



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 15, 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: 1893 South Newcomb Street, No. 12. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Richard Chilcutt. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, Che Johnson, and Patrice Hildreth. Employee Organizations: Public Safety Support Unit, Porterville Peace Officers Association; Fire Officer Series; Porterville City Firefighters Association, and all Unrepresented Management Employees.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Hisham Mutae Taher. Agency claimed against: City of Porterville.
- 4** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Nuckols and Nuckols Farming v. City of Porterville et al., 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 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 AND REPORT ON
REPORTABLE ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by

Invocation

PRESENTATIONS

Miss Porterville and Her Court

AB 1234 REPORTS

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

1. Local Agency Formation Commission (LAFCO) - December 2, 2015
2. Tulare County Association of Governments (TCAG) - December 7, 2015
3. Tulare County Economic Development Corp. (TCEDC) - December 9, 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 - December 3, 2015
 2. Library & Literacy Commission - December 8, 2015
 3. Arts Commission
 4. Animal Control Commission - December 7, 2015
 5. Youth Commission - December 14, 2015
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase IV Status Update

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 May 5, 2015**
Re: Considering approval of the draft minutes for May 5, 2015.

2. **Award of Contract –One (1) Compressed Natural Gas Street Sweeper**
Re: Considering awarding a contract in the amount of \$295,833.55 to Municipal Maintenance Equipment, Inc., for one (1) new CNG Street Sweeper.
3. **Acceptance of Project - Miscellaneous Repair of the Downtown Parking Lots Project**
Re: Considering acceptance of project from Bush Engineering, and authorizing the filing of the Notice of Completion for the project consisting of the reconstruction of existing parking lots located at the northwest corner of Olive Avenue and Second Street, southwest corner of Second Street and Mill Avenue, northwest corner of Second Street and Putnam Avenue and northeast corner of Putnam Avenue and Hockett Street.
4. **Addendum to the Dee Jaspar & Associates Design, Construction Management and Inspection Service Agreement for Well #32**
Re; Considering authorization to execute Addendum No. 2 to Dee Jaspar & Associates Service Agreement at an agreed upon fee of \$27,204 for additional services necessary for project management and inspection efforts pertaining to Well No. 32.
5. **California Statewide Communities Development Authority (CSCDA) Open PACE Program**
Re: Considering approval of a draft resolution opting into the California Statewide Communities Development Authority (CSCDA) Open PACE Program.
6. **Consideration to Transfer City Fee Title Property to City Road Right of Way (Pioneer Avenue)**
Re: Considering approval of a resolution accepting a grant deed in fee for public street and underground utilities from the City of Porterville.
7. **Renewal of Airport Lease Agreement - Lot 44C**
Re: Considering approval of the Lease Agreement between the City of Porterville and Gillespie Ag Service for Lot 44C at the Porterville Municipal Airport.
8. **Renewal of Airport Lease - Sports Complex Parking**
Re: Considering approval of the Lease Agreement between the City of Porterville and the Airport Enterprise Fund for 35.23 acres of airport land to supply vehicle parking for the Sports Complex.
9. **Renewal of Airport Lease - Sewer Operating Fund**
Re: Considering approval of the Lease Agreement between the City of Porterville Sewer Operating Fund and the Airport Enterprise Fund for the lease of 7.1 acres (Lot 13) of sludge drying beds at the Porterville Municipal Airport and 160 acres (Lot 12) of airport land for the discharge of treated wastewater.

10. **Authorization to Increase Departmental Contributions Towards the City's Self-funded Healthcare Plan and Approval of Budget Adjustments**
Re: Considering authorization to increase departmental contributions towards the City's self-funded healthcare plan effective January 1, 2016, and approve the necessary budget adjustments.
11. **Amendment to Employee Pay & Benefit Plan -- Public Safety Support Unit**
Re: Considering approval of a resolution amending the Employee Pay and Benefit Plan for Public Safety Support Unit employees.
12. **Amendment to Employee Pay & Benefit Plan -- Unrepresented Management Employees**
Re: Considering adoption of a draft resolution amending the Employee Pay and Benefit Plan pertaining to all Unrepresented Management Employees.
13. **Cancellation of January 5, 2016, City Council Meeting**
Re: Considering approval of the cancellation of the January 5, 2016, City Council Meeting.

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

PUBLIC HEARINGS

14. **Adoption of the 5th Cycle Housing Element**
Re: Consideration of resolutions approving a Negative Declaration for the 5th Cycle Housing Element and the 5th Cycle Housing Element; and authorizing its submittal to the California Department of Housing and Community Development for review and ratification.
15. **Modification to Conditional Use Permit 3-87 (PRC 2015-024-M) for the Church of Christ located at 1000 N. Newcomb Street**
Re: Consideration of a draft resolution approving the modification to Conditional Use Permit 3-87 (PRC 2015-024-M) to allow the construction of a 3,000 square foot dining room, fellowship hall and storage room for the Church of Christ and to allow three cargo containers for the timeframe of December 15, 2105, through December 15, 2020.
16. **Massage Business Ordinance**
Re: Consideration of a draft ordinance adopting regulations regarding massage businesses, and establishing a Registration Certificate for such businesses.

SCHEDULED MATTERS

17. Medical Cannabis Update: Dispensaries and Personal Cultivation

Re: Consideration of an update regarding medical cannabis dispensaries and personal cultivation.

18. Status and Review of Declaration of Local Drought Emergency

Re: Consideration of the continuance of the Declaration of Local Emergency.

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 January 19, 2016

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.