CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 6, 2018, 5:30 PM

Called to Order at 5:31 p.m.

Roll Call: Council Member Reyes, Council Member Hamilton, Council Member Flores, Mayor Pro Tem Ward, Mayor Stowe (Joined meeting via FaceTime in Closed Session)

ORAL COMMUNICATIONS

- Vincent Salinas, Visalia, thanked Council for supporting the DACA Resolution.
- Sergio Gonzales inquired about a benevolence foundation.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

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

2 - Government Code Section 54956.95 – Liability Claim: Claimant: Eugenia Rodriguez. Agency claimed against: City of Porterville.

3 - 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.

4 - 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 REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported action pertaining to A-2, as follows:

A-2: On a MOTION made by Council Member Martha A. Flores, and SECONDED by Council Member Cameron Hamilton the City Council unanimously rejected the claim submitted by Eugenia Rodriguez.

Documentation: M.O. 01-030618
Disposition: Claim rejected.

The Pledge of Allegiance was led by Mayor Pro Tem Brian Ward.
Invocation – a moment of silence was observed.

PRESENTATIONS

Employee Service Awards
South County Justice Center Update
Burton School District's Apple Distinguished School's

Leadership Porterville Drought Demonstration Update

Mayor Pro Tem Ward recognized Burton School District Superintendent Dr. Sharon Kamberg, who was in attendance and thanked her for the presentation.

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 - February 21, 2018
   City Manager Lollis reported on the conversations that had taken place regarding Tiny Home Divisions, emergency shelters to transitional housing, and working with outreach groups to draft a County-wide plan.

2. Tulare County Association of Governments (TCAG) - February 26, 2018
   Council Member Flores reported on action items, informational items, and the next meeting on March 19th at the Tulare County Board of Supervisors in Visalia.

3. Joint City/School Committee – February 26, 2018
   Council Member Flores reported on discussion pertaining to construction project updates, kindergarten registration/City Library information, after school youth programs, watering schedules, and investigation of social media threats to schools.

4. Tulare County Economic Development Corp. (TCEDC) - February 28, 2018
   Council Member Reyes reported on discussion of the Opportunity Zones Program and rescheduling of the next meeting to the 21st of March.

5. Eastern Tule Groundwater Sustainability Agency (GSA) - March 1, 2018
   Council Member Hamilton reported on action pertaining to budget adjustments and selection of individuals to serve on the ad hoc committee.

REPORTS

I. Staff Informational Reports

1. U.S. Fish and Wildlife Service Grant for the Tule River Parkway
   City Manager Lollis reported that the City had been approached by the California Native Plant Society and the Tule River Parkway about working on a grant with the U.S. Department of Fish and Wildlife to create a demonstration native plant exhibit on the Tule River Parkway. If approved, the City would be asked to provide an in-kind match in regards to the $25,000 grant.

ORAL COMMUNICATIONS

- Rosaura and Jessica Ramirez, concerned residents, spoke regarding the presence of homeless around their neighborhood and expressed concerns regarding public safety.
- Cathy Capone, Porterville resident, spoke of efforts to apply for a grant which would teach community groups how to design, install and care for native plant gardens along pathway between Jaye Street and Oak Street.

- Brock Neeley, Porterville resident, questioned the City paying to shuttle fair attendees and suggested that the Fair pay for half the cost; and spoke in favor of the use of 4000 kelvin street lighting.
- Ellen Nichols, Porterville resident, stated that she was opposed to a sales tax measure due to the associated costs.

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. 1-7. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF OCTOBER 17, 2017, FEBRUARY 6, 2018, AND FEBRUARY 20, 2018

Recommendation: That the Council approve the draft Minutes of October 17, 2017, February 6, 2018, and February 20, 2018.

Documentation: M.O. 02-030618
Disposition: Approved.

2. SPECIALIZED EQUIPMENT REPAIR - PILLAR AIR BLOWER PROGRAMMING

Recommendation: That City Council:
1. Authorize the repair of Pillar Air Blower to Pillar TSC Blower Corporation for a do not exceed amount of $11,945.00;
2. Direct the Finance Director to initiate a Purchase Order to Pillar TSC Blower Corporation for a do not exceed amount of $11,945.00; and
3. Direct the Finance Director to make payment to Pillar TSC Blower Corporation upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 03-030618
Disposition: Approved.

3. AUTHORIZATION TO OPERATE FARE FREE SHUTTLE SERVICE TO THE PORTERVILLE FAIR AND PORTERVILLE FREEDOM FEST, AND AUTHORIZATION TO CONTRACT WITH PYRO SPECTACULARS, INC. FOR THE FREEDOM FEST

Recommendation: That the City Council:
1. Authorize staff to operate a fare free shuttle to the Porterville Fair from May 10-12, 2018, and to the Porterville Freedom Fest on June 30, 2018; and

2. Authorize the expenditure of $22,000 to Pyro Spectaculars, Inc. for the 2018 Freedom Fest fireworks show.

Documentation: M.O. 04-030618
Disposition: Approved.

4. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) FOR THE ENGINEERING SERVICES FOR PLANS AND SPECIFICATIONS DIGESTER #3 REPAIR AND REHABILITATION PROJECT, AND ON-CALL INSPECTION SERVICE FOR WASTEWATER TREATMENT FACILITY (WWTF) DIGESTERS

Recommendation: That City Council:
1. Accept the Request for Proposals/Qualifications in draft form; and
2. Authorize staff to distribute the Request for Proposals/Qualifications to consulting firms as specified in the policy.

Documentation: M.O. 05-030618
Disposition: Approved.

5. ON-CALL SALES TAX CONSULTING AGREEMENT WITH ROBERT E. CENDEJAS

Recommendation: That the City Council approve the on-call sales tax consultant agreement for special projects with Robert E. Cendejas.

Documentation: M.O. 06-030618
Disposition: Approved.

6. APPROVE SCE CONVERSION FROM HPSV TO LED STREETLIGHTING

Recommendation: That City Council:
1. Approve an LS-1 Option E agreement with Southern California Edison to replace high pressure sodium vapor (HPSV) streetlights with light-emitting device (LED) streetlights at 3000K color temperature; and
2. Authorize the City Manager or his designee to sign the contract documents.

Documentation: M.O. 07-030618
Disposition: Approved.

7. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE BREAKFAST ROTARY CLUB - CANCER CENTER RUN AND WALK - MAY 5, 2018

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Porterville Breakfast Rotary, subject to the

Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 08-030618
Disposition: Approved.

PUBLIC HEARINGS

8. REQUEST FOR A CONDITIONAL USE PERMIT (PRC 2018-007C) TO ALLOW FOR THE SALE OF ALCOHOL FOR MARISCOS EL 30 RESTAURANT, LOCATED AT 58 E. MILL AVENUE

Recommendation: That the City Council:
1. Adopt the draft resolution approving Conditional Use Permit (PRC 2018-007C) subject to conditions of approval; and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

City Manager Lollis introduced the item, and Community Development Manager Julie Phillips presented the staff report.

The Public Hearing was opened at 7:42 p.m.

- Brock Neeley, Porterville, stated that the number of conditional use permits for alcohol sales seemed excessive and inquired about the previous six months of police activity in the area.

The Public Hearing was closed at 7:44 p.m.

In response to public comments, Police Chief Eric Kroutil stated that the Police Department had seen no increase in police activity in the area, and added that eating establishments did not usually cater to those wanting to abuse the consumption of alcohol. Discussion followed regarding the differences between serving alcohol in eating establishments and serving alcohol in bars.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member A. Monte Reyes that the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2018-007C) subject to conditions of approval; and authorize the Mayor to sing the Letter of Public Convenience or Necessity. The motion carried unanimously.

Documentation: Resolution No. 09-2018; M.O. 09-030618
Disposition: Approved.

SCHEDULED MATTERS

9. MANDATORY COMMERCIAL RECYCLING PROGRAM (MCR) AND MANDATORY COMMERCIAL ORGANICS RECYCLING PROGRAM (MORE) IMPLEMENTATION PLAN

Recommendation: That Council consider approving staff to move forward with the 12 month plan proposed by CalRecycle.

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

Discussion ensued regarding upcoming regulations from the State and the lack of recycling participation from commercial businesses. City Manager Lollis stated that some cities had passed ordinances requiring all eligible commercial businesses to participate in the State mandated recycling program; and the Council discussed ways to make it easier for businesses to abide by State mandated regulations.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Monte Reyes that the City Council consider approving staff to move forward with the 12 month plan proposed by CalRecycle. The motion carried unanimously.

Documentation: M.O. 10-030618
Disposition: Approved.

10. 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 Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve the continued Declaration of Local Emergency. The motion carried unanimously.

Documentation: M.O. 11-030618
Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores spoke of: her attendance at the Porterville Exchange Club's Public Safety Recognition Dinner and congratulated the recipients; her participation in the Dr. Seuss events at Los Robles and Alta Vista; her attendance at the art & wine event put on by the Zonta Club; the upcoming AAUW Annual Tech Trek Brunch; and her participation as judge at the upcoming Lions Club Student Speaker Contest.

- Mayor Pro Tem Ward spoke of his recent visit to the Porterville City Library where he enjoyed the study rooms but inquired about the WiFi internet. He requested that the cost to improve the WiFi be researched and also asked that sanitation wipes and/or sanitizer dispensers be made available to library patrons.
- Mayor Stowe said that he was still praying for a heart.
- Mayor Pro Tem stated that the Mayor was in his prayers and wished him a speedy recovery once he received his new heart.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:08 to the meeting of March 20, 2018.

Luisa M. Zavala, Deputy City Clerk

SEAL

Brian E. Ward, Mayor Pro Tem