Call to Order
Roll Call

Adjourn to a Joint Meeting of the Porterville City Council and Successor Agency to the Porterville Redevelopment Agency.

JOINT CITY COUNCIL / SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA 93257; AND
1155 KELVIN ROAD, EL SOBRANTE, CA 94803

Roll Call:   Agency Members/Chairman

ORAL COMMUNICATIONS
This is the opportunity to address the City Council and/or Successor Agency on any matter scheduled for Closed Session. Unless additional time is authorized by the Council/Agency, all commentary shall be limited to three minutes.

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: County of Tulare v. All Persons Interested in the Matter of the Addition of the 2010 Amendment to Redevelopment Plan for the Redevelopment Project Area No. 1, as Adopted by Ordinance 1765 on June 15, 2010, by the City of Porterville, et al., Tulare County Superior Court Case No. 249877.
   2 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

   During Closed Session, the Joint Council/Successor Agency Meeting shall adjourn to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   2 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No. 249043.
   3- Government Code Section 54956.9(d)(1) – 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.
   4- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation (Not Yet Served): Amy Duran v. City of Porterville et al., United States District Court, Eastern
District, Case No. 1:13-CV-00370-AWI-BAM.
5- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Conner et al. v. City of Porterville et al., Tulare County Superior Court, Case No. 10-239413.
7- Government Code Section 54956.95 – Liability Claims: Claimant: Juan Martinez; Cosme Martinez; Marco Antonio Martinez; Jose Carmen Martinez; Reina Abundia Martinez; Carlos Alfonso Martinez; Gabriel Guadalupe Martinez; Jesus Adan Martinez; Alexis Kristina Martinez; and Adenis Joanna Martinez. Agency claimed against: City of Porterville.
8- Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case concerning facts not yet known to potential plaintiff.
9- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

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

Pledge of Allegiance Led by Council Member Greg Shelton
Invocation

PROCLAMATIONS
Water Awareness Month

PRESENTATIONS
California Cadet Corps
Employee of the Month – Josie Castaneda

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

1. Tulare County Local Agency Formation Committee (LAFCO) – May 1, 2013
2. Consolidated Waste Management Authority (CWMA) – April 18, 2013
3. Tulare County Economic Development Corporation – April 24, 2013 and April 30, 2013

REPORTS
This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

I. City Commission and Committee Meetings:
1. Arts Commission – April 17, 2013
2. Youth Commission – April 22, 2013
3. Parks and Leisure Services Commission – May 2, 2013 (Rescheduled to May 9, 2013)

II. Staff Informational Items:
1. **Street Performance Measure – 3rd Quarter Report**
   Re: Informational report regarding progress made on street reconstruction, overlay, micro-overlay and pothole report efforts for the 3rd quarter of Fiscal Year 2012/2013.
2. **Code Enforcement Update**  

3. **Attendance Records for Commissions and Committees**  
   Re: Informational attendance reports for the 3rd Quarter of Fiscal Year 2012/2013.

4. **Report on Charitable Car Washes**  

5. **Report on Recent CalPERS Board Action**  
   Re: Informational report regarding recent action and potential future action to be taken by the CalPERS Board that will affect employer contribution rates.

6. **Library Borrower – Update**  
   Re: Informational report regarding library borrowers within the service area as mapped in designated Census Tracts.

**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. **Authorization to Advertise for Bids – Wastewater Treatment Facility Influent Pump Replacement Project**  
   Re: Considering approval of Staff’s Plans and Project Manual for the project consisting of the removal and replacement of four 20 year old influent pumps with submersible pumps at the Wastewater Treatment Facility; approval of a budget adjustment in the amount of $387,000 to the project; and authorization to execute an amendment to Carollo Engineer’s design contract in an amount not to exceed $25,000.

2. **Authorization to Advertise for Bids – Well No. 32 Project (Drilling Phase)**  
   Re: Considering approval of Staff’s Plans and Project Manual for the well project consisting of the drilling of a 32” diameter bore hole about 800 feet deep, installation of steel casing and gravel envelop on the north side of Tea Pot Dome Avenue, east of the Porterville Fairgrounds.

3. **Authorization to Negotiate a Contract – Construction Management and Inspection Services for the Chase Park Improvements Project**  
   Re: Considering authorization to negotiate a contract with Omni-Means at an anticipated fee not to exceed $90,000.

4. **Acceptance of Project – West Street CalEMA Repair**  
   Re: Considering acceptance of project from Greg Bartlett Construction, and authorizing the filing of the Notice of Completion for the project consisting of the repairing areas on West Street damaged during the December 2010 floods.
5. **Acceptance of Project – Newcomb Street and Beverly Street Shoulder Stabilization**
   Re: Considering acceptance of project from Central Valley Asphalt, and authorizing the filing of the Notice of Completion for the project consisting of the installation of curb and gutter, sidewalk, driveways, asphalt concrete paving; storm drain pipe and catch basins, and other appurtenance construction along Newcomb and Beverly Streets between Roby and Date Avenues.

6. **Acceptance of Final Subdivision Map - Summit Heritage Villas (Gary Smee)**
   Re: Considering approval of the final subdivision map of Summit Heritage Villas submitted by Smee Builders, Inc., and acceptance of all offers of dedication shown on the final map.

7. **Acceptance of Irrevocable Offer to Convey Real Property for Public Street Rights of Way Related to Parcel Map No. 5037, Jaye Street and Vandalia Avenue – Tolladay Family Trust, CZEM Partners, LLC and JLH Properties, LLC**
   Re: Considering acceptance of the Irrevocable Offer of Conveyance; authorization to record a Resolution accepting the offer with the County Recorder’s Office; and approving reimbursement to the developer’s financial advisor in the amount of $17,536.

8. **Final Ballot Results - Area 458 Sewer Utility District**
   Re: Considering adoption of a resolution approving the Formation of Sewer Utility District No. 458.

9. **Authorize Staff to Operate Shuttle Service to the Porterville Fair**
   Re: Considering authorization to operate one shuttle bus to the Porterville Fairgrounds during normal operating hours, May 15 – 18, 2013.

10. **Approval of Annual Transportation Agreement with County of Tulare**
    Re: Consideration approval of an agreement with the County for FY 2013-2014 to provide service to County residents within the Service Area Boundary.

11. **Interim Financial Status Reports**
    Re: Considering acceptance of the interim financial status reports for the 3rd fiscal quarter ended March 31, 2013, pursuant to Council Minute Order 10-011607.

12. **Quarterly Portfolio Summary**

    Re: Considering approval of an event to take place Wednesday, May 15, to Sunday, May 19, 2013 at the City’s ten acre site next to the fair grounds.

14. **Emergency Request for Authorization to Replace the Laboratory Biological Oxygen Demand (BOD) Refrigerated Incubator**
    Re: Considering approval of the purchase of a replacement BOD refrigerated incubator not to exceed $6,000.

15. **Response to Grand Jury Report – Holding Cells**
16. **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**

17. **Vacation of Easements for Temporary Turn Around and Temporary Drainage Reservoir Related to Summit Heritage Villas Subdivision (Nicholson & Snee)**
   Re: Considering adoption of a Resolution of Vacation for the easements generally located west of Mathew Street and south of Olive Avenue along Clare Avenue and the future Lombardi Street alignment.

18. **Request to Establish a Conditional Use Permit (PRC 2013-022-C) to Allow for the Sale of Alcohol Within an Existing Restaurant Building with a Separate Bar Area (Oak Pit Steakhouse) Under a Type 47 Alcohol License (Bona Fide Public Eating Place) Located at 615 N. Main Street**
   Re: Consideration of a resolution approving a conditional use permit to allow for on-sale alcohol sales in conjunction with a restaurant.

19. **Proposed Amendment to 2010 Consolidated Plan**
   Re: Considering approval of the proposed amendment to the 2010 Five-Year Consolidated Plan to include the Santa Fe School Facility Improvement Program.

   Re: Considering approval of a resolution adopting the 2013/2014 Action Plan, which identifies activities the City will undertake during the next year to address priority needs of lower income households; and approval of the Amendment to the 2010 Consolidated Plan.

**SCHEDULED MATTERS**

21. **Consideration of General Plan Consistency and Request to Provide Extra-Territorial City Services to a Proposed School at the Northeast Corner of Redwood Street and Thurman Avenue, West of the City of Porterville**
   Re: Consideration of a request for determination of whether a site plan for a new elementary school campus to be developed west of the City limits is consistent with the General Plan; and a request for sewer and water services.

22. **Consideration of Temporary/Interim Use at 952 West North Grand Avenue**
   Re: Consideration of the use of a 2.46± acre lot for storage and consignment of vehicles and equipment at the northeast corner of State Route 65 and North Grand Avenue.

23. **North Main Street Photovoltaic Electrical Generation Facility (Solar Farm) – Street Tree Removal Request**
   Re: Consideration of the creation of a ten (10) foot “Clear Zone” along N. Main Street between W. North Grand Avenue and W. Linda Vista Avenue; and authorization to remove existing large trees with the designated “Clear Zone”.

24. **Freedom Fest and Fireworks Show**
   Re: Consideration of the appropriation of $7,500 to the Freedom Fest account; and authorization to provide shuttle service.
25. **Consideration of Offering Online Vouchers to City Activities and Events**  
   Re: Consideration of offering online vouchers to encourage participation and registration for City activities and events.

26. **Consideration of Implementing a Local Government Mobile Application**  
   Re: Consideration of the implementation of a local government mobile application that would allow the public to interface and/or report problems in the community.

**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 May 21, 2013.

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.