Called to Order at 5:30 p.m.
Roll Call: Council Member Ward (arrived immediately after roll call), Council Member Shelton, Council Member McCracken, Vice Mayor Hamilton (attended via teleconference), Mayor Irish

**ORAL COMMUNICATIONS**
None

**CITY COUNCIL CLOSED SESSION:**

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

**6:30 P.M. RECONVENE OPEN SESSION**

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

No reportable action.

Pledge of Allegiance Led by Police Chief Chuck McMillan
Invocation – a moment of silence was observed.

**PRESENTATIONS**

Sequoia Valley Enterprise Zone

Mayor Irish acknowledged City Council Candidates Wendi Taylor, Shawn Cable, and John
Simonich who were present in the audience, as well as Incumbents Brian Ward and Cameron Hamilton. It was also noted that Vice Mayor Hamilton was attending the meeting via teleconference.

REPORTS
I. City Council Committee and Commission Meetings:
   a. Tulare County Local Agency Formation Commission (LAFCO) – March 7, 2012. Vice Mayor Hamilton advised that he had been unable to attend the meeting.
   b. Tulare County Association of Governments (TCAG) – March 19, 2012. Mayor Irish reported that the issue of abandoned vehicle abatement was discussed at the recent meeting, and that TCAG’s legal counsel was looking into the matter.

II. City Commission and Committee Meetings:
   a. Community Development Block Grant Advisory and Housing Committee – March 12, 2012. Community Development Director Brad Dunlap provided a brief summary of the recent meeting.
   b. Parks & Leisure Services Commission – March 13, 2012. No report was provided.
   c. Library and Literacy Committee – March 13, 2012. No report was provided.
   d. Youth Commission – March 19, 2012. No report was provided.

Council Member Shelton began to report on community events he recently attended. Mayor Irish advised that the time to report on such activities was during the Other Matters segment at the end of the meeting.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Ward that the Council follow the Agenda as noticed.
M.O. 01-032012
AYES: Ward, Shelton
NOES: Hamilton, McCracken, Irish
ABSTAIN: None
ABSENT: None
Disposition: Denied.

ORAL COMMUNICATIONS
• Betty Luna, came forward on behalf of Central California Family Crisis Center and the CAP (Child Abuse Prevention) Council and invited everyone to visit The Lisa Project, a multi-sensory exhibit to bring awareness to and prevent child abuse, taking place in Visalia.
• An unidentified individual spoke in favor of the use of alternative fuels, inquired whether the City had any such program, and provided information to the Council. Mayor Irish requested that City Manager Lollis follow up with the gentleman.
• Augie Gonzalez, Chair of the 2012 Iris Festival Committee, spoke of the upcoming event, and requested the Council’s approval of Item 10.
• Daren Griswold, came forward on behalf of the Chamber of Commerce, lauded the Economic Development Strategic Plan, and voiced support for moving forward as
proposed in Item 17.

CONSENT CALENDAR
Item Nos. 2 and 6 were removed for further discussion.

1. CITY COUNCIL MINUTES OF MARCH 13, 2012

Recommendation: That the City Council approve the minutes of March 13, 2012.

Documentation: M.O. 02-032012
Disposition: Approved.

2a. AUTHORIZE STAFF TO ACT ON BEHALF OF THE CITY OF PORTERVILLE
FOR THE PURPOSE OF ISSUING A REQUEST FOR PROPOSAL FOR THE
TRANSIT OPERATIONS AND MANAGEMENT CONTRACT

Recommendation: That the City Council:
1. Authorize staff to issue a request for proposals for professional
services to operate and manage the transit services.

Documentation: M.O. 03-032012
Disposition: Approved.

2b. AUTHORIZE STAFF TO ACT ON BEHALF OF THE CITY OF PORTERVILLE
FOR THE PURPOSE OF ISSUING A REQUEST FOR PROPOSAL FOR THE
TRANSIT ADMINISTRATION PROFESSIONAL SERVICES CONTRACT

Recommendation: That the City Council:
1. Authorize staff to issue a request for proposals for professional
services to administrate the transit program.

Documentation: M.O. 04-032012
Disposition: Approved.

3. INTENT TO SET A PUBLIC HEARING FOR REIMBURSEMENT
AGREEMENTS FOR CONCRETE IMPROVEMENT CONSTRUCTION BY THE
CITY – JAYE STREET IMPROVEMENTS PROJECT, EASTERLY EXTENSION
OF BROWN AVENUE TO GIBBONS AVENUE

Recommendation: That the City Council:
1. Set a Public Hearing for April 17, 2012, according to the Mitigation
Fee Act, for the establishment of the concrete reimbursement fee; and

2. Authorize staff to notify all affected property owners of the Public
Hearing, via certified mail, including the concrete reimbursement amount.
4. AUTHORIZE TRANSIT STAFF TO APPLY FOR TRANSIT SECURITY GRANT PROGRAM FUNDING

Recommendation: That the City Council authorize City staff to apply for the Transit Security Grant funds for fiscal years 11/12.

Documentation: Resolution 28-2012  
Disposition: Approved.

5. AUTHORIZE TRANSIT STAFF TO APPLY FOR TWO TRANSIT BUS AND BUS FACILITIES PROGRAM FUNDS

Recommendation: That the City Council authorize staff to apply for both initiatives under Bus and Bus Facilities Capital program for Fiscal Year 2012, and authorize the Mayor to sign the attached governing body resolution.

Documentation: Resolution 29-2012  
Disposition: Approved.

7. REVISED SCHEDULE FOR REVIEW OF DEVELOPMENT ORDINANCE REVISIONS

Recommendation: That the City Council accept the revised schedule for the Development Ordinance update.

Documentation: M.O. 06-032012  
Disposition: Approved.

8. AIRPORT LEASE RENEWAL – LOT 46B

Recommendation: That the City Council approve the extension of the Lease Agreement between the City of Porterville and Travis Bierman of Rapid City, SD, for Lot 46B at the Porterville Municipal Airport.

Documentation: M.O. 07-032012  
Disposition: Approved.

9. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE BREAKFAST ROTARY CANCER RUN, MAY 5, 2012

Recommendation: That the City Council approve the Community Civic Event Application and
Agreement from the Porterville Breakfast Rotary, subject to the Restrictions and Requirements contained in application, agreement, Exhibit ‘A’ and Exhibit ‘B.’

Documentation: M.O. 08-032012
Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE CHAMBER OF COMMERCE – IRIS FESTIVAL, APRIL 28, 2012

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Porterville Chamber of Commerce, subject to the Restrictions and Requirements contained in Application, Agreement, Exhibit ‘B’ of the Community Civic Event forms.

Documentation: M.O. 09-032012
Disposition: Approved.

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.

Documentation: M.O. 10-032012
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Ward that the City Council approve Item Nos. 1, 2a, 2b, 3 through 5, and 7 through 11. The motion carried unanimously.

2. AWARD CONTRACT – WROUGHT IRON FENCING MATERIALS

Recommendation: That the City Council award the contract for wrought iron fencing materials for Murry Park to Harris Steel Fence Co., Inc., of Los Angeles, CA, in the amount of $6,765.57. Further, that Council authorize payment upon satisfactory acceptance of the materials.

City Manager Lollis introduced the item and the staff report was waived at the Council’s request. Council Member Shelton, who had pulled the item, praised staff for “thinking outside the box.”

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member
M.O. 11-032012 Ward that the City Council award the contract for wrought iron fencing materials for Murry Park to Harris Steel Fence Co., Inc., of Los Angeles, CA, in the amount of $6,765.57. Further, that Council authorize payment upon satisfactory acceptance of the materials. The motion carried unanimously.

Disposition: Approved.

6. AUTHORIZE STAFF TO APPROVE THE PURCHASE OF ROUTEMATCH TRANSPORTATION MANAGEMENT SYSTEM

Recommendation: That the City Council:
1. Authorize staff to begin negotiations for the purchase of RouteMatch Software; and
2. Authorize payment upon satisfactory delivery of the equipment.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request. Council Member Shelton expressed concern with non competitive bids. Transit Manager Rich Tree spoke of the benefits of sole sourcing. City Attorney Lew requested time to verify the public bidding requirements in this particular instance. Without objection the item was continued, and staff was directed to look at whether a bid process was required.

Disposition: Item continued, and direction given.

PUBLIC HEARINGS

12. FIRST READING – ORDINANCE CREATING GENERAL FUND RESERVE POLICY AND AUTHORIZING THE ESTABLISHMENT OF “BUDGET STABILIZATION,” “CATASTROPHIC/EMERGENCY,” “CAPITAL MAINTENANCE,” “CAPITAL CONSTRUCTION/IMPROVEMENT,” “INFRASTRUCTURE MAINTENANCE/IMPROVEMENT,” AND “SPECIAL PURPOSES” DEDICATED RESERVE FUNDS

Recommendation: That the City Council:
1. Hold the scheduled public hearing and consider all public testimony; and
2. Approve and give first reading to the proposed ordinance.

The City Manager introduced the item and presented the staff report. Following the report, Council Members lauded the Audit Committee for their efforts.

The public hearing was opened at 7:03 p.m. Seeing no one, the Mayor closed the public hearing at 7:04 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council approve and give first reading to the proposed ordinance, being AN ORDINANCE OF THE CITY COUNCIL

The City Manager read the ordinance by title only.

Disposition: Approved.

SECOND READINGS


Recommendation: That the City Council give Second Reading to Ordinance No. 1785, 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 Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council give Second Reading to Ordinance No. 1785, waive further reading, and adopt said Ordinance, 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. The motion carried unanimously.

The ordinance was read by title only.

Disposition: Approved.

14. SECOND READING – ORDINANCE NO. 1786, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE DEVELOPMENT ORDINANCE TO ALLOW COMMERCIAL CROP CULTIVATION ON AN INTERIM BASIS IN CERTAIN ZONE DISTRICTS
WITH A CONDITIONAL USE PERMIT

Recommendation: That the City Council give Second Reading to Ordinance No. 1786, 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 Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council give Second Reading to Ordinance No. 1785, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE DEVELOPMENT ORDINANCE TO ALLOW COMMERCIAL CROP CULTIVATION ON AN INTERIM BASIS IN CERTAIN ZONE DISTRICTS WITH A CONDITIONAL USE PERMIT. The motion carried unanimously.

The ordinance was read by title only.

Disposition: Approved.

At staff’s request, the Mayor called for Item 17 to be presented next.

SCHEDULED MATTERS
17. APPROVAL OF ECONOMIC DEVELOPMENT STRATEGIC PLAN

Recommendation: That the City Council approve the Economic Development Strategic Plan prepared by Chabin Concepts and authorize staff to begin implementation of the strategies listed within the report.

City Manager Lollis introduced the item, and a brief staff report was presented by Community Development Director Brad Dunlap. A presentation was then given by Audrey Taylor and Vickie Dahl of Chabin Concepts.

A discussion ensued following the presentation with regard to the implementation of strategies identified within the report. Council Member Shelton expressed concern with the cost of the report, and the Council’s ability to effect change in certain areas. Council Member Ward, Vice Mayor Hamilton and Mayor Irish spoke of the value of the information when acted upon.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Ward that the City Council approve the Economic Development Strategic Plan prepared by Chabin Concepts and authorize staff to begin implementation of the strategies listed within the report. The motion carried unanimously.

AYES: Ward, McCracken, Hamilton, Irish
Disposition:  Approved.

15.  HOUSING-RELATED PARKS PROGRAM

Recommendation:  That the City Council:

1.  Approve funding of projects for Housing-Related Parks Programs per the priority list from the Parks and Leisure Services Commission;
2.  Authorize the application submittal to the Department of Housing and Community Development for the Housing-Related Parks Program;
3.  Approve the draft resolution authorizing the execution of the Standard Agreement and any other documents necessary to secure a Housing-Related Parks Program from the State of California; and
4.  Authorize the Mayor to sign the application, the Standard Agreement and all other participation documents and the Community Development Director to sign all drawdown request and other administrative documents required for the Housing-Related Parks Program.

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

Council Member Shelton spoke in support of allotting a larger portion of the funds to the Henry Street property. Staff noted that should the Murry Park Master Plan be amended to include the Henry Street property, there would be potential for future CDBG funding that other parks were not eligible for; and elaborated on the environmental process. Council Member Ward questioned the need for a playground shade structure at Veterans and Zalud Parks. Discussion followed regarding the intent of the Parks and Leisure Services Commission and costs associated with improvements to the Henry Street property.

Council Member Shelton moved that the City Council approve staff’s recommendation as amended to utilize $90,000 on Murry Park and $20,000 to each of the other three parks. The motion died for lack of a second.

Vice Mayor Hamilton then moved that the City Council approved staff’s recommendation, and direct that the majority of the $60,000 for Murry Park be utilized on the Henry Street property. Following a recommendation by the City Attorney, Council Member Shelton offered and amendment which would utilize an amount not to exceed $75,000 on the Henry Street property, and $25,000 each for playground shade structures at the three parks. The amendment was accepted by the Vice Mayor.

COUNCIL ACTION:  MOVED by Vice Mayor Hamilton, SECONDED by Council Member
Resolution 30-2012 McCracken that the City Council approve funding of projects for Housing-Related Parks Programs per the priority list from the Parks and Leisure Services Commission, as amended not to exceed $75,000 – based on actual bids – to Henry St. portion of Murry Park, and $25,000 each for playground shade structures at Veterans, Zalud and Sports Complex as proposed; authorize the application submittal to the Department of Housing and Community Development for the Housing-Related Parks Program; approve the draft resolution authorizing the execution of the Standard Agreement and any other documents necessary to secure a Housing-Related Parks Program from the State of California; and authorize the Mayor to sign the application, the Standard Agreement and all other participation documents and the Community Development Director to sign all drawdown request and other administrative documents required for the Housing-Related Parks Program.

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

Disposition: Approved, as amended.

16. ENVIRONMENTAL REVIEW OF THE OHV PARK ENHANCEMENT PROJECT

Recommendation: That the City Council adopt draft resolution approving the Mitigated Negative Declaration for the OHV Enhancement Project.

City Manager Lollis introduced the item, and the staff report was presented by Community Development Director Dunlap. A brief discussion ensued as to the use of remaining funds.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Shelton that the City Council adopt draft resolution approving the Mitigated Negative Declaration for the OHV Enhancement Project. The motion carried unanimously.

Disposition: Approved.

18. AUTHORIZATION OF A TEN-YEAR DEVELOPMENT FEE PAYMENT PLAN

Recommendation: That the City Council provide direction to staff.

The City Manager introduced the item, and the staff report was presented by the Community Development Director Dunlap. Following the staff report, and at the request of the Council, Mr. Dunlap indicated that staff recommended Option two of the four options identified in the staff report.
A discussion ensued regarding types of liens and encumbrances, and monetary risks. Council Members expressed concern and suggested payment incentives. Staff was directed to research if liens would encumber property and language to allow ability to charge a late fee if in default. Without objection, the item was continued.

Disposition: Item continued; and direction given.

19. CONSIDERATION OF AMENDING ORDER OF BUSINESS TO BE FOLLOWED AT REGULAR CITY COUNCIL MEETINGS

Recommendation: That the City Council provide direction to staff.

The City Manager introduced the item and presented the staff report. Following the staff the Council discussed the “Reports” section of the agenda, the criteria for what constituted a report per the City Council Handbook, and what qualified as an AB1234 report.

City Attorney Lew recommended that there be a section on the agenda specifically for AB1234 reports for the purpose of clarity. Council Member McCracken then spoke of his intent when he proposed the addition of “Reports” to the Agenda, which was approved by the Council at the previous meeting; and noted that reporting of council member activities had always taken place during Other Matters. A lengthy discussion ensued about the importance of expediting the meeting for the benefit of those in attendance. Council Member Shelton spoke in favor of the ability for Council Members to report on their activities at the beginning of the meetings.

The Council recessed for ten minutes.

Following the recess, staff was directed to draft a resolution for inclusion in the next consent calendar separating AB1234 reports from other reports, and adding “staff” before “information and reports” under the Reports section.

Disposition: Direction given.

ORAL COMMUNICATIONS

• Brock Neeley, lauded the addition of new shutters in the Council Chambers.
OTHER MATTERS

- Council Member Ward spoke of the recent micro Step-Up event at Date Street, noting it was well-attended; commented on his daughter’s third birthday; and thanked staff for their hard work.
- Vice Mayor Hamilton made mention of the large earthquake in Mexico.
- Council Member McCracken commented that the Chamber Auction on March 17th appeared to be successful and well-attended.
- City Manager Lollis advised that approximately 150 educators from around the state were in Porterville to learn about the Pathways Program; and updated the Council on staff’s presentation to the Indian Gaming Local Community Benefit Committee for grant funding.

ADJOURNMENT
The Council Meeting adjourned at 9:30 p.m. to the meeting of April 3, 2012.

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SEAL        Luisa Herrera, Deputy City Clerk

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Cameron Hamilton, Vice Mayor