CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 21, 2018, 5:30 PM

Called to Order at 5:30 p.m.

Roll Call: Council Member Monte Reyes (arrived at 5:32 p.m.), Council Member Martha A. Flores, Council Member Cameron Hamilton, Vice Mayor Brian Ward (arrived at 5:36 p.m.), and Mayor Milt Stowe

ORAL COMMUNICATIONS

None

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: Management and Confidential Series; Porterville City Employees Association; Public Safety Support Unit; and all Unrepresented Management Employees.

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

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Juan Hernandez. Agency claimed against: City of Porterville.

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

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

6 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. Greg L. Woodard and Cinda D. Woodard, Trustees of the Woodard Family Revocable Trust of August 10, 2006, Tulare County Superior Court Case No. 273165.

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

6:35 P.M. RECONVENED OPEN SESSION AND REPORTED ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Julia Lew reported on the following action taken in Closed Session:

A-2. On a MOTION made by Council Member Hamilton, and SECONDED by Vice Mayor Brian Ward the City Council unanimously rejected the claim filed by Lola Blout.

Documentation: M.O. 01-082118
Disposition: Claim rejected.

Documentation: M.O. 13-082118
Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT - FIL-AMER ASSOCIATION OF CALIFORNIA, INC. - FILIPINO WEEKEND CULTURAL CELEBRATION - SEPTEMBER 29, 2018

Recommendation: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Fil-Amer Association of California, Inc., subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 14-082118
Disposition: Approved.

11. CITY OF PORTERVILLE CONFLICT OF INTEREST CODE - BIENNIAL REPORT AND PROPOSED AMENDMENT

Recommendation: That the City Council:
1. Accept the Conflicts and Disclosure Monitor Agency 2018 Biennial Report; and
2. Direct staff to amend said report for Council's approval within ninety (90) days.

Documentation: M.O. 15-082118
Disposition: Approved.

12. REQUEST FOR PROCLAMATION - LIBRARY CARD SIGN-UP MONTH - SEPTEMBER 2018

Recommendation: That the City Council consider approval of the request to proclaim September 2018 as "Library Card Sign-Up Month."

Documentation: M.O. 16-082118
Disposition: Approved.

13. REQUEST FOR PROCLAMATION - CONSTITUTION WEEK - SEPTEMBER 17-23, 2018

Recommendation: That the City Council consider approval of the request to proclaim September 17-23, 2018, as "Constitution Week."

Documentation: M.O. 17-082118
Disposition: Approved.

14. REQUEST FOR PROCLAMATION - ADULT LITERACY AWARENESS MONTH - SEPTEMBER 2018

Recommendation: That the City Council consider approval of the request to proclaim September 2018 as "Adult Literacy Awareness Month."

Documentation: M.O. 18-082118
Disposition: Approved.

15. ASSIGNMENT OF AIRPORT LEASE - LOT 34B

Recommendation: That the City Council approve the Assignment of the Airport Lease for Lot 34B between the City of Porterville and Donald E. Cornforth, M.D., to Orville Allen Ennis and Susan Eva Ennis, Trustees of The Ennis Revocable Trust dated July 8, 2005; and authorize the Mayor to sign the Lessor's Consent to Assignment of Lease Agreement on behalf of the City.

Documentation: M.O. 19-082118
Disposition: Approved.

16. 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.

Documentation: M.O. 20-082118
Disposition: Approved.

PUBLIC HEARINGS

17. FORMATION OF THE SEWER UTILITY DISTRICT AREA 456 A, B, C & E HENDERSON AVENUE

Recommendation: That the City Council:
1. Open the Public Hearing, take comments and accept any ballots; and
2. Instruct the City Clerk to receive all ballots, and count said votes on August 22, 2018, in the Pete V. McCracken Conference Room, located in City Hall, at 1:30 pm and report to the Council the outcome of the voting at the September 4, 2018, Council meeting.

City Manager Lollis introduced the item. Council Member Flores stated that she would be abstaining due to a conflict pertaining to her ownership of property within one of the proposed districts and exited the Council's Chamber. Acting Public Works Director Mike Reed presented the staff report.

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

- An unidentified individual inquired about coordination with the contractor and each property owner with regard to the location of the sewer lateral placement.

- Another identified individual inquired about the timeline for connection.

The Mayor announced the last call for ballots, then closed the Public Hearing at 7:26 p.m.

City Council directed the City Clerk to receive all ballots, and count said votes on August 22, 2018, in the Pete V. McCracken Conference Room, located in City Hall, at 1:30 pm and report to the Council the outcome of the voting at the September 4, 2018, Council meeting.

Documentation: None
Disposition: Direction provided.

Council Member Flores returned to the dais.

SCHEDULED MATTERS

18. CONSIDERATION OF DISTRICT 2 CITY COUNCIL MEMBER APPOINTMENT IN-LIEU OF ELECTION

Recommendation: That the City Council consider options pursuant to §10229 of the Elections Code as it pertains to the District 2 Council Member office.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request.

City Attorney Lew advised that members of the City Council were allowed to vote on their own appointments, so there was no conflict of interest for the Mayor; and elaborated on §10229 of the Elections Code. Brief discussion followed regarding cost savings and the elimination of write-in opportunities following an appointment.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council approve the resolution appointing Milt Stowe in lieu of election to a four-year term District 2 city council office. The motion carried unanimously.

Documentation: Resolution No. 61-2018
Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Vice Mayor Ward suggested that the library have a card sign-up booth at Freedom Fest; reported on poor looking trees and lack of landscape in street medians about town; spoke of traffic light on timer at Plano Street and Morton Avenue; and thanked public safety for back to school and wildfire suppression efforts.
- Mayor Stowe reported that a tree was obstructing a stop sign from view at Villa and Grand; and stated that he had attended the Chamber event and had a great time.

- Council Member Hamilton stated that he missed the Chamber's event and McDonald's Grand Re-opening due to being in Las Vegas; and thanked fire personnel who had worked the wildfire suppression efforts.
- Council Member Flores spoke of her attendance at the Chamber event and McDonald's Grand Re-opening.
- City Manager Lollis thanked Parks and Leisure and Community Development Departments for coordination of the Farmer's Market on Main Street; spoke of an upcoming Mighty 190 meeting and Labor Day holiday.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:45 p.m. to the meeting of September 4, 2018.

Luisa M. Zavala, Deputy City Clerk

SEAL

Milt Stowe, Mayor