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

ORAL COMMUNICATIONS
None

CITY COUNCIL CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: A 30.57 mile line of railroad between Strathmore, CA milepost 268.60 and Jovista, CA milepost 299.17 in Tulare County, particularly that portion of the railroad line within the limits of the City of Porterville. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Union Pacific Railroad Company. Under Negotiation: Terms and Price.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION
City Attorney Lew reported that the following reportable action took place:

A2: On a motion by Council Member Ward, seconded by Council Member McCracken, the Council authorized staff to open escrow in the amount of $105,000 for the property located at 1150 E. Putnam, with the buyer paying all closing costs; authorized staff to open escrow in the amount of $108,000 for the property located at 168 N. Martin Street, with the City paying closing costs up to $3,780 from NSP funds; authorize the Mayor to sign all necessary documents; and authorized staff to record all documents with the County Recorder. The motion carried unanimously.

Documentation: Resolution Nos. 55-2011, 56-2011
Disposition: Approved.
A5: On a motion by Council Member McCracken, seconded by Mayor Pro Tem Hamilton, the Council rejected the claim submitted by Ms. Baikham Ratsakhy, referred the matter to the City’s claims adjustor; and directed the City Clerk to give the Claimant proper notification. The motion carried unanimously.

Documentation: Minute Order 02-092011
Disposition: Approved.

Pledge of Allegiance Led by Mayor Irish.
Invocation: One individual participated. A moment of silence was then observed in memory of Army Spc. Doug Jeffries.

PROCLAMATION
Employer Support of the Guard & Reserve Week, September 19 – 25, 2011

PRESENTATIONS
Fire Chief Mario Garcia – National Fire Academy “Executive Fire Officer”
Employee Service Awards

REPORTS
Council Member Shelton spoke of various events he attended, including a Wall of Fame Ceremony at the Heritage Center; a Roller Derby fundraiser; a Fil-Amer Club basketball game; the 9/11 Memorial Ceremony at Port Naz; the Tule River Tribe’s Pow Wow at McCarthy Ranch; a fashion show sponsored by Comision Honorifica Mexicana Americana; a Fil-Amer Dinner; and a Garden Club event at the Zalud House.
Council Member Ward voiced appreciation for the 9/11 Memorial Ceremony at Port Naz; and spoke of the recent Step Up neighborhood meeting and of the postponement of the next Step Up meeting scheduled for September 21st.
Mayor Pro Tem Hamilton, lauded the 9/11 Memorial Ceremony and thanked everyone involved in organizing the event, including Pastor Mark Pitcher, City Manager Lollis, City staff, and the Tule River Tribe, amongst others.

ORAL COMMUNICATIONS
R. Contreras, voiced discontent with the median barriers at the Vandalia entrance of Riverwalk Marketplace.
Pat Witt, spoke of the “Bells Across America” event.
Brock Neeley, spoke of the upcoming Suicide Prevention fundraising event, “Second Annual Festival of Hope,” to be held in Tulare, and invited all to attend.
Wendy Taylor, spoke of the upcoming Second Annual Pet Parade to be held at Centennial Park on September 24th; a yard sale at the Porterville Museum on October 1st; and a new African exhibit at the Museum beginning on October 6th.

CONSENT CALENDAR
Item Nos. 1 and 6 were removed for further discussion.

2. HENDERSON AVENUE MICRO-SURFACING PROJECT – BUDGET
ADJUSTMENT REQUEST

Recommendation: That the Council accept staff’s report and direct the Finance Director to implement a budget adjustment in the amount of $26,083 from the Water Replacement Fund to the 2011/2012 Henderson Avenue Micro-Surfacing Project.

Documentation: M.O. 03-092011
Disposition: Approved.

3. ACCEPTANCE OF PROJECT – PEARSON DRIVE TURNOUT

Recommendation: That the City Council:
1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

Documentation: M.O. 04-092011
Disposition: Approved.

4. ACCEPTANCE OF FOUR (4) COMPRESSED NATURAL GAS (CNG) REFUSE TRUCKS

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

Documentation: M.O. 05-092011
Disposition: Approved.

5. PARKS & LEISURE SERVICES COMMISSION VACANCIES

Recommendation: That the City Council:
1. Appoint Mr. Rocco Calantone to serve a four-year term expiring in October 2015; and
2. Direct staff to provide public notice of and solicit applications for the two remaining vacancies for Council consideration and appointment at the meeting of October 4, 2011.

Documentation: M.O. 06-092011
Disposition: Approved.

7. SOLICITATION FOR THE PURCHASE OF WATER SHARES

Recommendation: That the City Council direct the Public Works Director to actively solicit the purchase of Pioneer Water Company shares.
8. DIRECTION FROM CITY COUNCIL STUDY SESSION IN REVIEW OF THE PROGRAMS AND THE CITY’S PARTICIPATION IN THE CONSOLIDATED WASTE MANAGEMENT AUTHORITY

Recommendation: That the City Council accept staff’s report, and authorize the Mayor to sign the draft Letter of Request to CWMA.

9. THIS ITEM HAS BEEN REMOVED.

10. RENEWAL OF PERSONNEL EXAMINING SERVICES AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND COOPERATIVE PERSONNEL SERVICES

Recommendation: That the City Council approve the draft resolution authorizing renewal of the Test Security Agreement with Cooperative Personnel Services, and authorize the City Manager or his designee to sign on behalf of the City.

11. REVIEW OF LOCAL EMERGENCY STATUS

Recommendation: That the City Council:
1. Receive the status report and review of the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8690 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

Council Member McCracken moved to approve all items on Consent Calendar, then subsequently withdrew his motion upon Council Member’s Shelton request to remove two items for further discussion.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Mayor Pro Tem Hamilton that the Council approve Item Nos. 2 through 5, and 7 through 11.

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

Recommendation: That the Council approve the City Council Minutes of April 5, 2011, September 6, 2011 and September 13, 2011.

City Manager John Lollis presented the item, indicating it had been removed from the Consent Calendar at the request of Council Member Shelton. Council Member Shelton advised he had removed the item in error.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member McCracken that the Council approve the City Council Minutes of April 5, 2011, September 6, 2011, and September 13, 2011.

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

Disposition: Approved.

6. CONSIDERATION OF SUPPORT TO COLLABORATE WITH THE TULE RIVER INDIAN TRIBE TO INCREASE REGIONAL PUBLIC MOBILITY AND THE REDUCTION OF CONGESTION

Recommendation: That the City Council:
1. Authorize staff to continue to explore and collaborate with the Tribe and large business representatives in an effort to increase the regional mobility and the reduction of vehicle congestion in the City’s sphere; and
2. Authorize the Mayor to sign the letter of support for the Tribe’s purpose of obtaining Tribal Transit Program funds.

City Manager John Lollis presented the item, indicating that it had been removed from Consent Calendar at the request of Council Member Shelton. Council Member Shelton lauded the collaborative effort.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Ward that the Council authorize staff to continue to explore and collaborate with the Tribe and large business representatives in an effort to increase the regional mobility and the reduction of vehicle congestion in the City’s sphere; and authorize the Mayor to sign the letter of support for the Tribe’s purpose of obtaining Tribal Transit Program funds.

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

12. VACATION OF A PORTION OF 30’ WIDE PUBLIC UTILITY EASEMENT RELATED TO PETSMART DEVELOPMENT PROJECT (PROSPECT HENDERSON PARTNERS, LP)

Recommendation: That the City Council:
1. Open the Public Hearing and take comments;
2. Adopt the Resolution of Vacation for a portion of the public utility easement described in the legal description; and
3. Authorize the City Clerk to record the Resolution of Vacation.

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

The public hearing opened at 7:09 p.m.

- Jim Winton, business address at 150 W. Morton Avenue, spoke in support of the proposed vacation.
- Brock Neeley, spoke in favor, and suggested that the developer be admonished by the City Council for commencing with the project prior to its approval.

The public hearing closed at 7:11 p.m.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member McCracken that the City Council adopt the Resolution of Vacation for a portion of the public utility easement described in the legal description; and authorize the City Clerk to record the Resolution of Vacation.

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

Disposition: Approved.

SCHEDULED MATTERS

13. CONSIDERATION OF APPOINTMENT TO THE LIBRARY & LITERACY COMMISSION

Recommendation: That the City Council appoint one individual to the Library and Literacy Commission to fill the unexpired term of Mr. Joseph Carter.

City Manager Lollis presented the item, and Administrative Services Manager Patrice Hildreth presented the staff report. Mrs. Hildreth advised that an additional request for appointment had been
received from Mr. Allen M. Bailey subsequent to the distribution of the agenda packets, and that copies of same had been distributed to the Council for their consideration.

Council Member McCracken moved that a ballot be utilized for the appointment. The motion died for lack of a second.

Council Member Shelton confirmed that Mr. Bailey was the only applicant present that evening, and voiced appreciation for his attendance.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Ward that the Council appoint Mr. Allen M. Bailey to the Library and Literacy Commission to fill the unexpired term of Mr. Joseph Carter.

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

Disposition: Mr. Allen M. Bailey appointed.

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

Recommendation: That the City Council appoint one individual to fill the City of Porterville’s vacancy on the Measure R Citizens’ Oversight Committee.

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

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Ward that the Council appoint Mr. Charles Webber to fill the City of Porterville’s vacancy on the Measure R Citizens’ Oversight Committee.

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

Disposition: Mr. Charles Webber appointed.

15. SPORTS FIELD LIGHTING

Recommendation: That the City Council provide direction for remaining funds.

City Manager John Lollis presented the item, and Parks and Leisure Services Director Milt Stowe presented the staff report.

A discussion ensued as to the various options available with regard to funding and projects.
Disposition:   Staff directed to bring back options for Council consideration.

The Council Meeting adjourned at 7:44 p.m. to a joint meeting of the Porterville City Council and Redevelopment Agency.

**JOINT CITY COUNCIL/PORTERVILLE REDEVELOPMENT AGENCY MINUTES**
**291 N. MAIN STREET, PORTERVILLE, CA**

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

**WRITTEN COMMUNICATIONS**
None

**ORAL COMMUNICATIONS**
None

**JOINT PUBLIC HEARING**

**PRA-01. PUBLIC HEARING TO AUTHORIZE A PURCHASE AND SALE AGREEMENT BETWEEN THE PORTERVILLE REDEVELOPMENT AGENCY AND SOCIAL VOCATIONAL SERVICES, INC. (APN 253-138-001)**

Recommendation:  That the City Council and the Porterville Redevelopment Agency open the public hearing and continue the public hearing to January 17, 2012.

Council/Agency Member Shelton noted a previously disclosed conflict of interest, recused himself from the discussion, and exited the Council Chambers.

City Manager/Executive Secretary John Lollis presented the item, and Community Development Director/Redevelopment Agency Executive Director Brad Dunlap presented the staff report.

The public hearing opened at 7:46 p.m. and was continued to January 17, 2012 when nobody came forward.

**COUNCIL ACTION:**  MOVED by Council Member McCracken, SECONDED by Mayor Pro Tem Hamilton that the Council continue the public hearing to January 17, 2012.

M.O. PRA 01-092011

**AYES:**  Ward, McCracken, Hamilton
**NOES:**  None
**ABSTAIN:**  Shelton
**ABSENT:**  Irish
Disposition: Public hearing continued to January 17, 2012.

**JOINT SCHEDULED MATTER**

**PRA-02. CITY COUNCIL OF THE CITY OF PORTERVILLE AND PORTERVILLE REDEVELOPMENT AGENCY ADOPTING RESOLUTIONS FINDING CONFORMANCE TO AB1X26 AND AB1X27 TRAILER BILLS AND CALIFORNIA REDEVELOPMENT LAW**

**Recommendation:** That the Porterville Redevelopment Agency adopt the draft resolution adopting the Initial Recognized Obligation Payment Schedule transmitting such schedule to the City of Porterville, approving an agreement to Transfer Tax Increment between the Agency and the City and acknowledge the City will elect to be the Successor Agency.

That the City Council adopt the draft resolution electing to serve as the Successor Agency to the Redevelopment Agency of the City of Porterville, accepting transmittal of an Initial Recognized Obligation Payment Schedule, and approving an agreement to transfer tax increment between the Agency and the City.

City Manager/Executive Secretary Lollis presented the item, and Community Development Director/Redevelopment Agency Executive Director Brad Dunlap presented the staff report.

**AGENCY ACTION:** MOVED by Agency Member McCracken, SECONDED by Agency Member Ward that the Porterville Redevelopment Agency adopt the draft Resolution PRA 2011-05 resolution adopting the Initial Recognized Obligation Payment Schedule transmitting such schedule to the City of Porterville, approving an agreement to Transfer Tax Increment between the Agency and the City and acknowledge the City will elect to be the Successor Agency.

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

**COUNCIL ACTION:** MOVED by Council Member McCracken, SECONDED by Council Member Ward that the City Council adopt the draft resolution electing to serve as the Successor Agency to the Redevelopment Agency of the City of Porterville, accepting transmittal of an Initial Recognized Obligation Payment Schedule, and approving an agreement to transfer tax increment between the Agency and the City.

AYES: Ward, McCracken, Hamilton
NOES: None
ABSTAIN: Shelton
ABSENT: None
The Joint Meeting of the City Council and the Porterville Redevelopment Agency adjourned at 7:49 p.m. to a meeting of the Porterville Public Improvement Corporation.

PORTERVILLE PUBLIC IMPROVEMENT CORPORATION MINUTES
291 N. MAIN STREET, PORTERVILLE, CA

Roll Call: Director Ward, Director Shelton, Director McCracken, Vice President Hamilton
Absent: President Irish

WRITTEN COMMUNICATIONS
None

ORAL COMMUNICATIONS
None

PUBLIC IMPROVEMENT SCHEDULED MATTER
PIC-1. ANNUAL MEETING OF THE PORTERVILLE PUBLIC IMPROVEMENT CORPORATION

Recommendation: That the City Council, sitting as the Porterville Public Improvement Corporation:
1. Adopt the election of officers as indicated in the draft resolution;
2. Accept public comment; and
3. Approve the 2011 Status Report for Certificates of Participation Projects.

City Manager/Corporate Secretary John Lollis presented the item, and Director of Public Works Baldo Rodriguez presented the staff report.

CORPORATION ACTION: MOVED by Director Ward, SECONDED by Director McCracken, that the Corporation approve the draft resolution adopting the election of officers; and approve the 2011 Status Report for Certificates of Participation Projects.

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

The Porterville Public Improvement Corporation Meeting adjourned at 7:52 p.m. to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS
None
OTHER MATTERS

- Council Member Shelton spoke of upcoming community events, including Walmart Distribution’s Anniversary Celebration; a Pet Parade at Centennial Park; mud bogs at Rocky Hill; and a fundraiser at the Methodist Church.
- Council Member Ward made mention of the upcoming 20th Anniversary Celebration at Walmart Distribution Center.
- City Manager Lollis, lauded the Porterville Police Department K-9 Officers’ achievements at the recent K-9 Competition at the McDermott Field House; and advised that the funeral procession for Army Spc. Jeffries was estimated to be before City Hall at approximately 12:15 p.m. to 1:00 p.m. on Wednesday.

ADJOURNMENT

The Council Meeting adjourned at 7:55 p.m. to the meeting of October 4, 2011.

Patrice Hildreth, Chief Deputy City Clerk

SEAL

Ronald L. Irish, Mayor