

**CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
JULY 21, 2009, 6:00 P.M.**

Call to Order
Roll Call

ORAL COMMUNICATIONS

This is the opportunity to address the Council on any matter scheduled for Closed Session.

CLOSED SESSION:

A. Closed Session Pursuant to:

1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs 261-130-001, 302-110-054, 253-160-03, and a portion of APN 302-110-075. Agency Negotiator: John Lollis and Brad Dunlap. Negotiating Parties: City of Porterville and Porterville Fair Board. Under Negotiation: Terms and Price.

2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs 261-130-001 and 253-160-032. Agency Negotiator: John Lollis and Brad Dunlap. Negotiating Parties: City of Porterville and State of California. Under Negotiation: Terms and Price.

3- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN 251-350-012. Agency Negotiator: John Lollis and Brad Dunlap. Negotiating Parties: City of Porterville and Henderson Prospect Partners and Developers Diversified Realty. Under Negotiation: Terms and Price.

4- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation – Schnars v. City of Porterville, Tulare County Superior Court Case No. 09-233408.

5- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case

6- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Two Cases

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Cameron Hamilton
Invocation

PRESENTATIONS

Southern California Edison's State of the Utility System

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.

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 March 3, 2009**
2. **Claim – Blanca Hernandez**
Re: Considering rejection of a claim in an amount of \$1,476.80 for damages the Claimant alleges her vehicle incurred while traveling through a construction zone on June 11, 2009 at 265 W. Henderson Avenue.
3. **Claim – Acapulco Car Wash**
Re: Considering rejection of a claim in an amount yet to be determined for damages associated with a utility pole that the Claimant alleges is in need of repair after a City refuse vehicle struck it while servicing a dumpster at 2401 W. Olive on or about March 16, 2009.
4. **Authorization to Augment CXT Purchase Order Amount and Acceptance of Project – Murry Park Restroom Building Improvements**
Re: Authorizing the City to increase the purchase order total with CXT, Inc. for the Murry Park Restroom project by \$2,921.72 to cover sales tax charges, and accepting the project as complete.
5. **Authorization to Reject Bid and Re-Advertise – CNG Pickup Trucks**
Re: Authorizing staff to reject the sole bid for six (6) one-half ton full-size pickup trucks with CNG conversion, and re-bid the equipment when the 2010 models are available in an effort to stay within budget.
6. **Award of Service Agreement - Asphalt Pavement and Recycling Technologies (APART), Inc.**
Re: Approving a “not to exceed” \$20,000 contract with APART, Inc. of Shafter, CA or the purpose of performing a mix design that will allow the recycling of asphalt concrete on Olive Avenue.
7. **Amendment to Traffic Resolution No. 10-2001 - Intersection Safety Improvement – Intersection Safety Improvement – Designation of Newcomb Street and Scranton Avenue as a 4-Way Stop Intersection**
Re: Approving a resolution amending Traffic Resolution No. 10-2001, designating Newcomb Street and Scranton Avenue as a 4-way stop intersection.
8. **Airport Lease Renewal – Lot 36**
Re: Approving an extension of the Lease Agreement between the City of Porterville and Mr. Robert Nichols of Porterville, CA, for Lot 36 at the Porterville Municipal Airport.
9. **Royal Oaks Vesting Subdivision Map Extension of Time**
Re: Adopting a resolution approving a 36 month extension of time for the Royal Oaks Vesting Subdivision Map, located north of Poplar Ditch and east of Indiana Street.
10. **Update Status – Fairway Tract Water Connection Project**
Re: Affirming the decision to continue with advertisement for construction of the Fairway Tract Water Main Project, and the securing of a Memorandum of Understanding executed by all affected parties.

- 11. Rescheduling of Public Hearing – Landscape and Lighting Districts Annual Assessments**
Re: Approving the rescheduling of the public hearing on Landscape and Lighting Districts Annual Assessments for Fiscal Year 2009/2010 to the meeting of August 4, 2009 at 7:00 p.m.

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

SCHEDULED MATTERS

- 12. Authorize Submission of an Energy Efficiency & Conservation Block Grant for City Facility Improvement Measures and Negotiation of a Performance Contract with Johnson Controls, Inc. for the Project Implementation**
Re: Considering authorization to negotiate a performance contract with Johnson Controls, Inc. for facility management, and to submit a grant application in the amount of \$496,000 for lighting and plumbing retrofits and other improvements at City facilities.
- 13. Proposed City Ordinance Regarding Maintenance and Safety of Railroad Crossings**
Re: Considering approval of an ordinance pertaining to the obstruction, use, construction and demolition activities within the rights of way of City streets, concerning intersecting railroad facilities and crossings.
- 14. Council Member Request – Discussion and Consideration of Ways to Improve Communications with Other Public Agencies**
Re: Considering a Council Member’s request to discuss and consider ways in which communications might be improved between public agencies serving Porterville residents.
- 15. Council Member Request – Consideration of Resolution in Opposition to SB 54**
Re: Considering a Council Member’s request to consider proceeding with a resolution in opposition to Senate Bill 54.
- 16. Council Member Request – Consideration of Expanded Family Hours at the City Pool.**
Re: Considering expanding family hours at Murry Park Pool.

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

JOINT CITY COUNCIL/PORTERVILLE REDEVELOPMENT AGENCY AGENDA

July 21, 2009

Roll Call: Agency Members

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

SCHEDULED MATTERS

- PRA-1. Acceptance of Project – Hockett/Mill/Oak Parking Lot Reconstruction**
Re: Accepting project as complete from JWT General Engineering, Inc., and authorizing the filing of the Notice of Completion for the project that consisted of the reconstruction of the parking lot located south of Mill Avenue between Hockett and Division Streets.

Adjourn to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

Any Closed Session Items not completed prior to 7:00 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of July 28, 2009 at 6:00 p.m.

It shall be the policy of the City Council to complete meetings, including closed sessions, by 11:00 p.m. unless, upon consensus, Council elects to continue past the adjournment hour.

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.