

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 7, 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

Absent: Mayor Stowe

ORAL COMMUNICATIONS

None

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, Che Johnson, Matt Pierce, and Patrice Hildreth. Employee Organizations: Porterville City Firefighters Association, Fire Officer Series, and Porterville Peace Officers Association.

3 - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation - Administrative Hearing - Disciplinary Appeal.

4 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three cases: One concerning correspondence from Reginald Cornejo dated October 12, 2017 regarding his well; one concerning correspondence dated August 28, 2017 from the Law Offices of Melo and Sarsfield regarding a notice of violation of the California Voting Rights Act; and one concerning correspondence received October 17, 2017 from David and Jonathan Horowitz requesting the waiver of \$800 in fines.

5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

6:38 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported that no reportable action had taken place during Closed Session.

The Pledge of Allegiance was led by Council Member Martha A. Flores.
Invocation – one individual participated.

PRESENTATIONS

Employee of the Month - Steve Walker

AB 1234 REPORTS

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

1. Tulare County Task Force on Homelessness - October 18, 2017

City Manager John Lollis reported on the conversations and preparations for the Homeless Summit and the presentation received by the Visalia Police Department's Homeless Outreach and Proactive Enforcement Team.

2. SJVAPCD Governing Board Meeting - October 19, 2017

Council Member Reyes reported on the approval of the pilot incentive program to reduce emissions from feeding operations in valley dairies; improving the District's electric vehicle chargers program; the acceptance and appropriation of almost three million dollars in cap-and-trade funds to put towards implementing two car sharing programs and electric car and bike programs; and the new personal air sensors.

3. Eastern Tule Groundwater Sustainability Agency (GSA) - October 19, 2017

Acting Public Works Director Mike Reed reported on the approved letter of support for the Community Water Center who would be seeking Prop money and on the discussion that took place regarding an interim board director with hopes of hiring a full time position.

4. Tulare County Economic Development Corp. (TCEDC) - October 25, 2017

Council Member Reyes gave a financial report and reported on the \$30,000 investment fund, which seemed to be performing well; reported that the City of Tulare refund was denied and the City would continue to be a member of the EDC for the rest of the year; announced the plans for a Revolution Plastic location right outside Dinuba that is expected to create 120 jobs for the area.

5. Tulare County Homelessness Summit - October 25, 2017

Council Member Flores spoke of the information that was presented regarding local efforts, including statistical data of the Visalia Rescue Mission, the Kings/Tulare Homeless Alliance, and Tulare County. She also spoke of presentations from Yuba and Albuquerque Counties who created programs to help the Homeless population and about a presentation from the Los Angeles Housing Authority on the Homeless Incentive Program. Council Member Hamilton spoke of the programs that stood out after the Summit.

REPORTS

I. Staff Informational Reports

1. Porterville Golf Course - 1st Quarter FY 2017/2018

2. Porterville OHV Park - 1st Quarter FY 2017/2018

3. City Commission & Committee Attendance Report - 1st Quarter FY 2017/2018

4. Building Permit Activity - 1st Quarterly Report (July, August, September)
5. Street Performance Measure - 1st Quarter Report (July, August, September)
6. Code Enforcement Quarterly Report
7. Report on Charitable Car Washes
8. Public Apology Regarding Business License Error

ORAL COMMUNICATIONS

- Virginia Gurrola, 1588 Westside Street, spoke of the importance of educating the public on the very complex subject of groundwater sustainability, and provided copies of a tool kit that had been produced for the same reason.
- Brock Neeley, Porterville, stated that Salt Lake City practically eliminated homelessness by providing tiny houses for their homeless population.

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve Items Nos. 1-18.

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

1. CITY COUNCIL MINUTES OF JUNE 12, 2017, SEPTEMBER 19, 2017, OCTOBER 10, 2017, AND OCTOBER 24, 2017

Recommendation: That the Council approve the draft Minutes of June 12, 2017, September 19, 2017, October 10, 2017, and October 24, 2017.

Documentation: M.O. 01-110717

Disposition: Approved.

2. PURCHASE OF A DUI CHECKPOINT TRAILER

Recommendation: That the City Council:

1. Authorize the purchase of a DUI Checkpoint Trailer from Universal Trailers in the amount of \$38,200.34; and
2. Authorize the payment for the trailer upon delivery.

Documentation: M.O. 02-110717

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE FLEET MANAGEMENT EQUIPMENT

Recommendation: That the City Council:

1. Approve the implementation of the pilot program with Lytx, Inc.; and
2. Approve purchase by negotiation of the equipment upon satisfactory completion of the pilot program.

Documentation: M.O. 03-110717

Disposition: Approved.

4. APPROVAL FOR WASTEWATER TREATMENT FACILITY BOILER REPLACEMENT

Recommendation: That City Council:

1. Award the Wastewater Treatment Facility Purchase and Installation of two (2) 1.9 MMBH fire tube boilers and modification of existing piping to R.F. MacDonald for a not to exceed amount of \$182,136.90;
2. Direct the Finance Director to initiate a Purchase Order to R.F. MacDonald in an amount not to exceed \$182,136.90 for the Purchase and Installation of two (2) 1.9 MMBH fire tube boilers and modifications to existing piping; and
3. Direct the Finance Director to make payment to R.F. MacDonald upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 04-110717

Disposition: Approved.

5. LIFT STATION 9 REPLACEMENT PUMP MOTOR ASSEMBLY

Recommendation: That City Council:

1. Direct the Finance Director to initiate a Purchase Order for a pump motor assembly from Pacific Water Resources (Smith& Loveless Parts Distributor) in the amount not to exceed \$13,523 (inclusive of all parts, taxes, and 10% contingency); and
2. Direct the Finance Director to make payment to Pacific Water Resources (Smith& Loveless Distributor) upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 05-110717

Disposition: Approved.

6. RELOCATION OF PORTERVILLE POLICE DEPARTMENT NETWORK SWITCHES

Recommendation: That the City Council:

1. Authorize the Police Department to enter into an agreement with ITC to move the Department's network switches; and
2. Authorize payment upon successful completion of the project.

Documentation: M.O. 06-110717

Disposition: Approved.

7. AUTHORIZATION TO ADVERTISE FOR BIDS - FIRE STATION #2 ROOF AND HVAC REPLACEMENT PROJECT

Recommendation: That City Council:

1. Approve staff's recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 07-110717

Disposition: Approved.

8. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) FOR THE DEMOLITION OF THE RESIDENCE LOCATED AT 87 S G STREET

Recommendation: That City Council:

1. Accept the RFP in draft form;
2. Authorize staff to distribute the RFP to licensed demolition contractors; and
3. Authorize the Finance Director to appropriate the funds for commencement of the Demolition Project.

Documentation: M.O. 08-110717

Disposition: Approved.

9. PROGRAM SUPPLEMENT TO THE LOCAL AGENCY-STATE MASTER AGREEMENT – INTERSECTION OF OLIVE AVENUE AND NEWCOMB STREET

Recommendation: That the City Council:

1. Approve the program supplement by passing a Resolution authorizing the Mayor to sign the subject program supplement; and
2. Direct the City Clerk to return the signed program supplement to the Department of Transportation.

Documentation: Resolution No. 64-2017; M.O. 09-110717

Disposition: Approved.

10. REQUEST TO SET PUBLIC HEARING FOR THE REVIEW AND ADOPTION OF THE URBAN WATER MANAGEMENT PLAN 2015 UPDATE

Recommendation: That the City Council:

1. Direct the City Clerk to publish the Public Notice in the Porterville Recorder once a week for two successive weeks with at least 5 intervening days between publication dates; and
2. Set the Council meeting of February 6, 2018, as the time and place for a public hearing

Documentation: M.O. 10-110717

Disposition: Approved.

11. AMENDMENT TO THE GREENPOWER MOTOR COMPANY, INC. AGREEMENT

Recommendation: That the City Council:

1. Rescind Minute Order # 07091917; and
2. Authorize the City Manager and City Attorney to execute the Amendment No. 2 to the Agreement for Battery-Electric Heavy Duty Buses with GreenPower Motor Company, Inc.

Documentation: M.O. 11-110717

Disposition: Approved.

12. REQUEST FOR STREET CLOSURE - MYERS' 23RD ANNUAL CHRISTMAS TREE MEMORIAL SERVICE - DECEMBER 5, 2017

Recommendation: That the City Council approve the closure of "E" Street, between Putnam and Cleveland, on December 5, 2017, from 5:00 p.m. to 9:00 p.m., subject to the specified conditions.

Documentation: M.O. 12-110717

Disposition: Approved.

13. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly Portfolio Summary.

Documentation: M.O. 13-110717

Disposition: Approved.

14. INTERIM FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the interim financial status reports as presented.

Documentation: M.O. 14-110717

Disposition: Approved.

15. APPROVAL FOR COMMUNITY CIVIC EVENT - ROTARY CLUB OF PORTERVILLE -
PORTERVILLE CHAMBER OF COMMERCE - CHILDREN'S CHRISTMAS
PARADE - NOVEMBER 30, 2017

Recommendation: That the City Council:

1. Approve the Community Civic Event application from the Rotary Club of Porterville and the Porterville Chamber of Commerce, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application;
2. Authorize the temporary suspension of the Fixed Route Transit System from 4:30 p.m. to 7:00 p.m. on November 30, 2017; and
3. Restrict the closure of parking spaces in front of City Hall from 3:00 p.m. to 5:30 p.m., to those at the north end of City Hall along Main Street.

Documentation: M.O. 15-110717

Disposition: Approved.

16. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN - FIRE OFFICER SERIES

Recommendation: That the City Council approve the draft Resolution amending the Employee Pay and Benefit Plan pertaining to the Fire Officer Series employees.

Documentation: Resolution No. 65-2017

Disposition: Approved.

17. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN - PORTERVILLE CITY
FIREFIGHTERS ASSOCIATION

Recommendation: That the City Council approve the draft Resolution amending the Employee Pay and Benefit Plan pertaining to the Porterville City Firefighters Association employees.

Documentation: Resolution No. 66-2017

Disposition: Approved.

18. REQUEST FOR PROCLAMATION - PORTERVILLE CHAMBER OF COMMERCE
BOARD CHAIR - RAMONA CHIAPA

Recommendation: That the City Council consider approval of the request to recognize outgoing Chamber of Commerce Board Chair Ramona Chiapa.

Documentation: M.O. 16-110717

Disposition: Approved.

PUBLIC HEARINGS

19. PUBLIC HEARING - VACATION OF SUMMIT ESTATES TWO, PHASE 1
VACATION OF EASEMENTS

Recommendation: That City Council:

1. Conduct a Public Hearing;
2. Adopt the Resolution of Vacation for easements described in the legal description; and
3. Authorize the City Clerk to record the Resolution of Vacation.

City Manager Lollis introduced the item and Acting Public Works Director Mike Reed presented the staff report.

The Public Hearing opened at 7:01 p.m. When no one came forward, Vice Mayor Ward closed the Public Hearing at 7:01 p.m.

Council and staff discussed the environmental document required for the assessment of water in the area.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council adopt a the Resolution of Vacation for easements described in the legal description and authorize the City Clerk to record the Resolution of Vacation.

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

Documentation: Resolution No. 67-2017
Disposition: Approved.

SECOND READINGS

20. SECOND READING - ORDINANCE NO. 1843 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SECTIONS 700.01, 700.02 AND 701.02, AND REPEALING AND REPLACING SECTION 301.23 OF THE PORTERVILLE MUNICIPAL CODE, CONCERNING PERSONAL CULTIVATION AND USE OF CANNABIS, AND PROHIBITION OF COMMERCIAL CANNABIS ACTIVITIES

Recommendation: That the Council give Second Reading to Ordinance No. 1843, waive further reading, and adopt said Ordinance.

City Manager Lollis introduced the item and presented the staff report.

COUNCIL ACTION: MOVED by Council Member Martha Flores, SECONDED by Council Member A. Monte Reyes that the City Council give Second Reading to

Ordinance No. 1843, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SECTIONS 700.01, 700.02 AND 701.02 OF THE PORTERVILLE MUNICIPAL CODE, AND REPEALING AND REPLACING SECTION 301.23 OF THE PORTERVILLE MUNICIPAL CODE, CONCERNING PERSONAL CULTIVATION AND USE OF CANNABIS, AND PROHIBITION OF COMMERCIAL CANNABIS ACTIVITIES.

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

The Ordinance was read by title only.

Documentation: Ordinance No. 1843
Disposition: Approved.

SCHEDULED MATTERS

21. CONSIDERATION OF ENHANCED CODE ENFORCEMENT PROGRAM OPTIONS

Recommendation: That the City Council receive and consider staff's report, and provide direction accordingly.

City Manager Lollis introduced the item, presented the staff report, and asked for direction from Council regarding policy and support.

Discussion followed regarding the benefits of adding two part-time positions as support to the current Code Enforcement Officer position, including but not limited to allowing for flexibility in schedules. Council members requested that progress on code enforcement complaints be tracked and timeliness of compliance be reviewed.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member A. Monte Reyes that the City Council approve the addition of two part-time code enforcement positions to be paid out of Measure H funds.

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

Documentation: M.O. 17-110717
Disposition: Approved.

22. STATUS AND REVIEW OF DECLARATION OF LOCAL EMERGENCY

Recommendation: That the City Council receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration.

City Manager Lollis introduced the item and presented the staff report.

Council and staff discussed the additional 220 homes that the State is interested in committing to for water consolidation projects in the future. They also discussed the meeting scheduled for December 12th to approach the subject of the Akins water well.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve the continued Declaration of Local Emergency.

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

Documentation: M.O. 18-110717

Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores asked for an Item to be placed on the Agenda for a future meeting regarding the editorial that the Council had received via email. Council Member Flores spoke of how much she enjoys seeing Council Members at various business and community events; read a list of events attended including but not limited to the Tulare County Excellence in Education Awards, the Dia de Los Muertos event sponsored by Commission Honorifica Mexicana-Americana, the Central California Crisis Center Youth Summit, and the Porterville Chamber Awards Banquet.
- Council Member Hamilton stated how impressed he was with the Porterville Library Costume Contest and the costumes he saw, spoke of his attendance at the Porterville Chamber Awards and supported the decision to award the Mayor with the award as Man of the Year, and spoke of his attendance at the 100 year Elks celebration; invited the Council to the 109th year birthday celebration for a lady on November 17th; and thanked City Manager Lollis for correcting the mistake regarding a Business License for a lemonade stand.
- Council Member Reyes also spoke of the fun he had at the Halloween Costume Contest and stated that the Chamber Awards presentation and video for Mayor Stowe were very profound and moving. He also spoke of his attendance at the Miss Porterville Pageant and at the Central Valley Industrial Summit, which included a presentation from Brendan Riley from the GreenPower Electric Bus Company.

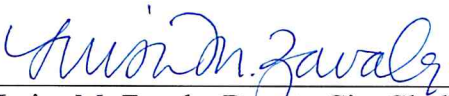
- Vice Mayor Ward thanked Police for keeping families safe on Halloween, and wished Mayor Stowe best of luck with his medical issues.
- City Manager John Lollis thanked Council Member Hamilton and Council Member Flores for accompanying him to meet the Dehaas family regarding the business license issue. He then spoke of upcoming events including Battle of the Badges, Veterans Day Parade, and the Homeless Giveaway.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:35 p.m. to the meeting of November 21, 2017.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor

