

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 19, 2017, 5:30 PM**

Called to Order at 5:36 p.m.

Roll Call: Council Member Monte Reyes, Council Member Martha A. Flores, Council Member Cameron Hamilton, Vice Mayor Brian Ward, Mayor Milt 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 and Patrice Hildreth. 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 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Duran v. City of Porterville, Tulare County Superior Court Case No. 271986; and Boehm v. City of Porterville, Tulare County Superior Court Case No. 271932.

4 - 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.

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

6:33 P.M. RECONVENED OPEN SESSION AND REPORTED ON CLOSED SESSION

A-3. Regarding Closed Session Item A-3, Duran v. City of Porterville, City Attorney Julia Lew reported that the City agreed to a Stipulation for Entry of Judgement, which would provide for going to district elections without the need for a Charter election. Said action was unanimously approved on October 10, 2017.

A-3. With regard to Boehm v. City of Porterville, on a MOTION by Vice Mayor Ward, and SECONDED by Council Member Hamilton the Council unanimously approved vigorously defending the action.

Documentation: M.O. 01-0121917

Disposition: Approved.

The Pledge of Allegiance was led by Mayor Milt Stowe.

Invocation – a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Yuliana Andrade

AB 1234 REPORTS

AB 1234 reports required pursuant to Government Code § 53232.3.

1. LOCAL AGENCY FORMATION COMMISSION (LAFCO) - DECEMBER 6, 2017
No report.
2. TULARE COUNTY ASSOCIATION OF GOVERNMENTS (TCAG) - DECEMBER 11, 2017
Council Member Flores reported on member agency presentations, recognition of 2017 Walk and Roll Art Contest Winners, action items, and the next meeting on January 22nd.

REPORTS

Committee/commission/board reports; subcommittee reports; and staff informational items.

- I. City Commission and Committee Meetings
 1. PARKS & LEISURE SERVICES COMMISSION - DECEMBER 7, 2017
Commissioner Duncan reported on the recent Senior Christmas Luncheon, Youth Center Christmas Dinner and the conclusion of Candlelight Tours at the Zalud House. He spoke of Winter Day Camp and the upcoming New Year's Eve Gala, and recognized Beneficial State Bank for donating trees to the Sports Complex.
 2. LIBRARY & LITERACY COMMISSION - DECEMBER 12, 2017
No report.
 3. ARTS COMMISSION - DECEMBER 13, 2017
Commission Chair Cubiascanas reported on discussion of possible events to incorporate youth and community engagement and the next meeting of the commission on January 17th.
 4. ANIMAL CONTROL COMMISSION
No report.

5. YOUTH COMMISSION - DECEMBER 11, 2017

Commissioner Aguilar reported on the Commission's consideration of project ideas which included a donation drive and adoption event for the animal shelter, and a movie night in the spring. She also spoke of presentations by City Manager John Lollis and Economic Development and Housing Manager Jason Ridenour.

6. TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE (TUTOC)
No report.

II. Staff Informational Reports

1. WATER CONSERVATION PHASE III STATUS UPDATE

ORAL COMMUNICATIONS

- Felipe Martinez, Porterville, presented a donation of a Christmas ornament in honor of former Mayor Ted Ensslin.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council approve Items Nos. 1 through 4. The motion carried unanimously.

1. PURCHASE OF REAL PROPERTY - APN 271-060-027

Recommendation: That the City Council adopt the draft resolution approving the purchase of APN 271-060-027; and authorize the Mayor and City Manager to sign all documents necessary to complete the purchase.

Documentation: Resolution No. 74-2017

Disposition: Approved.

2. AWARD OF CONTRACT FOR LEASE OF 298 N. MAIN STREET, SUITES 2 & 3

Recommendation: That the City Council award the lease agreement for 298 N. Main Street, Suites two and three, to Kyler Marcelino and Seth Schultz, dba, The Lunch Box Catering Company for a term of five years with an option to extend the terms of the agreement for an additional period of five years.

Documentation: M.O. 02-121917



Disposition: Approved.

3. APPROVAL OF AMENDMENT TO MEASURE 'R' SUPPLEMENTAL AGREEMENT
- STATE ROUTE 190 CORRIDOR PROJECT PROJECT APPROVAL AND
ENVIRONMENTAL DOCUMENT (PA & ED) STAGE

Recommendation: That the City Council:

1. Approve the Resolution in support to amend the Program Supplements to the Cooperative Agreement;
2. Authorize the Mayor and City Manager to execute the amended Supplemental Agreement;
3. Direct the City Clerk to transmit the executed Supplemental Agreements and resolutions to Tulare County Transportation Authority; and
4. Authorize the Public Works Director to execute the amended cooperative agreement in final form.

Documentation: Resolution No. 75-2017; and M.O. 03-121917

Disposition: Approved.

4. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 44B

Recommendation: That City Council approve a five-year extension of the Lease Agreement between the City of Porterville and Mr. Mike Quatacker of Porterville, CA, for Lot 44B at the Porterville Municipal Airport.

Documentation: M.O. 04-121917

Disposition: Approved.

SECOND READINGS

5. SECOND READING - ORDINANCE NO. 1844 - AN ORDINANCE APPROVING
ZONE CHANGE PRC 2016-034-Z

Recommendation: That the Council give Second Reading to Ordinance No. 1844, waive further reading, and adopt said Ordinance.

Administrative Services Director Hildreth introduced the item and presented the staff report.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council give Second Reading to Ordinance No. 1844, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING

ZONE CHANGE (PRC 2016-034-Z) FROM RM-3 (HIGH DENSITY RESIDENTIAL) TO CR (RETAIL CENTERS) FOR THAT .56± ACRE SITE LOCATED GENERALLY AT THE NORTHEAST CORNER OF HENDERSON AVENUE AND PROSPECT STREET, waive further reading, and adopt said Ordinance. The motion carried unanimously.

The ordinance was read by title only.

Documentation: Ordinance No. 1844

Disposition: Approved.

SCHEDULED MATTERS

6. 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.

Administrative Services Director Hildreth introduced the item. Acting Public Works Director Mike Reed presented the staff report, during which he spoke of a request received from the State Water Resources Control Board to increase the number of household connections from 720 to 800.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Vice Mayor Brian Ward that the City Council authorize an additional 80 connections for a total of 800 connections, and approve the continued Declaration of Local Emergency. The motion carried unanimously.

Documentation: M.O. 05-121917

Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores expressed continued gratitude to public safety personnel; expressed her appreciation for department directors and staff for their assistance this past year; lauded Parks and Leisure Services Director Donnie Moore and his staff for their execution of the Senior Luncheon; spoke of her attendance at a local posada; and wished everyone a happy holiday season.
- Council Member Hamilton thanked staff for the Santa at the Park event; spoke of his attendance at the Senior Luncheon; and wished everyone a merry Christmas.

- Council Member Reyes gave kudos to everyone involved in the success of the Santa at the Park event, and spoke of the number of giveaways at the event.
- Vice Mayor Ward thanked the Police for their protection of children on bicycles.
- Mayor Stowe stated that he was sorry to have missed recent events due to his health; expressed his condolences to the Lollis family in light of their recent loss; wished everyone a merry Christmas; and asked everyone to remember the reason for the season.
- At the request of Administrative Services Director Hildreth, Fire Chief LaPere provided an update regarding Thomas Fire efforts.

CLOSED SESSION

None

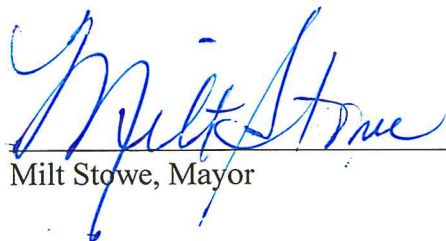
ADJOURNMENT

The Council adjourned at 7:04 p.m. to the meeting of January 16, 2017.



Luisa M. Zavala, Deputy City Clerk

SEAL



Milt Stowe, Mayor