Call to Order at 5:30 p.m.
Roll Call: Council Member McCracken, Vice Mayor Hamilton, Council Member Shelton, Council Member Ward, Mayor Irish

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

**JOINT CITY COUNCIL/PORTERVILLE REDEVELOPMENT AGENCY AGENDA**

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

**ORAL COMMUNICATIONS**

None

**REDEVELOPMENT AGENCY CLOSED SESSION:**

A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case.

During Closed Session, the Joint Redevelopment/City Council Meeting adjourned to a City Council Meeting.

**CITY COUNCIL CLOSED SESSION:**

B. Closed Session Pursuant to:
   3- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Two Cases.

6:30 P.M. RECONVENE OPEN SESSION

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

City Attorney Lew reported that no reportable action took place.

Pledge of Allegiance Led by Council Member Brian Ward
Invocation – a moment of silence was observed.
PRESENTATIONS

Employee of the Month – Tina Brown
Employee Service Awards
Explorer Program

REPORTS

None

ORAL COMMUNICATIONS

• Jim Tank, 1658 N. Prospect, lauded the police academy and thanked City staff for the program; and spoke of the opening of the Friends of the Library Book Sale at the Spencer House, thanking the Council and staff for their assistance.
• Vedra McElfresh, Chair of the Mural Committee, spoke in favor of the Council’s approval of the Band Mural in Centennial Park as proposed in Item No. 9; thanked all involved in the project; and introduced committee members.
• Dick Hatfield, Mural Committee member, spoke in favor of Council approval of the proposed mural, and spoke about ways in which murals benefit the community.
• Felipe A. Martinez, Time Marches On Committee, spoke in favor of the mural as proposed in Item No. 9 and requested the Council’s approval.
• Adrian Monte Reyes, 44 S. Park, Imagine Community Arts Center, spoke in favor of Item No. 9 and requested the Council’s approval.
• Brock Neeley, Porterville resident, expressed support for the proposed Band Mural; and spoke of the problem of suicide due to bullying, and invited everyone to attend an upcoming Candlelight Vigil in Visalia.
• Khris Saleh, voiced concern that the proposed Step Up Gang Summit as proposed in Item 14 may not be a comprehensive enough solution to the issue of gangs, and suggested that a larger response would be more effective.
• Rebecca Grayson, 93 N. Main, Director of the Imagine Community Arts Center, introduced herself to the City Council and advised of her interest and submittal of a Request for Appointment to serve on the Library Board.

CONSENT CALENDAR

Item No. 7 was removed for further discussion.


Documentation: M.O. 01-100510
Disposition: Approved

2. CLAIM – ROBERT RIVAS

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. 02-100510
Disposition: Approved

3. AUTHORIZATION TO ADVERTISE FOR BIDS – FOUR COMPRESSED NATURAL GAS (CNG) REFUSE TRUCKS

Recommendation: That the City Council:
1. Approve Staff’s recommended vehicle specifications; and
2. Authorize Staff to advertise for bids for four (4) Compressed Natural Gas Refuse Trucks.

Documentation: M.O. 03-100510
Disposition: Approved

4. ACCEPTANCE OF PUBLIC IMPROVEMENTS – MOOREA MANOR (GARY SMEE)

Recommendation: That the City Council:
1. Accept the public improvements of Moorea Manor Subdivision for maintenance;
2. Authorize the filing of the Notice of Completion; and
3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

Documentation: M.O. 04-100510
Disposition: Approved

5. APPROVAL FOR COMMUNITY CIVIC EVENT – CENTRAL CALIFORNIA FAMILY CRISIS CENTER’S ANNUAL CANDLELIGHT VIGIL FOR DOMESTIC VIOLENCE, OCTOBER 16, 2010

Recommendation: That the Council approve the Community Civic Event Application and Agreement submitted by the Central California Crisis Center, subject to the state requirements contained in the Application, Agreement and Exhibit ‘A’.

Documentation: M.O. 05-100510
Disposition: Approved

6. APPROVAL FOR COMMUNITY CIVIC EVENT – NEW LIFE CENTER – JUMP START CAR SHOW, OCTOBER 24, 2010

Recommendation: That the Council approve the Community Civic Event Application and Agreement from the New Life Center, except for the closure of Mathew Street, subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit ‘A’ and Exhibit ‘B’ of the Community Civic
Event Application.

Documentation:  M.O. 06-100510
Disposition:  Approved

COUNCIL ACTION:  MOVED by Council Member McCracken, SECONDED by Council Member Ward that the City Council approve Item Nos. 1 through 6. The motion carried unanimously.

7.  SCHEDULING OF PUBLIC HEARING TO CONSIDER ADOPTION OF THE FISCAL YEAR 2010-2011 BUDGET

Recommendation:  That the City Council schedule a Public Hearing for October 19, 2010, to consider adoption of the proposed 2010-2011 Fiscal Year Budget, including directions for modification.

City Manager John Lollis introduced the item and presented the staff report. He indicated that a scheduling conflict existed and requested that Council select a new date.

COUNCIL ACTION:  MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council schedule a Public Hearing for October 13, 2010, at 5:30 p.m., to consider adoption of the proposed 2010-2011 Fiscal Year Budget, including directions for modification. The motion carried unanimously.

Disposition:  Approved

SCHEDULED MATTERS
8.  LIBRARY BOARD OF TRUSTEES APPOINTMENTS

Recommendation:  That the City Council appoint two individuals to fill the two seats with three-year terms due to expire at the end of October 2010.

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

Council Member McCracken suggested that the Council use the ballot system. There were no objections made.

Council Member Ward requested that the Council consider increasing the number of board members. Staff advised that they believed the change could be made by ordinance.

Khris Saleh addressed questions from the Council regarding his current seat on the Measure H Oversight Committee, and whether it could be considered a conflict of interest. Mr. Saleh commented that he did not believe a conflict existed.
The Council’s ballot votes were read by Administrative Services Manager Patrice Hildreth, and were as follows:

Council Member McCracken – one vote for Catherine May, one vote for Obdulia Alvarado
Mayor Irish – one vote for Catherine May, one vote for Rebecca Grayson
Council Member Shelton – one vote for Khris Saleh, one vote for Rebecca Grayson
Vice Mayor Hamilton – one vote for Catherine May, one vote for Rebecca Grayson
Council Member Ward – one vote for Catherine May, one vote for Rebecca Grayson

The total votes for the candidates were: Catherine May, 4; Obdulia Guzman Alvarado, 1; Rebecca Grayson, 4; and Khris Saleh, 1.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the City Council appoint Catherine May and Rebecca Grayson to the Library Board of Trustees. The motion carried unanimously.

Disposition: Approved

The Council recessed for ten minutes.

9. TIME MARCHES ON MURAL TO BE CONSTRUCTED IN CENTENNIAL PLAZA

Recommendation: That the City Council:
1. Approve the Committee’s request to construct and donate a mural in Centennial Plaza; and
2. Authorize Staff to proceed with negotiations with the Porterville Mural Committee.

City Manager Lollis introduced the item, and Acting Community Development Director Susan Duke presented the staff report.

A discussion took place regarding graffiti abatement and maintenance of the mural wall. Mural Committee representatives indicated that funds were set aside for maintenance of murals, and the Council requested that a condition of the agreement require graffiti removal to be consistent with the Municipal Code.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve the Committee’s request to construct and donate a mural Centennial Plaza; and authorize Staff to proceed with negotiations with the Porterville Mural Committee, with agreement to
agreement require graffiti removal to be consistent with the Municipal Code. The motion carried unanimously.

Disposition: Approved

10. REVISION OF TULARE COUNTY ASSOCIATION OF GOVERNMENTS (TCAG) JOINT POWERS AGREEMENT

Recommendation: That the City Council consider the proposed Amendments to the TCAG JPA, and give direction accordingly.

City Manager Lollis introduced the item and presented the staff report.
A discussion ensued, during which Council Members Shelton, Ward, and Hamilton expressed their concerns regarding the proposed amendment.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council reject the proposed amendments to the TCAG JPA. The motion carried unanimously.

Disposition: Proposed amendment rejected.

11. CITY EASEMENT CONVEYANCE TO SOUTHERN CALIFORNIA EDISON COMPANY

Recommendation: That the City Council:
1. Accept SCE’s request to have the City convey an easement for the installation and maintenance of underground electrical facilities;
2. Authorize the Mayor to sign the Grant of Easement;
3. Authorize the City Clerk to mail the signed Grant of Easement to the SCE for recordation; and
4. Acknowledge the cost sharing responsibilities of the City pursuant to Part IV “Development Obligations” of the License and Development Agreement between the “City” and “Fair”.

Mayor Irish noted a previously disclosed perceived conflict, recused himself, and exited the Council Chambers.

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

Council and staff discussed the conditions of Rules 15 and 16 as they pertained to Parcels 1 and 2.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the City Council accept SCE’s request to have the City convey an easement for the installation and maintenance of underground electrical facilities; authorize the Mayor to sign the Grant of Easement; authorize the City Clerk to mail the signed Grant of Easement to the SCE
for recordation; and acknowledge the cost sharing responsibilities of the City pursuant to Part IV “Development Obligations” of the License and Development Agreement between the “City” and “Fair”.

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

Disposition: Approved

Council Member McCracken excused himself to tend to a personal matter, and exited the Council Chambers. He was absent for consideration of item 13.

12. THIS ITEM HAS BEEN REMOVED.

13. CONSIDERATION OF ESTABLISHING BY ORDINANCE AN ARTS COMMISSION AS AN ADVISORY BODY TO THE CITY COUNCIL

Recommendation: That the City Council consider and give first reading (by title only) to the Draft Ordinance, authorizing the establishment of an Arts Commission as an Advisory Body to the City Council, read by title, and waive further reading.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve the draft ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADDING CHAPTER 5A, ARTICLE I, SECTIONS 5A-1 THROUGH 5A-8 TO THE PORTERVILLE MUNICIPAL CODE REGARDING THE FORMATION OF AN ARTS COMMISSION, give first reading, and order the ordinance to print.

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

The City Manager read the ordinance by title only.

Disposition: Approved

14. COUNCIL MEMBER REQUESTED ITEM – CONSIDERATION OF HOSTING A “STEP UP” GANG AWARENESS FORUM
Recommendation: That the City Council consider authorizing the City to host a “Step Up” gang awareness forum.

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

Council Member Ward stated that the County was willing to assist in funding the event, but that it would be organized locally, and suggested that a committee be formed.

Council Member Shelton made a motion that the Council authorize the City to host a “Step Up” gang awareness forum, which was seconded by Vice Mayor Hamilton. Amendments were offered with regard to the appointment of Council Members to a committee, both of which were not accepted.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Vice Mayor Hamilton that the City Council authorize the City to host a “Step Up” gang awareness forum, with details to be determined at a later date. The motion carried unanimously.

Disposition: Approved

ORAL COMMUNICATIONS
None

OTHER MATTERS
• Council Member Ward 1) spoke of his interest in compiling a list of clergy/local churches and establishing a committee for the purpose of initiating regular joint meetings between the City and the local religious community. He suggested that he and another Council Member could serve on that committee; and 2) expressed interest in working with local pediatricians in an early outreach program to promote health and community service issues.
• Council Member Shelton 1) spoke of his interest in allowing the burning of tumbleweeds, and requested that an item be placed on the agenda to consider it; and 2) inquired whether the Council would be interested in conducting some Town Hall meetings in the Community.
• Council Member McCracken recalled that there were approximately 140 local churches in the mid 1980’s, noting that many of them had quite small congregations.
• Council Member Ward voiced interest in forming a Gang Juvenile Crime Prevention Task Force.
• Vice Mayor Hamilton acknowledged Miss. Yuridia Martinez and her recent “Adopt a Block” effort, and voiced appreciation for her hard work for the community.
• Mayor Irish requested that staff provide him with a list of all City committees and a list of all Porterville City Managers.

ADJOURNMENT
The Council Meeting adjourned at 9:03 p.m. to the meeting of October 12, 2010 at 6:00 p.m.