CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 4, 2012, 5:30 P.M.

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:
   2- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Santoyo et al v. City of Porterville et al., Tulare County Superior Court Case No. 249462.
   3- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No. 249043.
   4- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: City of Dinuba et al v. County of Tulare et al., Tulare County Superior Court Case No. 11-243161.
   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.
   7- Government Code Section 54957 - Public Employee Performance Evaluation - Title: City Attorney.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Mayor Gurrola
Invocation

PRESENTATIONS
Employee of the Month – Marshall Chairez

AB 1234 REPORTS
This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Consolidated Waste Management Authority (CWMA)
2. Tulare County Economic Development Corporation
3. Joint City/School Committee
4. Council of Cities
REPORTS
This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

I. Staff Informational Reports
   1. Medical Marijuana Regulations and Local Regulation – Report Concerning Status of State Law and Pending California Supreme Court Review

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.

1. City Council Minutes of October 16, 2012

2. Authorization to Advertise for Bids – Six (6) Compressed Natural Gas (CNG) Vehicles
   Re: Considering approval of Staff’s recommended vehicle specifications and authorizing advertisement for the purchase of one sweeper, one dump truck, and four refuse CNG vehicles.

3. Authorization to Reject All Proposals and Re-Solicit the Porterville Municipal Airport Dry Farm Lease
   Re: Considering authorizing the rejection of all proposals and directing the re-solicitation of the Dry Farm Lease at the Porterville Municipal Airport.

4. Approval of Fuel Solutions, Inc. Professional Service Agreement – CNG Fueling Facility Expansion Project
   Re: Considering approval of a Professional Services Agreement with Fuel Solutions, Inc. for the completion of plans and specifications pertaining to the CNG Fueling Facility Expansion Project

5. Authorization to Execute a Consultant Service Agreement for the Revision of the Jaye Street/Montgomery Avenue Roundabout Plans and Specifications
   Re: Considering approval of a Consultant Service Agreement with Omni Means at an agreed fee of $29,417 for several tasks relative to the Jaye Street/Montgomery Avenue Roundabout Project.

6. Intent to Set a Public Hearing for Reimbursement Agreements for Concrete Improvement Construction by the City – W. North Grand Avenue Reconstruction Project – SR 65 to Railroad Tracks
   Re: Considering approval of the scheduling of a Public Hearing for December 18, 2012, for the establishment of the concrete reimbursement fee; and authorizing notification of all affected property owners.

7. Revised Christmas Eve Library Hours
   Re: Considering authorizing the closing of the City at 5:30 p.m. instead of 8:00 p.m. on December 4, 2012.
8. **Amending Employee Pay & Benefit Plan – Porterville City Employees Association**  
Re: Considering approval of draft resolution amending the Employee Pay and Benefit Plan as it relates to employees holding positions represented by the Porterville City Employees Association.

9. **Review of Local Emergency Status**  
Re: Reviewing the City’s status of local emergency pursuant to Article 14, Section 8630 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_

**PUBLIC HEARINGS**

10. **Walgreens Pharmacy at Henderson Avenue and Prospect Street (PRC 2012-010)**  
Re: Considering approval of a General Plan Amendment, Zone Change and Conditional Use Permit to facilitate the development of a 1.79± acre site for a new 14,550± square foot Walgreens Pharmacy at the northeast corner of Henderson Avenue and Prospect Street.

**SECOND READINGS**

11. **Ordinance 1793, Approving Zone Change at Chase Avenue and Plano Street**  
Re: Second Reading of Ordinance No. 1793, An Ordinance of the City Council of the City of Porterville Approving Zone Change (PRC 2012-008-Z) from RM-3 (High Density Residential) to CG (General and Service Commercial) for that .44± Acre Site Located Generally at the Southwest Corner of Chase Avenue and Plano Street, which was given first reading on November 6, 2012, and has been printed.

**SCHEDULED MATTERS**

12. **Consideration to Amend Existing Contract with Pena’s Disposal Service**  
Re: Considering approval of an amendment to the existing contract with Pena’s Disposal Service to provide services to transport, process, recycle and/or dispose of solid waste streams collected by the City.

13. **2012 Short Range Transit Plan**  
Re: Considering adoption of the draft 2012 Short Range Transit Plan; and authorization to schedule a public hearing to address any changes to transit service levels or fares.

14. **Adoption of Development Agreement Fees**  
Re: Considering approval of a resolution setting forth a fee of $1,211.19 for a Development Agreement Application as required by Chapter 609 of the Porterville Development Ordinance.

15. **Consideration of Creating a City Banner Program to Honor Local Military Veterans**  
Re: Considering the creation of a banner program to honor and recognize local military veterans.

16. **Consideration of Eliminating the Use of City Funds to Attend Local Community Events**  
Re: Considering the elimination of the use of city funds to attend local community events.

Adjourn to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

**SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY AGENDA**

291 N. MAIN STREET, PORTERVILLE, CA 93257
Roll Call: Agency Members/Chairman

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

SCHEDULED MATTERS

SA-01. Independent Accountant’s Report on Applying Agreed-Upon Procedures (All Other Funds of the Former Redevelopment Agency other than the Low and Moderate Income Housing Fund)
Re: Receipt of the Independent Auditor’s Report on Applying Agreed-Upon Procedures, and authorizing staff to transmit the Due Diligence Review and Recognized Obligation Payment Schedule to the Oversight Board, the Tulare County Administrative Officer, the Tulare County Auditor-Controller, the State Controller’s Office, and the California Department of Finance.

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 December 11, 2012 at 5:30 p.m. in the Community Room of the Porterville Library, 41 West Thurman Avenue.

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.