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.

**CITY COUNCIL CLOSED SESSION:**
A. Closed Session Pursuant to:
   5- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.
   6- Government Code Section 54957 - Public Employee Performance Evaluation - Title: City Manager.

6:30 P.M. RECONVENE OPEN SESSION

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

Pledge of Allegiance Led by Mayor Ronald L. Irish
Invocation

**PROCLAMATIONS**
National Baseball Hall of Fame Inductee – Doug Harvey
National Wrestling Hall of Fame Inductee – Tim Vanni
National Wrestling Hall of Fame Inductee – Drew Williams
Child Abuse/Neglect Awareness Month – April 2011

**PRESENTATIONS**
Employee of the Month – Linda Clark
Employee Service Awards
REPORTS
This is the time for all reports from the City Council, including but not limited to, reports pursuant to AB1234, reports from subcommittees, committees, commissions and boards on which the Council Members serve, and other miscellaneous informational reports.

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.


2. Leave to File Late Claim – Banuelos
   Re: Denying a request to file a late claim which per statute was due to be filed on December 27, 2010.

3. Claim – Fernando Martinez
   Re: Rejecting a claim in which claimant alleges he has suffered damages because the Porterville Municipal Golf Course restrooms were not constructed in accordance with ADA requirements.

4. Claim – Michael Smith
   Re: Rejecting a claim in which claimant alleges he sustained property damages to his vehicle when it was flooded while it was parked on private property at West Street and W. Yowlumne Avenue on December 19, 2010.

5. Transit Claim – Kari Beebe
   Re: Rejecting a transit claim so as to allow the statute of limitations to commence and ensure a timely settlement of the claim related to a traffic accident involving a City transit bus colliding with claimant’s vehicle at Morton Avenue and Villa Street on November 2, 2010.

6. Transit Claim – Tinamarie Castro
   Re: Rejecting a transit claim in which claimant alleges she sustained personal injuries when the City transit bus in which she was a passenger was involved in a traffic accident at Morton Avenue and Villa Street on November 2, 2010.

7. Transit Claim – Christina Martinez
   Re: Rejecting a transit claim in which claimant alleges she sustained personal injuries when the City transit bus in which she was a passenger was involved in a traffic accident at Morton Avenue and Villa Street on November 2, 2010.
8. **Transit Claim – Carlos Hurtado**  
Re: Rejecting a transit claim in which claimant alleges he sustained personal injuries when the City transit bus in which he was a passenger was involved in a traffic accident at Morton Avenue and Villa Street on November 2, 2010.

9. **Transit Claim – Nathaniel Hurtado**  
Re: Rejecting a transit claim in which claimant alleges he sustained personal injuries when the City transit bus in which he was a passenger was involved in a traffic accident at Morton Avenue and Villa Street on November 2, 2010.

10. **Authorization to Advertise for Bids – Demolition Project – Jaye Street Residential Unit**  
Re: Approving staff’s recommended plans and project manual and authorizing staff to advertise for bids for the project consisting of the demolition of a single-family residence located at 1011 S. Jaye Street with an estimated probable costs of $15,600.

11. **Amendment of Dee Jaspar and Associates Service Agreement for Construction Management and Inspection Services for the Martin Hill and Rocky Hill Water Reservoir Projects**  
Re: Approving amendment to agreement to provide construction management and inspection services at an agreed fee of $33,000.

12. **Implementation of the ADA Complaint Procedure and Designation of ADA Coordinators**  
Re: Approving ADA Complaint Procedure and identifying the Administrative Services Manager and Public Works Directors as ADA Coordinators.

13. **Authorization to Sell Property to the State of California**  
Re: Authorizing the sale of .36 acres of real property located generally at the southwesterly corner of Murry Street and Garden Avenue for $180,000.

14. **Approval of a Resolution in Support of the Enterprise Zone Program**  
Re: Approving resolution in support of the Enterprise Zone Program in response to the Governor’s proposal to eliminate such programs.

15. **Approval of Sports Complex Concession License**  
Re: Approving a Concession License at the Sports Complex with South Valley Chivas and the American Youth Soccer Organization for a rate of $6.01 per hour.

Re: Approving an agreement to implement an off-site sharing of City library materials with the Burton School District, Summit Charter Academy Campus.

17. **Approval for Community Civic Event – Porterville Chamber of Commerce Iris Festival, April 16, 2011**  
Re: Approving a civic event application for the annual event to take place in Downtown Porterville on April 16, 2011.
17a. **Review of Local Emergency Status**  
Re: Reviewing the City’s status of local emergency pursuant to Article 14, Section 8690 of the California Emergency Services Act.

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

**HEARING**
18. **Resolution of Necessity Pertaining to the Acquisition of a Portion of Property (55,590 sq. ft.) located at APN 259-050-025, Owner Estate/Interest of Dorothy Jue Moe – For the Proposed Widening and Improvement of Newcomb Street**  
Re: Receiving testimony from property owner and considering adoption of the draft Resolution of Necessity pertaining to the City’s acquisition of 55,590 sq. ft. of real property generally located in the southern portion of the parcel located at the SW corner of Olive Avenue and Newcomb Street.

**PUBLIC HEARINGS**
Re: Providing an opportunity for the public to comment on the revised draft EIR for the Riverwalk Marketplace Phase II project located at the southeast corner of Indiana Street and Springville Avenue which includes the development of a 161,602 ± sq. ft. Walmart store in addition to other commercial uses.

**SECOND READINGS**
20. **Ordinance 1776, Fireworks**  
Re: Giving second reading to Ordinance 1776 Amending Chapter 12, Article II, Fireworks, of the Porterville Municipal Code which was approved and given first reading on February 15, 2011.

**SCHEDULED MATTERS**
21. **Re-Visit of Reclamation Area Lease Land Adjustment**  
Re: Consideration of approving an amendment to the Lease Agreement with Rick Perigo Roadsiding to reduce the amount of farmable irrigated acres by 37.22 acres; adjust the annual lease payment to $77,454; and authorize the reimbursement of $18,072 for the pro-rated 17 previous months.

22. **Amendment to Ordinance 1397 – Floodplain Management Ordinance**  
Re: Considering adoption of an ordinance amending Article XIV, Flood Damage Prevention Code, of the Porterville Municipal Code to comply with new rules and regulations governing the National Flood Insurance Program as required by FEMA.

23. **Federal Aviation Administration Release of Non-Aeronautical Land**  
Re: Considering approval of a resolution obligating the City to expend the proceeds of the sale of 25.74± acres of excess land at the Porterville Municipal Airport in the amount of $515,000 upon the airport within a five-year period pursuant to the requirements of the FAA; and approving a budget adjustment to allocate $169,740 of the funds to the Airport Security Fencing and Access Control Project.
24. **Consideration of Naming City Conference Rooms**  
   Re: Considering the renaming of the City’s conference rooms, including the Hamamatsu, La Barca, and North conference rooms in City Hall, as well as the naming of the Fire and Police Department conference rooms.

25. **Council Member Requested Agenda Item – Modification to Municipal Code Requiring Improved Areas for Parking**  
   Re: Considering whether there is Council interest in modifying the City’s Municipal Code relative to parking in unimproved or unpaved areas.

26. **Council Member Requested Agenda Item – Modification to City Project Review Committee Fees**  
   Re: Considering whether there is Council interest in modifying the City’s Project Review Committee (PRC) fees, which are currently $753.

27. **Council Member Requested Agenda Item – Modification to City Council Budget for Accounting of Council Member Expenditures**  
   Re: Considering whether there is Council interest in modifying the Council’s budget and accounting of each individual Council Member’s expenditures to limit individual expenditures to $4,000 per fiscal year.

**ORAL COMMUNICATIONS**

**OTHER MATTERS**

**CLOSED SESSION**  
Any Closed Session Items not completed prior to 6:30 p.m. will be considered at this time.

**ADJOURNMENT** - to the meeting of April 5, 2011 at 5:30 p.m.

_Pursuant to Ordinance No. 1766, the Council Meeting shall adjourn no later than 9:45 p.m., unless otherwise approved by a majority of the Council Members present._

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.