



**CITY COUNCIL AGENDA  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
APRIL 21, 2015, 5:30 PM**

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:

- 1 - Government Code Section 54956.8 - Conference with Real Property Negotiators/Property: APN: 262-150-001. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Rafael Aguilo. Under Negotiation: Terms and Price.
- 2 - Government Code Section 54956.8 - Conference with Real Property Negotiators/Property: APN: 243-210-065. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Benny and Jean Webb. Under Negotiation: Terms and Price.
- 3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs:253-192-006, 253-192-007 and 253-192-008. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Sierra View Medical Center. Under Negotiation: Terms and Price.
- 4 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 261-140-024. Agency Negotiators: John Lollis. Negotiating Parties: City of Porterville and Verizon Wireless. Under Negotiation: Terms and Price.
- 5 - Government Code Section 54957.6 - Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville City Employees Association, Porterville Safety Support Unit, Management and Confidential Series, Fire Officers Series, Porterville City Firefighters Association, Porterville Peace Officers Association, and all Unrepresented Employees.
- 6 - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: J. Duran v. City of Porterville et al., U.S. District Court, Eastern District, Case No. 12:-CV-01239-LJO-BAM.
- 7 - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: A. Duran v. City of Porterville et al., U.S. District Court, Eastern District, Case No. 1:13-CV-00370-AWI-BAM.
- 8 - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: J. Acevedo v. City of Porterville et al., Tulare County Superior Court Case No. 254083.

9 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Jimmy Lee Shaw v. City of Porterville, Tulare County Superior Court Case No. PCV 260019.

10 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Four Cases in which facts are not yet known to potential plaintiff.

**6:30 P.M. RECONVENE OPEN SESSION AND REPORT ON  
REPORABLE ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Vice Mayor Hamilton

Invocation

**PROCLAMATIONS**

Iris Festival Day - April 25, 2015

**PRESENTATIONS**

Certificate of Recognition - Sgt. Richard Standridge  
Outstanding Business

**AB 1234 REPORTS**

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

1. Tulare County Association of Governments (TCAG) "One Voice Trip" - April 13-16, 2015
2. CalAct 2015 Spring Conference - April 14-16, 2015

**REPORTS**

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

- I. City Commission and Committee Meetings
  1. Parks & Leisure Services Commission
  2. Library & Literacy Commission - April 14, 2015
  3. Arts Commission
  4. Animal Control Commission
  5. Youth Commission - April 13, 2015
  6. Transactions and Use Tax Oversight Committee (TUTOOC)

## II. Staff Informational Reports

### 1. Water Conservation Phase II, Water System Status

#### **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. All items removed from the Consent Calendar for further discussion will be heard at the end of Scheduled Matters.

1. **City Council Minutes of September 2, 2014**
2. **Ratification of Emergency Expenditure - Repair of Well 1A**  
Re: Considering ratification of the emergency repair of City Well 1A, and approval of the initiation of a Purchase Order to Valley Pump & Dairy Systems in an amount not to exceed \$21,416.
3. **Authorization for Emergency Transit Engine Repair**  
Re: Considering approval of the transit bus engine overhaul by Cummins Pacific at a cost not to exceed \$14,999, and payment of said repair upon satisfactory completion.
4. **Award of Contract - Sewer Annexation Area 455A Project - Additional Work on Westfield Avenue**  
Re: Considering awarding the Additional Sewer Annexation Area 455A: Additional Work on Westfield Avenue Project to 99 Pipeline, in the amount of \$75,157.00; and authorizing the City Engineer to negotiate construction surveying service with one of the firms as approved by Council MO #02-100714.
5. **Bid Results for Well No. 32 Project (Phase 2 - Pumping Plant)**  
Re: Considering awarding contract in the amount of \$861,280.00 to Steve Dovali Construction for the project consisting of the installation of a 125 HP pump, electrical system, above ground discharge piping and other items of work on the north side of Tea Pot Dome Avenue, east of the Porterville Fairgrounds.
6. **Authorization to Apply for Section 5311 Program Funding**  
Re: Considering approval of a resolution authorizing staff to act on behalf of the City to apply for FTA Section 5311 financial assistance.

7. **Authorize Letter of Intent for Use of Low Carbon Transit Operations Funds**  
Re: Considering approval of a draft Resolution authorizing staff to act on behalf of the City to apply for LCTOP financial assistance; and authorizing the execution of all necessary documents, including a Letter of Intent to release City funding to the City of Visalia in return for Visalia LTF funds.
8. **Authorization to Amend the Biological Odor Control System Project Service Agreement**  
Re: Considering authorization to amend the service agreement with BioAir Solutions by \$28,493 for the Engineering and Design Services of the Biological Odor Control System for a total cost of \$78,493.
9. **Intent to Set Public Hearing for the Annual Adjustment of Fees by Application of the ENR Cost Index**  
Re: Considering approval to set a Public Hearing for June 2, 2015, for consideration of implementing the City of Porterville's Impact Fee ENR Cost Index auto escalator, and authorization to notify the development community.
10. **Renewal of Airport Lease Agreement - Lot 37**  
Re: Considering approval of Lease Agreement between the City of Porterville and Mr. Chris Freeman and Mrs. Connie Hulsey for Lot 37 at the Porterville Municipal Airport.
11. **Authorization to Refinance Section 108 Government Guaranteed Participation Certificates Series HUD 2004-A**  
Re: Considering approval of a resolution authorizing the refinancing of the Section 108 HUD Series 2004-A.
12. **Authorization for the Establishment and Maintenance of Investment Accounts with Multi-Bank Securities, Inc. and Pershing LLC**  
Re: Considering approval of a resolution authorizing the Finance Director to establish and maintain an account with Multi-Bank Securities, Inc. and Pershing, LLC.
13. **Approval for Community Civic Event - Greater Porterville Council of Senior Citizens and Rollin Relics - Rollin Relics Car Show - May 9, 2015**  
Re: Considering approval of an event to take place on Saturday, May 9, 2015, from 7:00 a.m. to 3:00 p.m., at Veterans' Park.
14. **Approval for Community Civic Event - Comision Honorifica Mexicana-Americana, Inc. - Cinco De Mayo Parade and Fiesta - May 2 - 3 , 2015**  
Re: Considering approval of events to take place on Saturday, May 2, 2015, along Main Street from 7:00 a.m. to 1:00 p.m., and Sunday, May 3, 2015, from 1:00 p.m. to 7:00 p.m. at Veterans' Park.
15. **Amendment to Employee Pay and Benefit Plan -- Porterville Peace Officers Association**  
Re: Approving a resolution to accept Memorandum of Understanding between the City and PPOA concerning wages, benefits and working conditions.

*A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible*

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**PUBLIC HEARINGS**

- 16. Zone Change from RM-3 (High Density Residential) to CG (General and Service Commercial) at 61 W. North Avenue**  
Re: Consideration of a draft ordinance approving a Zone Change from RM-3 (High Density Residential) to CG (General and Service Commercial) for a 0.34± acre parcel (APN 252-155-004) located at 61 W. North Avenue.

**SCHEDULED MATTERS**

- 17. Consideration of Requiring a Street Maintenance Assessment be Included in the Approval of New Residential Subdivisions**  
Re: Consideration of amending the City's Development Ordinance to require a street maintenance assessment be included in the approval of new residential subdivisions.
- 18. Consideration of Setting Aside and Rescinding the February 7, 2012, City Council's Decisions for the Riverwalk Marketplace Phase II Project**  
Re: Consideration of a resolution to set aside and rescind without prejudice Council's decisions on February 7, 2012, for the Riverwalk Marketplace Phase II Project.
- 19. Governor's Executive Order for Statewide Mandatory Water Reductions, and the Provision of Water to East Porterville Residents**  
Re: Consideration of the County's request to purchase potable water for at least 12 months.

**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 5, 2015

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](http://www.ci.porterville.ca.us).