

SEAL

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Pete V. McCracken, Mayor