CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JANUARY 16, 2018, 5:30 PM

Called to Order at 5:35 p.m.

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

ORAL COMMUNICATIONS

- Call Rossi, Southern California Edison, spoke of his time as Government Relations Manager for the Porterville area and stated that he would especially miss working with City of Porterville Council and staff.
- Brian Thoburn, Southern California Edison, thanked Cal Rossi for his work; and stated that he was excited to be back as Government Relations Manager for the area and looked forward to working with the City.

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 54956.8 – Conference with Real Property Negotiators/Property: 298 North Main Street, Suites 2 and 3. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Steve Feleay. Under Negotiation: Terms and Price.

3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Porterville Peace Officers Association.

4 - Government Code Section 54956.95 – Liability Claim: Claimant: Viviana Torres. Agency claimed against: City of Porterville.

5 - Government Code Section 54956.95 – Liability Claim: Claimant: Jan Philip Guzman. 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.

6:33 P.M. RECONVENED OPEN SESSION AND REPORTED ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

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

A-4 On a MOTION made by Mayor Milt Stowe, and SECONDED by Council Member Cameron Hamilton, the City Council unanimously rejected the liability claim submitted by Viviana Torres.

Documentation: M.O. 01-011618
Disposition: Claim Rejected.

A-5 On a MOTION made by Mayor Milt Stowe, and SECONDED by Council Member Martha Flores the City Council rejected the liability claim submitted by Jan Philip Guzman.

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

Documentation: M.O. 02-011618
Disposition: Claim Rejected.

The Pledge of Allegiance was led by Council Member Hamilton.
Invocation – one individual participated.

PRESENTATIONS

Employee of the Month - Christopher Barrientos
Strathmore Spartan Football - CIF State Champions

AB 1234 REPORTS

1. Tulare County Task Force on Homelessness - December 20, 2017
City Manager Lollis stated that he was unable to attend due to a family funeral, but reported the next meeting would take place on January 17th.

2. SJVAPCD Governing Board Meeting - December 21, 2017
Council Member Reyes reported on: the acceptance and appropriation of funds for implementation of incentive projects; approval of technology advancement program funding for demonstration of near zero emission diesel engine technology in the San Joaquin Valley; and adoption of rules 2260, 3156, and 9510.

3. Eastern Tule Groundwater Sustainability Agency (GSA) - January 4, 2018
Acting Public Works Director Mike Reed reported on a change of meeting dates for the Board of Directors to the first Thursday of every other month until noted otherwise; approval of an ad hoc committee for review and identification of issues in the GSP; and approval of a contract to perform a policy analysis on the issue of transitional pumping.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - January 4, 2018

Commissioner Graybehl presented the monthly Commission Report which included a report of placement of pistachio shells at the Sports Complex for dust mitigation, attendance at the New Year's Eve Gala, pool rentals for summer of 2018, the 2018 activity calendar, adult flag football, co-ed baseball and Jr. Pirates Track and Field Club programs.

2. Library & Literacy Commission - January 9, 2018
Commissioner LaVonne reported on continued discussion pertaining to the creation of a library foundation and waiving fines for youth; thanked City Attorney Lew for her attendance at the last meeting and the information she provided; provided monthly highlights pertaining to program participation and Sunday patronage; and thanked Santa Carl for bringing joy to library patrons and their children.

3. Arts Commission – no report.

4. Animal Control Commission - January 8, 2018
Commissioners Pizanis and Penaloza reported on commission vacancies, statistics pertaining to animal control activity for the month of December, and thanked Girl Scout volunteers at the shelter.

5. Youth Commission - January 8, 2018
Commissioner Alarcon reported on commission discussion pertaining to StepUp banner contest theme and prizes, a movie night event to benefit the animal shelter, dodgeball tournament; and spoke of information received from City staff regarding new businesses coming to town.

6. Transactions and Use Tax Oversight Committee (TUTOC) – no verbal report.

II. Staff Informational Reports

1. Water Conservation Phase IV Status Update

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, spoke of the elimination of funding for veterans.
- Barry Caplan, Porterville, requested that Item No. 5 be pulled for discussion to address whether the new code enforcement personnel would be enforcing gender neutral bathroom signage.

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 A. Monte Reyes that the City Council approve Items Nos. 1 through 11. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF NOVEMBER 21, 2017, AND DECEMBER 5, 2017

Recommendation: That the Council approve the draft Minutes of November 21, 2017, and December 5, 2017.

Documentation: M.O. 03-011618
Disposition: Approved.

2. DIGESTER #4 MIXING PUMP IMPELLER REPLACEMENT

Recommendation: That City Council:

1. Award the purchase of digester #4 impeller and wear rings to JM Squared Associates, Incorporated for a do not exceed amount of $13,200 which includes taxes, shipping and a ten percent contingency;
2. Direct the Finance Director to initiate a Purchase Order to JM Squared Associates, Incorporated in an amount not to exceed $13,200; and
3. Direct the Finance Director to make payment to JM Squared Associates, Incorporated upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 04-011618
Disposition: Approved.

3. SPECIALIZED EQUIPMENT REPAIR - HUBER SCREW PRESS

Recommendation: That City Council:

1. Authorize the repair of Huber Screw Press to Huber Technology, Incorporated for a do not exceed amount of $23,404.69;
2. Direct the Finance Director to initiate a Purchase Order to Huber Technology, Incorporated for a do not exceed amount of $23,404.69; and
3. Direct the Finance Director to make payment to Huber Technology, Incorporated upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 05-011618
Disposition: Approved.

4. AUTHORIZATION TO PURCHASE PLAYGROUND SHADE STRUCTURE

Recommendation: That the City Council authorize the purchase and installation of the Murry Park shade structure for $15,116.44.

Documentation: M.O. 06-011618
Disposition: Approved.

5. APPROVAL OF REORGANIZATION WITHIN THE PREVENTION DIVISION OF THE FIRE DEPARTMENT RELATED TO CODE ENFORCEMENT PERSONNEL

Recommendation: That the City Council:

1. Approve the creation of a new Code Enforcement Officer I classification at Range 160;
2. Approve the reclassification of the current Code Enforcement Officer position to a Code Enforcement Officer II at Salary Range 180;
3. Approve the allocation and proposed funding of two part-time Code Enforcement Officer I positions; and
4. Authorize Administrative Services staff to amend such personnel documents and commence meet and consult activities as may be necessary to effectuate such proposed changes.

Documentation: M.O. 07-011618
Disposition: Approved.

6. REQUEST FOR APPROVAL TO PURCHASE SOPHOS SG-330 SECURITY FIREWALL APPLIANCE

Recommendation: That the City Council approve the purchase of the Sophos XG-330 firewall appliance from SHI at a cost of $10,419, plus applicable sales tax and shipping.

Documentation: M.O. 08-011618
Disposition: Approved.

7. ACCEPTANCE OF PROJECT - PUTNAM AVENUE AND D STREET TRAFFIC SIGNAL PROJECT

Recommendation: That the City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the immediate release of the final payment, provided no stop notices have been filed.

Documentation: M.O. 09-011618
Disposition: Approved.

8. AUTHORIZATION TO ISSUE AN ARCHITECTURAL REQUEST FOR QUALIFICATIONS FOR DESIGN AND CONSTRUCTION ASSISTANCE SERVICES - ANIMAL SHELTER FACILITY (185 N. D STREET)

Recommendation: That the City Council authorize staff to issue an Architectural Services Request for Qualifications for the Animal Shelter Project.

Documentation: M.O. 10-011618
Disposition: Approved.

9. ASSIGNMENT OF AIRPORT LEASE - LOT 45

Recommendation: That the City Council approve the Assignment of Airport Lease for Lot 45 between the City of Porterville and Gillespie Ag Service to Aircraft 445, LLC; and authorize the Mayor to sign the Lessor's Consent to Assignment of Lease Agreement on behalf of the City.

Documentation: M.O. 11-011618
Disposition: Approved.

10. CDBG CITIZENS' ADVISORY AND HOUSING OPPORTUNITY COMMITTEE

Recommendation: That the City Council:

1. Adopt the 2018 Citizen Participation Plan; and
2. Appoint existing committee members Pat Contreras, Maria Gonzalez, Doug Heusdens, Kelle Jo Lowe, Linda Mendez, Grace Muños-Rios, and Rebecca Vigil, to the Citizens' Advisory and Housing Opportunity Committee to one year terms.

Documentation: M.O. 12-011618
Disposition: Approved.

11. STATUS REPORT - DEVELOPER IMPACT FEES

Recommendation: That the City Council accept the Status Report on Developer Impact Fees for the Fiscal Year ended June 30, 2017.

Documentation: M.O. 13-011618
Disposition: Approved.

PUBLIC HEARINGS

12. JAYE STREET CROSSING D-OVERLAY MODIFICATION AND CONDITIONAL USE PERMIT (2017-036-C) FOR ALDI'S GROCERY STORE

Recommendation: That the City Council:

1. Open the Public Hearing and take testimony regarding the project;
2. Adopt the Draft Resolution approving Conditional Use Permit (PRC 2017-036-C; and
3. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

City Manager Lollis introduced the item and Community Development Director Jenni Byers presented the staff report.

The Public Hearing was opened at 7:17 p.m.

- Frank Coda, Greenberg and Farrow, stated that the applicant accepted all proposed conditions, and thanked staff for working with them.
- John Hale, JLH Properties, spoke in support of the project and thanked both the staff and Council for the work done to make the project possible.

The Public Hearing was closed at 7:19 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2017-036-C); and authorize the Mayor to sign the Letter of Public Convenience or Necessity. The motion carried unanimously.

Documentation: Resolution No. 01-2018
Disposition: Approved.

SCHEDULED MATTERS
13. 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 ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council approve the continued Declaration of Local Emergency. The motion carried unanimously.

Documentation: M.O. 14-011618
Disposition: Approved.

Adjourned at 7:23 p.m. to a joint meeting of the City Council and the Successor Agency to the Porterville Redevelopment Agency.

PORTERVILLE CITY COUNCIL AND SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY JOINT MEETING MINUTES
291 NORTH MAIN STREET, PORTERVILLE, CA 93257
JANUARY 16, 2018

Roll Call: Council/Agency Member Reyes, Council/Agency Member Hamilton, Council/Agency Member Flores, Vice Mayor/Vice Chair Ward, and Mayor/Chair Stowe

WRITTEN COMMUNICATION
None

ORAL COMMUNICATIONS
None

JOINT CITY COUNCIL/SUCCESSOR AGENCY SCHEDULED MATTERS

14. REVIEW AND APPROVAL OF PROPOSED ADMINISTRATIVE BUDGET

Recommendation: That the Successor Agency adopt the draft Resolution approving the Administrative Budget for the period of July 1, 2018, through June 30, 2019, and direct Successor Agency staff to submit the Administrative Budget to the Oversight Board.

City Manager Lollis introduced the item, and Community Development Director Jenni Byers presented the staff report.

AGENCY ACTION: MOVED by Vice Chair Brian Ward, SECONDED by Agency Member Cameron Hamilton that the Successor Agency adopt the draft Resolution approving the Administrative Budget for the period of July 1, 2018, through June 30, 2019, and direct Successor Agency staff to submit the Administrative Budget to the Oversight Board. The motion carried unanimously.

Documentation: SA Resolution No. 2018-01
Disposition: Approved.

15. REVIEW AND APPROVAL OF DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FISCAL YEAR 2018-19

Recommendation: That the Successor Agency adopt a Resolution approving the Recognized Obligation Payment Schedule 18-19 for the period of July 1, 2018, through June 30, 2019, provided that should any modification be required to the ROPS 18-19 by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 18-19 to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 18-19 to the Oversight Board.

City Manager Lollis introduced the item, and Community Development Director Jenni Byers presented the staff report.

AGENCY ACTION: MOVED by Vice Chair Brian Ward, SECONDED by Agency Member Cameron Hamilton that the Successor Agency adopt a Resolution approving the Recognized Obligation Payment Schedule 18-19 for the period of July 1, 2018, through June 30, 2019, provided that should any modification be required to the ROPS 18-19 by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 18-19 to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 18-19 to the Oversight Board. The motion carried unanimously.

Documentation: SA Resolution No. 2018-02
Disposition: Approved.

16. PURCHASE OF REAL PROPERTY - APN 261-122-007

Recommendation: That the Successor Agency:
1. Approve the Resolution approving the Purchase and Sale Agreement;
2. Direct staff to submit the Purchase and Sale Agreement to the Oversight Board and upon their approval submit to the Department of Finance; and
3. Authorize staff to implement the Purchase and Sale Agreement in accordance with the Resolution.

That City Council:
1. Approve the Resolution approving the Purchase and Sale Agreement; and
2. Authorize staff to implement the Purchase and Sale Agreement in accordance with the Resolution.

City Manager Lollis introduced the item, and Community Development Director Jenni Byers presented the staff report.

AGENCY ACTION: MOVED by Agency Member Cameron Hamilton, SECONDED by Agency Member Martha Flores that the Successor Agency approve the Resolution approving the Purchase and Sale Agreement; direct staff to submit the Purchase and Sale Agreement to the Oversight Board and upon their approval submit to the Department of Finance; and authorize staff to implement the Purchase and Sale Agreement in accordance with the Resolution. The motion carried unanimously.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve the Resolution approving the Purchase and Sale Agreement; and authorize staff to implement the Purchase and Sale Agreement in accordance with the Resolution.

Documentation: SA Resolution No. 2018-03; and CC Resolution No. 02-2018
Disposition: Approved.

The Council adjourned at 7:30 p.m. to a meeting of the Public Financing Authority.

PORTERVILLE PUBLIC FINANCING AUTHORITY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA 93257
JANUARY 16, 2018

Roll Call: Director Reyes, Director Hamilton, Director Flores, Vice President Ward, President Stowe

WRITTEN COMMUNICATION
None

ORAL COMMUNICATIONS
None

PUBLIC FINANCING SCHEDULED MATTER
17. ANNUAL MEETING OF THE PORTERVILLE PUBLIC FINANCING AUTHORITY

Recommendation: That the City Council, sitting as the Porterville Public Financing Authority, hold a public meeting in accordance with the Authority's Bylaws and accept public comment.

City Manager Lollis introduced the item, and Community Development Director Jenni Byers presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council sitting as the Porterville Public Financing Authority, hold a public meeting in accordance with the Authority's Bylaws. The motion carried unanimously.

Documentation: PFA M.O. 01-011618
Disposition: Approved.

The Authority adjourned at 7:31 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS
None

OTHER MATTERS
- Council Member Flores stated that she had wished those who had recently been afflicted with the flu or similar ailments were on the road to recovery; spoke of her attendance at the Tulare Kings Project Homeless Connect Breakfast Fundraiser; stated that she was grateful for the return of public safety personnel from the Montecito mudslides; spoke of the tragic death of a local infant; thanked public safety personnel for all that they do; and spoke of upcoming Business After Hours event at Porterville College.
- Council Member Hamilton also spoke of the devastating news received this morning and

thanked public safety who responded.

- Vice Mayor Ward wished everyone a happy new year, and requested an assessment of lighting needs in recently annexed areas.
- Mayor Stowe thanked fire personnel for their efforts at Montecito; and commended the police department and all staff for all they do.
- City Manager Lollis spoke of an upcoming meeting with downtown business owners regarding Main Street reconstruction.
- Acting Public Works Director Reed spoke of upcoming meetings for an extra territorial service agreement signing and sewer annexation areas.

CLOSED SESSION
None

ADJOURNMENT
The Council adjourned at 7:37 p.m. to the meeting of February 6, 2018.

Luisa M. Zavala

Luisa M. Zavala, Deputy City Clerk

SEAL

Milt Stowe

Milt Stowe, Mayor