Called to Order at 6:00 p.m.
Roll Call: Council Member Hamilton, Council Member Irish, Council Member Martinez, Vice Mayor Ward (arrived at 9:40 p.m.), Mayor McCracken

City Attorney Julia Lew requested that the Council add an emergency Closed Session item onto the Agenda. She advised that a ruling from the Court on a Pitchess motion was received subsequent to Agenda distribution, and that action on the appeal would need to occur prior to the next Council Meeting. She requested that one case under Government Code Section 54656.9(c) – Conference with Legal Counsel – Anticipated Litigation be added to the Agenda.

COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Hamilton that the Council add an emergency item onto the agenda: Closed Session Pursuant to Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – One Case.

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

Disposition: Approved

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:
   4- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: Portions of APNs 302-110-074, 302-110-075, 302-110-076. 302-470-


6- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Two Cases.

7- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Two Cases.

8- 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

City Attorney Julia Lew reported that no action took place.

Pledge of Allegiance Led by Council Member Felipe Martinez

Invocation – one individual participated.

PROCLAMATIONS

Silver Star Banner Day – May 1, 2010
Water Safety Month – May 2010
Letter Carriers’ Food Drive Day – May 8, 2010
Alta Vista 100 Year Anniversary
Casey Erickson – State FFA Sentinel
National Prayer Day – May 6, 2010 (this proclamation was added to the agenda)

PRESENTATIONS

Employee of the Month – Donna Silvas
Youth Commission’s Annual Report
Recognition of Zoning Ordinance Update Committee

ORAL COMMUNICATIONS

- Former Mayor/Council Member Pedro Martinez, spoke of the accomplishments of the Youth Commission and of the benefits of formalizing its formation. He advised he favored Option B, and requested that funds be budgeted for the Commission, $1,000 of which the Commission should use for finding solutions to problems in the City.
- Abel Salazar, 189 E. Chase Ave., voiced concern with a legislative bill which would expand California’s anti-sweatshop policy, noting its negative impact on many businesses.
- Khris Saleh, 1206 W. Westfield, voiced concern with Item 16, commenting that more information should be provided prior to Council’s approval.
• Adrian Monte Reyes, 44 S. Park, Class Member of the Leadership Porterville Class of 2010, invited all to the ribbon-cutting ceremony for the Playground Improvement Project at the Boys and Girls Club; and spoke in favor of the formation of a Youth Commission and an Arts Commission.

• Ben Webb, 724 W. Morton Avenue, spoke of the recent appointment of Council Member Irish to the City Council, noting it was the Council’s right to appoint him in the manner in which it did; and voiced concern with an issue pertaining to an unidentified easement which negatively impacted the property owner.

• Charles Phillips, 663 Village Green, spoke regarding Item No. 19 regarding WalMart’s starting salaries of $12.00 per hour.

• Jessica Mahoney, a Terra Bella resident, voiced concern with the manner in which the Police Department Crime Statistics were presented, noting that while other crime rates were down, rapes had substantially increased. Ms. Mahoney inquired as to what proactive measures were being taken to reduce that statistic.

• Augie Gonzalez, Immediate Past Chair of the Porterville Chamber of Commerce Board, invited everyone to attend the upcoming Chamber Mixer, First Friday Coffee, and the Porterville Fair; and spoke of the success of the Iris Festival, thanking everyone for their support.

• Vikki Cervantes, came forward as a Member of the Leadership Porterville Class of 2010, and thanked her employer, the City of Porterville, for endorsing her participation.

• Barry Caplan, 1) congratulated Council Member Irish on his recent appointment to the Council and spoke of the need for full transparency for future appointments; 2) congratulated Casey Ericson on his success; and 3) lauded a Visalia Leadership Program which introduces young women to government and non-profits.

• Martha Alcazar Flores, 249 S. Indiana Street, introduced Monique Yang from Porterville Unified School District as a 2010 Leadership Porterville Class Member; and voiced appreciation for citizen participation that evening.

• Monique Yang, came forward as a Leadership Porterville Class Member and thanked the District for its support.

• Khris Saleh, congratulated Council Member Irish on his appointment, and voiced concern with the manner in which the appointment was handled by the City Council. He requested that the process be improved for future appointments.

Council Member Irish spoke of his appointment to the City Council on April 20, 2010, and elaborated on the events that lead up to it.

**CONSENT CALENDAR**

Items 3, 4 and 16 were removed for further discussion.

1. **CLAIM – JOE RIOS**

   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.
2. CLAIM – JOAQUIN CEBALLOS

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.

5. AUTHORIZATION TO NEGOTIATE A CONTRACT – CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE MARTIN HILL AND ROCKY HILL WATER RESERVOIR PROJECTS

Recommendation: That the City Council:
1. Authorize staff to negotiate a contract with Dee Jaspar & Associates for an anticipated fee between $340,000 and $350,000, for construction management and inspection services for the Martin Hill and Rocky Hill Water Reservoir Projects;
2. Authorize staff to negotiate a contract with the 2<sup>nd</sup> ranked firm if staff is unable to negotiate an acceptable contract with Dee Jaspar and Associates;
3. Authorize the Mayor to sign all contract documents; and
4. Authorize progress payments that concur with construction progress up until proper closeout of the work and not to exceed 100% of the contract fee.

6. REQUEST FOR AUTHORIZATION FOR REPLACEMENT OF THE STREET DIVISION LINE ERASER

Recommendation: That the City Council:
1. Negotiate the purchase of a line eraser during fiscal year 2009/2010;
2. A budget adjustment not to exceed $7,200; and
3. Payment for said equipment upon satisfactory delivery.

7. APPROVAL OF RELOCATION PLAN FOR PROPERTY LOCATED AT APN 269-120-004 – OWNER JUAN GONZALEZ – JAYE/GIBBONS STREET IMPROVEMENT PROJECT
Recommendation: That the City Council approve the relocation plan for property located at APN 269-120-004.

Documentation: M.O. 06-050410
Disposition: Approved

8. AMENDMENT NO. 2 TO AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND SUNSET WASTE PAPER, INC.

Recommendation: That the City Council authorize the Mayor to sign Amendment No. 2 to the Agreement between the City of Porterville and Sunset Waste Paper, Inc.

Documentation: M.O. 07-050410
Disposition: Approved

9. WATER CONSERVATION

Recommendation: That the City Council:
1. Declare May as Water Awareness Month; and

Documentation: M.O. 08-050410
Disposition: Approved

9a. PURCHASE OF SURFACE WATER FOR GROUNDWATER RECHARGE

Recommendation: That the City Council:
1. Authorize the Public Works Director to negotiate agreements and purchase up to $80,000 of surface water for groundwater recharge from our local irrigation districts; and
2. Make payment to the irrigation districts from the Water Operating fund upon delivery of the water.

Documentation: M.O. 09-050410
Disposition: Approved

10. SEAFOOD CAFÉ/EL REVENTON UPDATE

Recommendation: Informational.

AYES: Irish, McCracken
NOES: None
ABSTAIN: Hamilton, Martinez
ABSENT: Ward
11. FIRST QUARTER REVIEW OF 2010 CITY COUNCIL PRIORITY PROJECTS AND OBJECTIVES

Recommendation: None – Information Only

Disposition: No action required.

12. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly Portfolio Summary.

Documentation: M.O. 11-050410

Disposition: Approved

13. STREET PERFORMANCE MEASURE – 3RD QUARTER UPDATE

Recommendation: Information Only

Disposition: No action required.

14. CODE ENFORCEMENT UPDATE

Recommendation: Information Only

Disposition: No action required.

15. ATTENDANCE REPORT FOR CITY COMMISSIONS, BOARDS AND COMMITTEES – 3RD QUARTER UPDATE

Recommendation: Information Only

Disposition: No action required.

17. CONSIDER RENEWAL OF MOU WITH KINGS/TULARE AREA AGENCY ON AGING TO FACILITATE A SENIOR NUTRITION PROGRAM

Recommendation: That the City Council approve the renewal of the MOU with K/TAAA and authorize and direct the Mayor to execute same.

Documentation: M.O. 12-050410

Disposition: Approved

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Tule River Economic Development Corporation, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit “A” of the Community Civic Event Application.

Documentation: M.O. 13-050410

Disposition: Approved

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Felipe Martinez that the City Council approve Item Nos. 1, 2, 5-15, 17 and 18 noting the abstention of Council Members Hamilton and Martinez from Item No. 10.

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

3. AUTHORIZATION TO ADVERTISE FOR BIDS – BEVERLY STREET WATER PROJECT

Recommendation: That the City Council:

1. Approve staff’s recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the Beverly Street Water Project;
3. Schedule a special Council meeting and set a Public Hearing for June 22, 2010, to accept public comment and act on the formation of the Beverly Street Water Facility District;
4. Direct the Public Works Director to schedule and hold a Community Information meeting on May 20, 2010, at or near the Beverly Street Water Project site; and
5. Direct the City Attorney to prepare legal documents to allow the Beverly Street Water Project to vote for or against the formation of the Beverly Street Water Facility District.

City Manager Lollis introduced the item, and Public Works Director Baldo Rodriguez presented the staff report. During the staff report Mr. Rodriguez requested that the Council defer impacts fees until such time that the property owners seek a building permit with a value of $18,412.00, which is comparable to the City’s sidewalk and gutter policy.

Council Member Irish requested a copy of the finalized invoice/cost for construction management, quality control and inspection.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Felipe Martinez that the City Council approve staff’s recommended Plans and Project Manual, as amended to defer impact fees as requested by staff; authorize staff to advertise for bids on the Beverly Street Water Project; schedule a special Council meeting and set a Public Hearing for June 22, 2010, to accept public comment and act on the formation of the Beverly Street Water Facility District; direct the Public Works Director to schedule and hold a Community Information meeting on May 20, 2010, at or near the Beverly Street Water Project site; and direct the City Attorney to prepare legal documents to allow the Beverly Street Water Project to vote for or against the formation of the Beverly Street Water Facility District.

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

Disposition: Approved, as amended.

4. AUTHORIZATION TO ADVERTISE FOR BIDS – OLIVE AVENUE WATER PROJECT

Recommendation: That the City Council:

1. Authorize the appropriation of $147,000 from the Water Reserve Fund (Developer Fee) to finance the balance of the Olive Avenue Water Project;
2. Approve staff’s recommended Plans and Project Manual; and
3. Authorize staff to advertise for bids on the Olive Avenue Water Project.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request.

Council Member Irish requested that a copy of the finalized cost be provided to the Council.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Felipe Martinez that the City Council authorize the appropriation of $147,000 from the Water Reserve Fund (Developer Fee) to finance the balance of the Olive Avenue Water Project; approve staff’s recommended Plans and Project Manual; and authorize staff to advertise for bids on the Olive Avenue Water Project.

AYES: Hamilton, Irish, Martinez, McCracken
NOES: None
ABSTAIN: None
ABSENT: Ward
16. COUNCIL MEMBERS’ LAPTOP COMPUTERS

Recommendation: That the City Council approve the replacement of five laptop computers for City Council members.

City Manager Lollis introduced the item and the staff report was waived at the Council’s request.

Council Member Martinez indicated that he did not need a computer if re-elected.

Council Member Irish requested that Mr. Khris Saleh come forward to express his concerns regarding the item.

- Khris Saleh, address on record, requested a breakdown of the costs. Council Member Irish replied that he would receive one.

City Manager Lollis requested clarification of the Council’s direction. Staff was directed not to execute the purchase order until after election.

COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Irish that the City Council approve the replacement of laptop computers for Council Members, and direct staff to postpone execution of the purchase order until after the election.

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

Disposition: Approved, and direction given.

The Council recessed for ten minutes.

PUBLIC HEARINGS

19. RIVERWALK MARKETPLACE PHASE II DRAFT ENVIRONMENTAL IMPACT REPORT

Recommendation: For Information only and to allow the public to make comments on the EIR to be included in the public record.

City Manager Lollis introduced the item, and Community Development Director Brad Dunlap presented the staff report.

The public hearing was opened at 8:41 p.m.
Greg Shelton, 888 N. Williford Drive, spoke of a “Wal-Mart Clause”, urban blight and mitigation measures, which he believed entailed fines for blight caused by Wal-Mart.

John Koffee, Porterville, read a Fresno Bee article regarding a dumping case against Wal-Mart, and inquired about traffic impact to the Jaye Street Bridge.

Dale Dennis, S. Indiana Street resident, spoke in favor of the project and of the needs of handicapped individuals.

Brock Neeley, Porterville, proposed the use of solar panels and gray water recycling for landscaping to reduce carbon footprint.

Jessica Mahoney, Terra Bella, spoke against Wal-Mart’s labor practices.

Fred Beltran, spoke in favor of the project on behalf of various non-profit organizations; stated that lower prices benefit the needy; and spoke of the good works of Wal-Mart Distribution Center.

Dennis Townsend, 643 N. Westwood, spoke of economic impact to the community and referred to studies that indicated Wal-Mart Supercenters benefit and enhance local revenues and business development.

Kay McGuire, Porterville Chamber of Commerce, voiced support for the project, job creation and the draw of both shoppers and new retailers.

Jessie Carrillo, 1241 Ohio Place, expressed concern with the current Wal-Mart building becoming vacant.

Barry Caplan, voiced concern with the impact to the river adjacent to the proposed Wal-Mart location, and suggested establishing a water quality baseline.

Rodney Martin, 146 S. Villa, voiced concern with traffic and urged the Council to mitigate the impact and move forward.

Greg Woodard, 1055 W. Morton, spoke of the need for more retail in Porterville and disputed negative impacts.

The public hearing was closed at 9:13 p.m.

Community Development Director Brad Dunlap disclosed that City staff had been and would continue to work on providing information to a legal firm as part of the Public Records Act process.

Disposition: No action required.
20. SANITARY SEWER MANAGEMENT PLAN

Recommendation: That the City Council approve the proposed resolution which adopts the City of Porterville’s SSMP.

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

The public hearing opened at 9:16 p.m.

Jessica Mahoney, Terra Bella, inquired whether the Sanitary Sewer Management Plan would alleviate odors.

The public hearing closed at 9:17 p.m.

COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Irish that the City Council approve the draft resolution adopting the City of Porterville’s SSMP.

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

Disposition: Approved

21. ADOPTION OF CITY OF PORTERVILLE 2009-2010 HOUSING ELEMENT AND NEGATIVE DECLARATION

Recommendation: That the City Council open the public hearing and continue it to May 18, 2010, to allow the Department of Housing and Community Development additional time to complete it’s review of the Draft City of Porterville 2009-2014 Housing Element.

City Manager Lollis introduced the item, and City Planner Bill Nebeker presented the staff report.

The public hearing was opened at 9:18 p.m. Seeing no one, the Mayor continued the public hearing to May 18, 2010.

Disposition: Item continued.

22. ADOPTION OF THE 2010 FIVE YEAR CONSOLIDATED PLAN AND 2010-2011 ACTION PLAN FOR INVESTMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS.
Recommendation: That the City Council:
1. Conduct a public hearing on the proposed 2010 Five Year Consolidated Plan and 2010/11 Action Plan;
2. Adopt the draft resolution approving the 2010 Five Year Consolidated Plan and 2010/11 Action Plan; and
3. Authorize the City Manager to execute all necessary documents.

City Manager Lollis introduced the item, and Development Associate Denise Marchant presented the staff report.

The public hearing was opened at 9:23 p.m.

- Jessica Mahoney, Terra Bella, suggested that problems are not being addressed; and inquired about housing for the homeless.
- Renee Curtly, Porterville, inquired about the amount of money allocated to Lime Street Park.

The public hearing was closed at 9:25 p.m.

COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Irish that the City Council adopt the draft resolution approving the 2010 Five Year Consolidated Plan and 2010/2011 Action Plan; and authorize the City Manager to execute all necessary documents.

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

Disposition: Approved

SECOND READINGS
23. ORDINANCE 1762, AUTHORIZING AMENDMENT TO PERS CONTRACT

Recommendation: That the City Council give Second Reading to Ordinance No. 1762, waive further reading, and adopt said Ordinance.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request.

COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Hamilton that the City Council give Second Reading to Ordinance No. 1762, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF PORTERVILLE AND THE BOARD OF
ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM, waive further reading, and adopt said Ordinance.

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

The City Manager read the Ordinance by title only.

Disposition: Approved

24. ORDINANCE 1763, REPEALING ORDINANCE 1761 PERTAINING TO FIREWORKS

Recommendation: That the City Council give Second Reading to Ordinance No. 1763, waive further reading, and adopt said Ordinance.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request.

COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Hamilton that the City Council give Second Reading to Ordinance No. 1763, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE REPEALING ORDINANCE 1761, AMENDING CHAPTER 12, ARTICLE II, FIREWORKS, OF THE PORTERVILLE MUNICIPAL CODE, waive further reading, and adopt said Ordinance.

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

The City Manager read the Ordinance by title only.

Disposition: Approved

25. ORDINANCE 1764, PORTERVILLE DEVELOPMENT CODE

Recommendation: That the City Council give Second Reading to Ordinance No. 1764, waive further reading, and adopt said Ordinance.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request.
COUNCIL ACTION: MOVED by Council Member Martinez, SECONDED by Council Member Hamilton that the City Council give Second Reading to Ordinance No. 1764, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING A COMPREHENSIVE DEVELOPMENT CODE INCORPORATING ZONING, SUBDIVISIONS, DOWNTOWN DESIGN, ZONING MAP AND RELATED ORDINANCES, waive further reading, and adopt said Ordinance.

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

The City Manager read the Ordinance by title only.

Disposition: Approved

The Council recessed for ten minutes.

Vice Mayor Ward arrived at 9:40 p.m.

SCHEDULED MATTERS
26. CONSIDERATION OF FORMALIZING A YOUTH COMMISSION

Recommendation: That the City Council consider the alternative roles as well as the formal establishment options for a Youth Commission, and direct staff on how to proceed.

City Manager Lollis introduced the item. Leisure Services Superintendent Donnie Moore presented the staff report, which contained the following three options for the Council’s consideration:

Option 1 – Direct preparation of a charter amendment to add the Youth Commission, its function, and membership.

Option 2 – Direct staff to draft an ordinance relating to the creation of a Youth Commission, its function, and membership.

Option 3 – Give administrative direction to the City Manager to proceed with how the current Youth Commission is implemented.

Council Member Hamilton suggested that the Council go the route of a charter amendment, and noted that it had been requested that the Council consider changing the appointment process.
The Council clarified that the Youth Commission would continue to operate as it had been in the meantime.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Hamilton that the City Council give administrative direction to the City Manager to proceed with how the current Youth Commission is implemented and direct staff to pursue a possible Charter amendment during the next regular election. The motion carried unanimously.

Disposition: Option 3 approved.

27. 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 Advisory Body to the City Council.

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

Vice Mayor Ward spoke about the draft guidelines and the efforts that had been made thus far to facilitate the establishment of the commission.

Council Member Irish requested additional time to review the material. The Council then directed that the item be continued to the meeting of June 1, 2010.

Disposition: Item continued.

28. FISCAL YEAR 2009-2010 BUDGET REVIEW

Recommendation: That the City Council:
1. Accept the Interim Revenue and Expenditure Budget Status Reports; and
2. Reschedule the presentation of the 2010-2011 Preliminary Budget Report to June 1, 2010.

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

The item was continued to the meeting of June 1, 2010.

Disposition: Item continued.

29. LIBRARY AND COMMUNITY ROOM SPACE CONSIDERATION

Recommendation: That the City Council provide direction on which alternative should be considered in the 2010-2011 Capital Budget Plan.
City Manager Lollis introduced the item, and City Librarian Vikki Cervantes presented the staff report.

A discussion ensued with regard to funding for the proposed alternatives and the methods used for determining the allocation of space.

Council Member Irish inquired about equipment replacement costs, and indicated that he had many questions pertaining to financing and the need for expansion.

Mayor McCracken asked if there were any objections to continuing the item to July. The City Manager noted that postponement of the item would exclude it from consideration in the budgetary development process.

A brief discussion took place about measures that would need to be taken and additional costs incurred in the event another option was needed in the future.

COUNCIL ACTION: MOVED by Council Member Felipe Martinez, SECONDED by Mayor McCracken that the City Council approve Option 1, and direct staff to bring back funding options for consideration at the meeting of June 1, 2010.

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

Disposition: Approved Option 1.

30. REQUEST FOR COUNCIL DIRECTION REGARDING ANNEXATION NO. 473, AND TENTATIVE SUBDIVISION MAP 1-2010 (COTTAGE ESTATES)

Recommendation: That the City Council provide direction to staff based on the options presented.

City Manager Lollis introduced the item, and Community Development Director Brad Dunlap presented the staff report. Staff provided three options for the Council’s consideration:

1. Proceed as previously directed, and provide clarification on the additional costs and responsibility for such.
2. Separate the two project areas and proceed simultaneously, with staff coming back with the additional area for annexation. It should be noted, that if this option is chosen, the fees will be approximately the same as the stated increase above plus the LAFCo annexation fees of $1,791 and $58 for the Tulare County Clerk Recording fees for a total of just over $7000.
3. Proceed with the originally proposed annexation and forego annexing the added territory.
During staff’s presentation, Council Member Irish noted that he owned a property which appeared to be within 500 feet from the proposed annexation. Attorney Lew confirmed the conflict of interest and Council Member Irish recused himself and left the Chambers.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Felipe Martinez that the City Council annex the entire area as previously directed by the Council.

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

Disposition: Approved

31. VISALIA’S HAZ-MAT RESPONSE TEAM

Recommendation: That the City Council:
1. Receive the informational status report; and
2. Consider the draft resolution.

The City Manager introduced the item, and Fire Chief Mario Garcia presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Martinez that the City Council approve the draft resolution. The motion carried unanimously.

Disposition: Approved

32. APPROVAL FOR COMMUNITY CIVIC EVENT – 2010 AMGEN TOUR OF CALIFORNIA PRE-RACE ACTIVITIES – MAY 19-20, 2010

Recommendation: That the City Council:
1. Approve the AMGEN Tour of California Pre-Race Activities, subject to the stated restrictions and requirements; and
2. Provide direction with regard to the requested sponsorship.

City Manager Lollis introduced the item, and Administrative Services Manager Patrice Hildreth presented the staff report.

- Mike Camarena, Technical Director of State 5 introduced himself and stated that he was available for questions.
Vice Mayor Ward indicated that he did not want to financially support Visalia’s event. In response, City Manager Lollis stated that Tulare County’s share was approximately $100,000.00, and noted that Visalia had contributed $10,000.00. As a pass through City, it was being requested that the City of Porterville contribute $3,000.00 to $5,000.00.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Vice Mayor Ward that the City Council approve the AMGEN Tour of California Pre-Race Activities, subject to the stated restrictions and requirements; and authorize a $5,000 sponsorship. The motion carried unanimously.

Disposition: Approved

33. COUNCIL MEMBER APPOINTMENTS TO BOARDS AND COMMITTEES

Recommendation: That the City Council consider the appointment of Council members, and make and change appointments at the discretion of the Council.

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

After a discussion regarding vacancies and future meetings, the Council directed that appointments be considered at the meeting following the seating of the new Council.

Disposition: Continued to after the seating of the new Council.

34. CONSIDERATION OF APPOINTMENT TO MEASURE R CITIZENS’ OVERSIGHT COMMITTEE

Recommendation: That the City Council:
1. Consider the appointment of an individual to serve on the Measure R Citizens’ Oversight Committee; or
2. Provide direction to staff in facilitating an application process for individuals to be considered for appointment.

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

The Council directed that the item be continued to the meeting following the seating of the new Council, and that the vacancy be advertised to the public to solicit interested parties.

Disposition: Continued to after the seating of the new Council.

ORAL COMMUNICATIONS
- Brock Neeley, invited everyone to a Suicide Prevention Conference to be held in Visalia on May 21, 2010.
- Greg Shelton, congratulated Council Member Ward on his birthday.
OTHER MATTERS

• Council Member Felipe Martinez spoke of his attendance at the Iris Festival and lauded the event.

• Council Member Irish 1) complimented staff on the City’s website, and noted in particular the Police Chief history provided on the Police Department’s site. He suggested that the same history ought to be provided for Fire Chiefs and City Managers; and 2) commented that receiving the agendas five days prior to the Council Meeting did not provide enough time for sufficient review, and requested that the agendas be made available in some fashion to the Council at least one week prior to the meeting date.

• Council Member Ward spoke favorably of the Summit Academy luau event he recently attended; and made mention of the size of the storm drains near his residence and inquired as to the standard.

ADJOURNMENT

The Council adjourned at 10:51 p.m. to the meeting of May 18, 2010 at 6:00 p.m.

Luisa Herrera, Deputy City Clerk

SEAL

Pete V. McCracken, Mayor