



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 6, 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 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Peace Officers Association; Fire Officer Series; Porterville City Firefighters Association; Public Safety Support Unit; and all Unrepresented Management Employees.
- 2** - Government Code Section 54956.95 – Liability Claim: Claimant: Clark Wells. Agency claimed against: City of Porterville.
- 3** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Amy Duran v. City of Porterville, United States District Court, Eastern District, Case No. 1:13-CV-00370 BAM.
- 4** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Robert Nuckols and Nuckols Farming v. City of Porterville, Tulare County Superior Court Case No. 261084.
- 5** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case in which facts are not yet known to potential plaintiff.
- 6** - 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 AND REPORT ON
REPORTABLE ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Council Member Gurrola

Invocation

PRESENTATIONS

Employee of the Month - Luisa Zavala

AB 1234 REPORTS

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

1. Council of Cities - September 16, 2015
2. Tulare County Association of Governments (TCAG) - September 21, 2015
3. Tulare County Economic Development Corp. (TCEDC) - September 23, 2015
4. League of California Cities Annual Conference - September 30 - October 2, 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 - October 1, 2015
 2. Library & Literacy Commission
 3. Arts Commission - September 24, 2015 (Cancelled)
 4. Animal Control Commission - September 18, 2015, and October 5, 2015
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)

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 April 7, 2015**
Re: Considering approval of the Minutes of April 7, 2015.
2. **Request Authorization to Purchase Fire Hose**
Re: Considering authorization to purchase five-thousand feet of fire hose from M.E.S. California, not to exceed \$16,623.29.

3. **Ratification of Emergency Expenditure - Emergency Repair of Traffic Signal at Westwood Street & Morton Avenue**
Re: Considering ratification of the emergency order of a traffic signal cabinet and components from McCain Inc. in the amount of \$9,396 for the repair of the traffic signal located at Morton Avenue and Westwood Street.
4. **Authorization to Advertise for Bids – One (1) Compressed Natural Gas (CNG) Street Sweeper**
Re: Considering approval to advertise for bids for one (1) CNG street sweeper.
5. **Authorization to Negotiate a Contract - OHV Park Management Services**
Re: Considering authorization to negotiate an OHV park management services contract with Friends of Kern Open Space.
6. **Authorization of Additional Funding for W. North Grand Avenue Reconstruction Project (Newcomb to Prospect)**
Re: Considering authorization of additional funds in the amount of \$99,879.45 for the W. North Grand Reconstruction Project for additional paving to complete the project, and \$27,500 in additional funds to install sidewalk west of Newcomb Street.
7. **Program Supplement to the Local Agency-State Master Agreement – Purchase of Four Compressed Natural Gas (CNG) Refuse Trucks Project**
Re: Considering approval of a resolution approving Program Supplement Agreement No. N053 for the purchase of four (4) CNG refuse trucks.
8. **Program Supplement to the Local Agency-State Master Agreement – Purchase of One Compressed Natural Gas (CNG) Street Sweeper Project**
Re: Considering approval of a resolution approving Program Supplement Agreement No. N054 for the purchase of one CNG street sweeper.
9. **Consideration of Street Closure for Zalud House Museum Pioneer Days & Rib Cook-Off**
Re: Considering approval of the temporary closure of Main Street between Morton and Putnam Avenues, and Thurman and Cleveland Avenues between Division Street and the alley west of Second Street on October 10, 2015, from 6:00 a.m. to 4:00 p.m.
10. **Annual Library Food for Fines Campaign**
Re: Considering approval of the 9th Annual Food for Fines Campaign to run October 19 through December 18, 2015.

11. **Approval for Community Civic Event - Veterans' Homecoming Committee - Veterans' Day Parade - November 11, 2015**
Re: Considering approval of an event to take place on Wednesday, November 11, 2015, from 6:00 a.m. to 12:00 p.m. on Main Street, between Morton and Olive Avenues.
12. **Approval for Community Civic Event - Porterville Kiwanis Club - Running Dead 3K Run and Food Drive**
Re: Considering approval of an event to take place on Friday, October 16, 2015, from 6:00 p.m. to 10:00 p.m. at the Kiwanis Community Center.
13. **Request for Proclamation - Eleanor Foerster**
Re: Considering approval of a request for a proclamation recognizing Eleanor Foerster.
14. **Request for Proclamation - Friends of Libraries Week - October 18-24, 2015**
Re: Considering approval of a request to proclaim October 18 through 24, 2015, as "Friends of Libraries Week."
15. **Request for Proclamation - Pink Heals Day - November 1, 2015**
Re: Considering approval of a request to proclaim November 1, 2015, as "Pink Heals Day."

ADMINISTRATIVE HEARINGS

16. **Consideration of Revocation of Business License - Best Massage, 52 E. Mill Avenue, Porterville**
Re: Consideration of the revocation of the business license for Best Massage, located at 52 East Mill Avenue.
17. **Zoning Administrator Determination 2015-034 Regarding a Medical Cannabis Cultivation Permit**
Re: Consideration of appeal to Zoning Administrator Determination 2015-035 to deny a medical cannabis permit.
18. **Zoning Administrator Determination 2015-035 Regarding a Medical Cannabis Cultivation Permit**
Re: Consideration of an appeal of Zoning Administrator Determination 2015-035 to deny a medical cannabis permit.

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

PUBLIC HEARINGS

19. Housing Element Public Informational Meeting

Re: A public hearing to receive comments on the draft 5th Cycle Housing Element currently under review by the California Department of Housing and Community Development (HCD).

20. Modification No. 2 to Conditional Use Permit 3-94 (PRC Item 2015-027-M)

Re: Consideration of a resolution approving Modification No. 2 to Conditional Use Permit 3-94 (PRC 2015-027-M) to allow the conversion of the existing patio into storage and the addition of a 2,000 square foot patio for the Porterville Veterans Memorial District.

SCHEDULED MATTERS

21. Interim Urgency Ordinance Prohibiting the Use of Land for the Purpose of Operating a Massage Oriented Business

Re: Consideration of an interim urgency ordinance to prohibit the use of land for the operation of a massage oriented business.

22. Extra-territorial Service Agreements - Three Requests for Water Connection

Re: Consideration of requests for extra-territorial service agreements for the provision of City water.

23. Consideration of Koret Report - Evaluation of Porterville Animal Control Shelter Facility/Practices

Re: Consideration of the Evaluation of Porterville Animal Control Shelter Facility/Practices by UC Davis Koret Shelter Medicine Program.

24. Consideration of a Military Banner Program

Re: Consideration of a military banner program.

25. Status and Review of Declaration of Local Drought Emergency

Re: Consideration of the continuance of the Declaration of Local Emergency, adoption of Draft Resolution and approval of Agreement for emergency connection of the Akin Water System, and approval of continued availability of water for purchase by Mutual Aid Request for the County Household Tank Program in East Porterville.

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 October 20, 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.