Call to Order
Roll Call
Pledge of Allegiance Led by Vice Mayor Hamilton
Invocation

**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.

**SCHEDULED MATTERS**

1. **City Council Member Requested Agenda Item – Consideration of Renaming City Hall Conference Rooms and Areas**
   Re: Considering whether there is Council interest in the renaming of the City’s conference rooms and other areas in City Hall.

2. **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 individual Council Member expenditures to limit each individual budget to $4,000 per fiscal year.

3. **Council Member Requested Agenda Item – Consideration of Co-Sponsoring with the Tule River Tribal Council a Community Fireworks Show**
   Re: Considering whether there is Council interest in co-sponsoring with the Tule River Tribal Council, a community fireworks show conducted with a City parks facility.

4. **Council Member Requested Agenda Item – Modification to Municipal Code Regarding Itinerant Vendor or Itinerant Merchant**
   Re: Considering whether there is Council interest in modifying the City’s Municipal Code as it relates to Itinerant Vendors or Itinerant Merchants.

5. **Council Member Requested Agenda Item – Consideration of Creating City Listserv Program**
   Re: Considering whether there is Council interest in implementing a Listserv Program through the City’s website.

6. **Council Member Requested Agenda Item – Consideration of City Manager Performance**
   Re: Considering whether there is Council interest in considering the performance of the City Manager.

**ORAL COMMUNICATIONS**

**OTHER MATTERS**

Page 1 of 2
ADJOURNMENT - to the meeting of April 19, 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.
SUBJECT: COUNCILMEMBER REQUESTED AGENDA ITEM – Consideration of Renaming City Hall Conference Rooms and Areas

SOURCE: City Manager

COMMENT: Mayor Irish has requested that the Council consider the renaming of City conference rooms.

RECOMMENDATION: Mayor Irish makes the motion to:
1. Rescind Council Resolution 125-2004; and
2. Adopt Draft Council Resolution “Porterville’s Exceptional People”, and commence the name changes immediately.

2. Draft Council Resolution “Porterville’s Exceptional People”

Item No. 1
RESOLUTION NO. 125-2004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE IN SUPPORT AND PROMOTION OF PORTERVILLE'S SISTER CITIES THROUGH THE NAMING OF TWO CITY HALL MEETING ROOMS

WHEREAS, the City of Porterville has had positive and long-term relations with its two Sister Cities, the Town of Mikkabi, Japan, and La Barca, Jalisco, Mexico; and

WHEREAS, one of the purposes of the Sister Cities Program has been to develop an international exchange process to discuss agricultural and industrial economic development; and

WHEREAS, an additional goal of the Sister Cities Program is to stimulate cultural exchanges relating to social customs and political processes which are mutually beneficial; and

WHEREAS, numerous citizens from Porterville, Mikkabi, Japan, and La Barca, Jalisco, Mexico have exchanged visits—from local dignitaries to local school children; and

WHEREAS, in an effort to reinforce its support of the Sister Cities Program, the City Council of the City of Porterville desires to officially name two of the City Hall conferétee rooms at 291 North Main Street, Porterville, after our Sister Cities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the main City Hall Conference Room is hereby designated as “The Mikkabi Room,” and the City Manager’s Conference Room is hereby designated as “The La Barca Room.”

Adopted this 21st date of September, 2004.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

Georgiaw Hawley, Chief Depuy City Clerk
STATE OF CALIFORNIA  
CITY OF PORTERVILLE  )  SS
COUNTY OF TULARE  )

I, JOHN LONLEY, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy a resolution passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council duly called and held on the 21st day of September, 2004.

THAT said resolution was duly passed adopted by the following vote:

<table>
<thead>
<tr>
<th>Council:</th>
<th>WEST</th>
<th>IRISH</th>
<th>HAMILTON</th>
<th>STADTHERR</th>
<th>MARTINEZ</th>
</tr>
</thead>
<tbody>
<tr>
<td>AYES:</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>NOES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ABSTAIN:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ABSENT:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

JOHN LONLEY, City Clerk

[Signature]

by Georgia Hawley, Chief Deputy City Clerk
RESOLUTION NO. _____ - 2011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE IN SUPPORT OF
THE DEDICATION AND EFFORT OF THE CITY EMPLOYEES AS WELL AS THE ACTIVE
DUTY MILITARY PERSONNEL FROM THE PORTERVILLE AREA AND THE
ACCOMPLISHMENTS OF OUR LOCAL YOUTH AND THE SUPPORT OF OUR SISTER
CITIES THROUGH THE NAMING OF CITY HALL CONFERENCE ROOMS AND THE MAIN
FOYER AND SOUTH HALL OF CITY HALL

WHEREAS, the City of Porterville has recognized the positive and long-term relations with
its two Sister Cities, the town of Hamamatsu, Japan, and La Barca, Jalisco, Mexico since September
2004 by naming two conference rooms in their honor and displaying relative artifacts; and

WHEREAS, the dedication of City employees, both past and current, and their efforts have
significantly contributed to the growth and development of Porterville and continue to provide a
foundation for all residents to enjoy the “Good Life”; and

WHEREAS, a significant portion of the youth in Porterville and the surrounding environs
continue to carry on the tradition of military service to help insure an opportunity to continue to enjoy
the “Good Life”; and

WHEREAS, many of the youth in Porterville and the surrounding environs continue to excel
in athletics and academic endeavors which demonstrate the “Good Life”.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Porterville that:

1. the North Foyer be named Exceptional People, Exceptional City and that the display cases
   and wall display areas be dedicated to the outstanding youth athletes and academics, and
2. the Main Conference Room, located due west of the North Foyer, be named the Staff
   Conference Room” and be appointed with photographs and memorabilia of the employees
   who have served the city for 26 years or more, and
3. the Southwest Conference Room, located within the Parks & Leisure Services office area, be
   named the “City Managers Room” and be appointed with photographs and memorabilia of
   past and present City Managers, and
4. the North Conference Room, located between Community Development and Public Works
   office, be named the “Chiefs Room” and may be appointed with photographs and
   memorabilia of all past and present Police Chiefs, Fire Chiefs, Departments heads, and
5. the South Hall, between the Southeast Main Street entrance and the South entrance from
   Cleveland, be named the “Military Active Duty Hall” and appointed with photographs of
   active duty military service from Porterville, its surrounding environs within the sphere of
   influence, and the Tule River Reservation, differentiated by branch of service, i.e. Army,
   Navy, Air Force, Marine Corps, Coast Guard, and National Guard.

Adopted this 5th day of April, 2011

ATTEST:
John Lollis, City Clerk

Ronald L. Irish, Mayor
SUBJECT: COUNCILMEMBER REQUESTED AGENDA ITEM – Modification to City Council Budget for Accounting of Councilmember Expenditures

SOURCE: City Manager

COMMENT: City Councilmember Shelton has requested that the Council consider modifying the Council’s budget and accounting of individual Councilmember expenditures, proposing that each Councilmember’s individual budget be limited to $4,000 per fiscal year. In addition, each Councilmember’s individual budget would continue to be charged for expenses related to City travel and meeting expenses, but would also include all expenses related to City technology support (cell phone purchase and service, computer purchase and maintenance, as well as internet air card service).

Currently, each Council Member is provided an individual budget of $4,500 for the purposes of attending conferences and meetings for the City and related travel expenses (registration, lodging, meals, mileage, etc), as well as City technology support, with the exception of computer maintenance and internet wireless air card service, which is estimated at $2,500 per year.

RECOMMENDATION: Councilman Shelton motions that City Council limit each individual Councilmember budget to $4,000 per fiscal year, and be charged for expenditures not currently charged to individual budgets, including computer maintenance and internet wireless air card service.

ATTACHMENT: 2010-2011 City Council Budget (Proposed)
<table>
<thead>
<tr>
<th>ACCT#</th>
<th>ACCOUNT NAME</th>
<th>FY 2006/07 ACTUAL</th>
<th>FY 2007/08 ACTUAL</th>
<th>FY 2008/09 ACTUAL</th>
<th>FY 2009/10 BUDGET</th>
<th>Y-T-D 31-Dec-09</th>
<th>PROJECTED 30-Jun-10</th>
<th>PROPOSED FY 2010/11 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CITY COUNCIL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PERSONNEL SERVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5010-001-010</td>
<td>Salaries, Regular</td>
<td>4,650</td>
<td>3,960</td>
<td>3,495</td>
<td>4,650</td>
<td>1,710</td>
<td>4,650</td>
<td>4,650</td>
</tr>
<tr>
<td></td>
<td>TOTAL PERSONNEL SERVICES</td>
<td>4,650</td>
<td>3,960</td>
<td>3,495</td>
<td>4,650</td>
<td>1,710</td>
<td>4,650</td>
<td>4,650</td>
</tr>
<tr>
<td></td>
<td>OTHER EXPENSES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5010-001-140</td>
<td>Computer Equipment Maintenance</td>
<td>-</td>
<td>-</td>
<td>1,116</td>
<td>1,120</td>
<td>558</td>
<td>1,116</td>
<td>1,116</td>
</tr>
<tr>
<td>5010-001-220</td>
<td>Printing/Copying</td>
<td>596</td>
<td>210</td>
<td>1,109</td>
<td>750</td>
<td>183</td>
<td>392</td>
<td>500</td>
</tr>
<tr>
<td>5010-001-230</td>
<td>Professional/Temp Service</td>
<td>76,874</td>
<td>108,146</td>
<td>97,218</td>
<td>90,000</td>
<td>30,002</td>
<td>94,200</td>
<td>94,200</td>
</tr>
<tr>
<td>5010-001-320</td>
<td>Office/Computer Supplies</td>
<td>122</td>
<td>-</td>
<td>-</td>
<td>50</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-Hamilton</td>
<td>11,275</td>
<td>2,278</td>
<td>1,311</td>
<td>4,500</td>
<td>1,849</td>
<td>3,958</td>
<td>4,500</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-Martinez</td>
<td>5,424</td>
<td>(238)</td>
<td>3,277</td>
<td>4,500</td>
<td>1,004</td>
<td>2,148</td>
<td>4,500</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-Stadelherr</td>
<td>(395)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-McCracken</td>
<td>5,043</td>
<td>(215)</td>
<td>-</td>
<td>4,500</td>
<td>125</td>
<td>208</td>
<td>4,500</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-F Martinez</td>
<td>7,041</td>
<td>5,112</td>
<td>5,363</td>
<td>4,500</td>
<td>2,161</td>
<td>4,500</td>
<td>4,500</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-Hernandez</td>
<td>3,329</td>
<td>5,581</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>5010-001-410.0</td>
<td>Meeting Expenses-Ward</td>
<td>-</td>
<td>-</td>
<td>2,330</td>
<td>4,500</td>
<td>1,128</td>
<td>2,414</td>
<td>4,500</td>
</tr>
<tr>
<td>5010-001-450</td>
<td>Publication and Dues</td>
<td>323</td>
<td>149</td>
<td>100</td>
<td>200</td>
<td>-</td>
<td>-</td>
<td>100</td>
</tr>
<tr>
<td>5010-001-490</td>
<td>Special Consumables Youth</td>
<td>-</td>
<td>-</td>
<td>12,796</td>
<td>37,204</td>
<td>15,938</td>
<td>37,204</td>
<td>-</td>
</tr>
<tr>
<td>5010-001-660</td>
<td>Other Expense</td>
<td>75,282</td>
<td>79,106</td>
<td>24,995</td>
<td>22,000</td>
<td>9,839</td>
<td>20,627</td>
<td>18,204</td>
</tr>
<tr>
<td>5010-001-910</td>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>8,000</td>
<td>-</td>
<td>-</td>
<td>8,000</td>
</tr>
<tr>
<td></td>
<td>TOTAL OTHER EXPENSES</td>
<td>184,914</td>
<td>200,109</td>
<td>149,816</td>
<td>181,824</td>
<td>62,587</td>
<td>166,827</td>
<td>144,620</td>
</tr>
<tr>
<td></td>
<td>TOTAL CITY COUNCIL</td>
<td>189,564</td>
<td>204,069</td>
<td>153,111</td>
<td>186,474</td>
<td>64,297</td>
<td>171,477</td>
<td>149,270</td>
</tr>
</tbody>
</table>
COUNCIL AGENDA: April 12, 2011

SUBJECT: COUNCILMEMBER REQUESTED AGENDA ITEM – Consideration of Co-Sponsoring with the Tule River Tribal Council a Community Fireworks Show

SOURCE: City Manager

COMMENT: City Councilmember Shelton has requested that the Council consider co-sponsoring, with the Tule River Tribal Council, a community fireworks show conducted within a City parks facility (Sports Complex, Veteran’s Park, etc).

RECOMMENDATION: Councilman Shelton motions that City Council approve serving as a Co-Sponsor with the Tule River Tribal Council in the production of a community fireworks show, including the use of a City parks facility and “Freedom Fest”.

ATTACHMENT: None
SUBJECT: COUNCILMEMBER REQUESTED AGENDA ITEM – Modification to Municipal Code Regarding Itinerant Vendor or Itinerant Merchant

SOURCE: City Manager

COMMENT: City Councilmember Ward has requested that the Council consider modifying the City’s Municipal Code, as it relates to Itinerant Vendors or Itinerant Merchants.

RECOMMENDATION: Councilman Ward motions that City Council modify the City’s Municipal Code, to implement provisions for itinerant vendors or merchants within the City, so as not to compete with established businesses within the City.

ATTACHMENT: Municipal Code: Chapter 15, Article 1 (Definitions)
15-1: DEFINITIONS:

For the purposes of this chapter, certain words and phrases used herein are defined as follows:

ADVERTISING SOLICITOR: Any person who goes from place to place within the city selling or offering to sell advertising service using any advertising method.

AMUSEMENTS, AMUSEMENT RIDES: One or more merry-go-rounds, exhibitions, flying horses, Ferris wheels, or other similar devices.

ARCADE: A commercial establishment containing any combination of five (5) or more apparatuses, devices and/or machines operated by payment of fees and where the apparatus, devices and/or machines make possible a game or contest.

AUCTION SALES: All sales by auction of personal and/or real property.

BUSINESS: Professions, trades and occupations, and all and every kind of calling whether or not carried on for profit.

CARD ROOM: Any room in which there are card tables used, kept or intended for use in the playing of any kind of legal card game where the same is conducted as a business or in connection with a business.

CARNIVAL: A group of two (2) or more shows, entertainments, games, devices, mechanical rides, amusements, vaudeville or dramatic or minstrel performance, or games, tricks, devices or wheels, the result of the operation of which is dependent upon chance or skill, and as a result of the operation of which things or representatives of value are given or paid. The charging of a single admission fee to a carnival shall not limit the provisions of this chapter.

CITY: City of Porterville, Tulare County, state of California.

COLLECTOR: The administrative services manager or designee of the city and duly authorized assistants and/or deputies of the director.

CONTRACTORS: Means and includes those trades licensed by the state contractors' licensing board.

FIXED PLACE OF BUSINESS OR ESTABLISHED BUSINESS WITHIN THE CITY: A permanent store, office or place where business is legally and regularly transacted from month to month in such manner as business of that nature is generally or customarily carried on and conducted and when the circumstances show an intention to become an established, fixed and continuous part of the regular and legitimate business life of the city. In questionable cases, such facts must be shown by the exhibition of a bona fide lease or rental agreement to the premises where such business is to be conducted, such lease or rental agreement to be for a minimum period of not less than ninety (90) days.

FLEA MARKET OR SWAP MEET: Any collection of two (2) or more vendors gathered together in a common area segregated by spaces, booths or other designated selling locations for the purpose of selling, offering to sell, bartering, or offering to barter, or any combination thereof, goods, wares, merchandise or articles of value. This definition shall be liberally construed so as to apply to any activity commonly known and referred to as a flea market or swap meet.

FLEA MARKET OR SWAP MEET OPERATOR: Any person, corporation or organization conducting, managing or engaging in the business of operating a swap meet or flea market.

FLEA MARKET OR SWAP MEET VENDOR: Any person, corporation or organization, and all employees and agents thereof, who purchases or acquires a space or spaces from a flea market or swap meet operator, or who purchases or acquires the right to be on the premises for the purpose of operating a business in the premises.

GOING OUT OF BUSINESS SALE: A sale held out in such a manner as to reasonably cause the public to believe that upon the disposal of the stock of goods on hand the business will cease and be discontinued, including, but not limited to, the following types of sales: adjourn; adjustment; alienation; assignee; bankrupt; benefit of administrator; benefit of creditors; benefit of trustees; building coming down; closing; creditors committee; creditors; end; execution; final day; forced out; forced out of business; insolvent; last day; lease expires; liquidation; loss of lease; mortgage sale; receivers; trustees; quitting business; going out of business.

GOODS: Any goods, wares, merchandise or other personal property capable of being the objects of a sale regulated hereunder.

GROSS RECEIPTS: Shall include the total amount of the sale price of all sales and the total amount charged or received for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares or merchandise. Included in "gross receipts" shall be all receipts, cash credits and property of any kind or nature, without any deduction therefrom on account of the cost of the property sold, the cost of the materials used, labor or service costs, interest paid or payable, or losses or other expenses whatsoever. Included in "gross receipts" as concerns telephone companies shall be only those receipts derived from providing telephone service within the city and only receipts resulting from intrastate telephone service. Excluded from "gross receipts" shall be cash discounts allowed and taken on sales; credit allowed on property accepted as part of the purchase price and which property may later be sold; any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser; such part of the sale price of property returned by purchasers upon recession of the contract of sale as is refunded whether in cash or by credit; amounts collected for others where the business is acting as an agent or trustee to the extent that such amounts are paid to those from whom collected.
Note: All receipts of a business should be included under gross receipts with the following exceptions:

A. Cash discounts allowed.

B. Trade in allowances.

C. Sales tax.

D. Excise tax.

E. Any other tax included in or added to the price of the product.

F. Sales return allowances.

G. Amounts collected as an agent which are to be paid to others. (An example of this might be a down payment collected by a realtor or a stock purchase price collected by a stockbroker.)

INSURANCE BROKER: A person who, for compensation and on behalf of another person, transacts insurance other than life with, but not on behalf of, an insurer.

ITINERANT VENDOR OR ITINERANT MERCHANT: All persons, both principal and agent, who engage in a temporary or transient business in the city, selling or offering to sell goods, wares or merchandise or any other thing of value, with the intention of conducting such business for a period of less than ninety (90) days, and who for the purpose of such business hires, leases or occupies any room, doorway, vacant lot, building or other place, for the exhibition for sale of goods, wares, merchandise or other thing of value. If any such place, occupied or used for such business, is rented or leased for a period of less than ninety (90) days, such fact shall be presumptive evidence that the business carried on therein is a transient business; and any person so engaged shall not be relieved from the provisions of this section or from payment of the license taxes herein provided for such business, by reason of any temporary association with local dealer, trader, merchant or auctioneer.

The provisions of this definition shall not apply to commercial travelers or selling agents, selling their goods exclusively to merchants, dealers or traders, whether selling for present or future delivery, by sample or otherwise, nor to peddlers, as the same is defined in this chapter, nor to persons selling fruit, vegetables, eggs, butter or other farm or ranch products of their own farm or dairy, exclusively.

PAID PROMOTER: Every person, and each agent or representative of such person conducting, carrying on or managing, for any compensation whatsoever, the business of selling tickets for, or promoting by advertising or otherwise, any activity within the city.

PARADE: Any march or procession consisting of persons, animals, or vehicles, or a combination thereof, except funeral processions, upon any public street, sidewalk, alley, or public place, which march or procession does not comply with normal and usual traffic regulation or control.

PEDDLER: Any person who goes from house to house, place to place, or in or along the streets, within the city selling or offering to sell, barter or exchange, and making or offering to make immediate delivery of any goods, wares, merchandise or anything of value, in the possession of the peddler to persons other than manufacturers, wholesalers, jobbers or retailers of such commodities; provided, that a producer who furnishes directly and delivers any poultry, eggs, butter, fruit, vegetables or meat being exclusively the produce of his own garden, farm, ranch, or dairy to persons within the city, shall not be deemed a peddler within the meaning of this definition.

PERSON: All domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, clubs, societies, and individuals transacting and carrying on any business in the city other than as an employee.

PERSONAL LOANS OR SUPPLIER OF FINANCING: Every person who either for himself or any other person engages in the business of loaning money, advancing credit, loaning credit, whether security of any kind (personal or real property) is taken for such loan or advance or not, or purchasing or discounting of any obligation of money due or to become due or any evidence of any obligation of money due, whether such obligation is secured or guaranteed or not. Nothing in this definition shall be deemed or construed to apply to any person conducting a banking business or financial corporation exempt under the laws of California, or to persons required to be licensed by the state of California under provisions of the "personal property brokers act", or to the holder of a pawnbroker's license.

QUARTER: A period of three (3) calendar months. The "quarter" as referred to in this chapter shall commence on the first days of July, October, January, and April and end on the last days of September, December, March and June. A quarter shall include any fraction thereof.

RECYCLABLE WASTE HAULER: Any person who goes from place to place, or business to business, within the city collecting and hauling recyclable waste materials such as bottles, cans, cardboard, oil, paper or paper products, or any other substance for the purpose of reclamation or other use. Nothing in this definition shall be deemed or construed to apply to any person conducting business as a junk dealer.

REMOVAL OF BUSINESS SALE: A sale held out in such a manner as to reasonably cause the public to believe that the person conducting the sale will cease and discontinue business at the place upon disposal of the stock of goods on hand and then will remove to and resume business at a new location in the city or will continue business from other existing locations in the city.
SEMIANNUAL: A period of six (6) calendar months. The semiannual period as referred to in this chapter shall commence on the first days of July and January and end on the last days of December and June. A semiannual period shall include any fraction thereof.

SOLICITOR OR CANVASSER: Any person who goes from house to house or from place to place within the city, selling or taking orders for, or offering to sell or take orders for, any goods, wares or merchandise or any article, for future delivery, or selling or taking orders for any service or services to be furnished or performed in the future at any place within the city other than a fixed place of business, or for making, manufacturing, treating or repairing of any article or thing whatsoever, for future delivery.

STREET VENDORS/PUSH CART VENDORS: Every person conducting, carrying on or managing the selling or offering for sale any food, beverages, goods, wares, merchandise of any type including, but not limited to, plants, flowers, toys, paintings, furniture, or rugs, or articles of personal property, in his/her possession, if the offer for sale occurs from a basket, box or any other type of receptacle, stand, wagon, motor vehicle, push cart, or any other type of vehicle. (Ord. 1324, 12-18-1984; Ord. 1531 § A1, 6-18-1996; Ord. 1586 § A1, 5-16-2000)
SUBJECT: COUNCILMEMBER REQUESTED AGENDA ITEM – Consideration of Creating City Listserv Program

SOURCE: City Manager

COMMENT: City Councilmember Ward has requested that the Council consider implementing a Listserv Program through the City’s website.

RECOMMENDATION: Councilman Ward motions that City Council approve the implementation of a Listserv function on the City’s website.

ATTACHMENT: City Listserv Information Sheet
Move to implement opt-in email distribution lists, including:

- Special City programs such as
  - Step-Up and At Risk youths
  - Library and Literacy programs
  - Parks & Leisure Services youth programs
  - Parks & Leisure Service adult programs
  - Parks & Leisure Services senior programs
  - Public Works programs and information
  - Community Development programs including low income housing programs
- City Council information releases
- City Council member(s) information releases
- City Public Information Officer releases

And direct the City Manager to:

1. Initiate subscription to Constant Comment, [http://search.constantcontact.com/email-marketing/index.jsp](http://search.constantcontact.com/email-marketing/index.jsp), and
2. Charge the cost of such subscription to the City Council budget, and
3. Designate the PIO or someone else, at the City Manager’s discretion, to monitor mail lists and supervise information distribution in accordance with FPPC and other governmental regulations, and
4. If, in the City Manager’s opinion, such implementation requires additional expenditure(s) for personnel, supplies, equipment, etc., develop a budgetary line item for approval of the City Council and incorporation into the General Fund budget in a timely manner, not to exceed the second regular meeting in May 2011, and
5. Establish a policy and procedures for emailing information to opt-in subscriber(s) to the various mail lists, and
6. Direct the City Manager to cause appropriate subscription access to be placed on appropriate City web site page(s) accessible by the public, and
7. Have the system operational on or before June 1, 2011.
SUBJECT:  COUNCILMEMBER REQUESTED AGENDA ITEM – Consideration of City Manager Performance

SOURCE:  City Manager

COMMENT:  City Councilmember Shelton has requested that the Council consider the performance of the City Manager.

RECOMMENDATION:  Councilman Shelton motions that City Council consider the performance of the City Manager.

ATTACHMENT:  None