

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 21, 2017, 5:30 PM**

Called to Order at 5:30 p.m.

Roll Call: Council Member Reyes, Council Member Hamilton, Council Member Flores,
Vice Mayor Ward, Mayor Stowe

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, wished everyone safe travels for the Thanksgiving holiday.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1 - Government Code Section 54956.8 -- Conference with Real Property Negotiators/Property: APN: 260-235-006 and 260-242-016. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Greg Shelton and Steve Penn. Under Negotiation: Terms and Price.
- 2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Porterville Peace Officers Association.
- 3 - Government Code Section 54956.95 – Liability Claim: Application for Late Filing. Claimant: Gregorio Carranza. Agency claimed against: City of Porterville.
- 4 - Government Code Section 54956.95 -- Liability Claim: Claimant: Jeffrey Stowe. Agency claimed against: City of Porterville.
- 5 - Government Code Section 54956.95 -- Liability Claim: Claimant: Home Rental Company. Agency claimed against: City of Porterville.
- 6 - 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.
- 7 - 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**

City Attorney Lew reported action pertaining to A-3, A-4, and A-5, as follows:

- A-3 On a MOTION made by Council Member Cameron Hamilton, and SECONDED by Vice Mayor Brian Ward the City Council unanimously deny the application for late filing of a claim submitted by Gregorio Carranza.

Documentation: M.O. 01-112117

Disposition: Denied filing of late claim.

4. Council Of Cities - November 15, 2017

City Manager Lollis reported on the proposed National Park fee increase and on the adoption of a letter of opposition by the City of Visalia who inquired if other Cities would do the same. He also reported on a Legislative update in which the Governor did not sign the Small Cell Tower legislation which has now been taken to the federal level.

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 – November 11, 2017

Commissioner Janet Uresti presented the Commission's Report which included information pertaining to the Veterans Day Run, Downtown Christmas Tree Lighting, Zalud House Annual Candlelight Tours, and the Annual Senior Christmas Dinner.

2. Library & Literacy Commission - November 14, 2017

Commissioner Allan Bailey reported on the Commission's discussion regarding the joint meeting held with Council and thanked the Council for their direction; and reported on monthly highlights which included Story Time participants, Library tours, volunteer hours, mini-reading program participants, Annual Halloween Contest participants, and the upcoming opportunities to meet Santa at the library.

3. Arts Commission

4. Animal Control Commission - November 13, 2017

5. Youth Commission - November 13, 2017

Youth Commissioner Jake Buckley presented the Commission's Report which included information about ideas for a group project and their role in the Step-Up Banner Contest.

6. Transactions And Use Tax Oversight Committee (TUTOC) - November 14, 2017

II. Staff Informational Reports

1. Water Conservation Phase III Status Update

ORAL COMMUNICATIONS

- Brock Neeley encouraged the Council to pull and vote down Item No. 6 and warned the Council that if passed, it could possibly be in violation of the Brown act.

CONSENT CALENDAR

Item No. 6 was pulled for further discussion.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council approve Items Nos. 1-5. The motion carried unanimously.

Disposition: Approved.

PUBLIC HEARINGS

7. PORTER'S CROSSING COMMERCIAL CENTER PROPOSAL OF A GENERAL PLAN AMENDMENT, ZONE CHANGE AND CONDITIONAL USE PERMIT

Recommendation: That the City Council:

1. Adopt the draft resolution approving a Negative Declaration of environmental impact;
2. Adopt the draft resolution approving a General Plan Amendment to change APN 246-111-008 land use designation from High Density Residential to Retail Center;
3. Approve the draft ordinance approving Zone Change for APN 246-111-008 from High Density Residential Zone to Retail Center Zone, contingent upon General Plan Amendment;
4. Waive further reading of the draft ordinance, approving the Zone Change, and order it to print; and
5. Adopt the draft resolution containing findings and conditions in support of approval of Conditional Use Permit for two Type 41 and one Type 47 on-sale alcohol licenses within Census Tract 35.02 for the proposed Porter's Crossing Commercial Center at the northeast corner of Henderson Avenue and Prospect Street contingent upon Zone Change and General Plan Amendment.

City Manager Lollis introduced the item. Community Development Director Jenni Byers presented the staff report and indicated that a noticing error had occurred. She stated that public comments could be accepted, but that the Public Hearing would need to be continued to the next meeting.

The Public Hearing opened at 7:21 p.m.

- Brock Neeley spoke of the 2012 project that was proposed in the same area and of the required changes to the radius of the curb line at the intersection of Prospect and Henderson; and inquired if those changes would still be required.
- Jim Winton spoke on behalf of the developer for Porter's Crossing and indicated that the required change of radius would be constructed at the same time the intersection was upgraded. He also addressed the delay in the Project, the traffic study, and the proposed block wall.
- Barry Caplan expressed his excitement about the Legacy Awards and congratulated the recipients. He stated that the intersection was not bicycle traffic friendly; asked staff to provide more details about the bike and pedestrian plans; and expressed his disappointment in the appearance of the City caused by the commercial building showing its backface to the street.
- Sunny Basra, owner/developer of the property north of the proposed project, informed the Council that he would be proposing a zone change for the area and

Member Cameron Hamilton that the City Council bring back the item for discussion at the meeting of December 5, 2017. The motion failed.

AYES: Flores
NOES: Reyes, Hamilton, Ward, Stowe
ABSTAIN: None
ABSENT: None

Documentation: M.O. 10-112117

Disposition: Motion failed.

ORAL COMMUNICATIONS

- Brock Neeley suggested that Vice Mayor Ward add .cfm to the City website link on his editorial, "The Spirit of Christmas" in order for it to work properly.

OTHER MATTERS

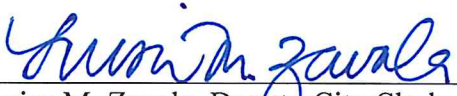
- Council Member Flores wished everyone a Happy Thanksgiving.
- Council Member Hamilton invited the Council to Grandma Mildred's 109th birthday celebration and to the Senior Christmas Luncheon on December 10th; congratulated Mayor Stowe on his new granddaughter; and applauded City Staff for their efforts on Veteran's Day.
- Council Member Reyes spoke of his time with Porterville College students where he talked about City Government; wished everyone a Happy Thanksgiving; and stated that his family would be enjoying a technology-free Thanksgiving.
- Vice Mayor Ward wished everyone a Happy Thanksgiving; expressed his appreciation for serving with the Council; and thanked the Fire and Police Department's for keeping everyone safe during the Holiday.
- Mayor Stowe thanked City Staff for their efforts on Veteran's Day; invited everyone to the Tree Lighting Ceremony; spoke of his interview with students at Jim Maples Academy; and expressed his gratitude for living in this Country.
- City Manager Lollis thanked Staff for their work during the Battle of the Badges event and invited everyone to the Christmas Parade and the State of the City address at Galaxy 9 Theatres.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:56 p.m. to the meeting of December 5, 2017.


Luisa M. Zavala, Deputy City Clerk

SEAL