

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

Called to Order at 5:30 p.m.

Roll Call: Council Member Monte Reyes, Council Member Martha A. Flores, Council Member Cameron Hamilton, Vice Mayor Brian Ward (arrived at 5:32 p.m.), Mayor Stowe 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: APNs: 261-122-004; 261-122-005; 261-122-006; and 261-122007. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Cornerstone Main Partners LP. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN 269-120-010. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Thomas J & Deborah L O'Sullivan Trust. Under Negotiation: Terms and Price.

3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis. Employee Organizations: All Unrepresented Management Employees.

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: One case.

6:36 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Julia Lew reported that no reportable action had taken place in closed session.

The Pledge of Allegiance was led by Council Member Monte Reyes.
Invocation -- one individual participated.

PROCLAMATIONS

Friends of Libraries Week - October 21-27, 2018

PRESENTATIONS

Helen Putnam Award for Excellence - East Porterville Water Supply Project

AB 1234 REPORTS

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

1. Local Agency Formation Commission (LAFCO) - October 10, 2018
Council Member Hamilton reported that no action had taken place, and the City's recognition from CalLAFCO was discussed.
2. Tulare County Water Commission - October 8, 2018
Council Member Flores reported on presentation of informational items, no action items, and scheduling of the next meeting in January of 2019.
3. Tulare County Association of Governments (TCAG) - October 15, 2018
Council Member Flores reported action items, informational items, legislative updates, and scheduling of next meeting on December 10th.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - October 4, 2018
Commissioner Land stated that he was pleased to see Mayor Stowe in attendance and doing well. He then reported on Parks & Leisure Services Commission action pertaining to pickleball courts at Zalud Park, clean-up efforts at the Henry Street property and west of Murry Park, adult flag football, Pioneer Days and Rib Cook-Off, paranormal tours at the Zalud House, and the Veterans Day Run.
2. Library & Literacy Commission - October 9, 2018
Commissioner Bailey reported on discussion pertaining to the 2018 Library Design Showcase, patron comments, and monthly statistics pertaining to patronage, program participation, and volunteer hours. He then extended an invitation to celebrate National Friends of Libraries Week.
3. Arts Commission - September 26, 2018
4. Animal Control Commission - October 8, 2018
5. Youth Commission - October 8, 2018
Commissioners Jake Buckley, Cadet Mauck, Desiree Landa, and Monica Cortez introduced themselves.
6. Transactions and Use Tax Oversight Committee (TUTOC)

II. Staff Informational Reports

1. Water Conservation Phase III Status Update
2. Fall Community Clean-Up Event
3. 2017-2018 California Legislative Session Update

ORAL COMMUNICATIONS

- Kathie Hayden spoke regarding the homeless population and her desire to open a day mission to assist them.
- Sid Kalb, Porterville resident, spoke against the use of the east tennis court at Zalud Park as a permanent pickle ball court.
- Brock Neeley, 1524 mail in ballots returned and encouraged everyone to vote.
- An unidentified individual, spoke of a recent Porterville Recorder article; voiced dissatisfaction with the City wanting and/or needing more money to repair roads; and called the Council dysfunctional.

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion. City Manager John Lollis reported that he had abstained from production of the staff report from Item No. 15; and Council Member Reyes stated that he had a conflict pertaining to Item No. 14 related to income and would abstain from the vote on the item.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve Items Nos. 1-17, noting the abstention of Council Member Reyes from Item No. 14. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF AUGUST 21, 2018 AND SEPTEMBER 18, 2018

Recommendation: That the Council approve the draft Minutes of August 21, 2018, and September 18, 2018.

Documentation: M.O. 01-101618

Disposition: Approved.

2. PURCHASE DATA RECORDERS FOR TRANSIT ELECTRIC BUS FLEET

Recommendation: That the City Council authorize the purchase of ten data loggers and 14-month cellular service agreements for the electric fleet from HEM Data Corporation in the amount not to exceed \$20,000.

Documentation: M.O. 02-101618

Disposition: Approved.

3. PURCHASE BATTERY-ELECTRIC CHARGING STATIONS

Recommendation: That the City Council authorize the purchase and installation of 11 200kW charging stations from Green Power Motor Company at a cost not to exceed \$785,900.

Documentation: M.O.03-101618
Disposition: Approved.

4. PURCHASE REPLACEMENT SERVER AND NAS SERVER FOR TRANSIT DIVISION

Recommendation: That the City Council:

1. Authorize the purchase of a replacement server, for the Transit Division, from Dell in the amount not to exceed \$5,500; and
2. Authorize the purchase of a replacement NAS server, for the Transit Division, from StrictlyTech in the amount not to exceed \$6,500.

Documentation: M.O. 04-101618
Disposition: Approved.

5. REQUEST TO REPLACE MARKED POLICE VEHICLE

Recommendation: That the City Council:

1. Authorize Police Department staff to purchase (1) police vehicle; and
2. Authorize payment upon satisfactory delivery of the vehicle.

Documentation: M.O. 05-101618
Disposition: Approved.

6. AUTHORIZATION TO ADVERTISE FOR BIDS - OLIVE AVENUE CORRIDOR LIGHTED CROSSWALKS PROJECT

Recommendation: That City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project; and
3. Authorize the Finance Director to appropriate \$154,000 from Local Transportation Funds to fully fund this project.

Documentation: M.O. 06-101618
Disposition: Approved.

7. AUTHORIZATION TO ADVERTISE FOR BIDS - RAILS-TO-TRAILS CORRIDOR LIGHTED CROSSWALKS PROJECT

Recommendation: That City Council:

1. Approve staff's recommended plans and project manual;
2. Authorize staff to advertise for bids on the project; and
3. Authorize the Finance Director to appropriate the additional Local Transportation Funds in the amount of \$140,500 to fully fund the project.

Documentation: M.O. 07-101618

Disposition: Approved.

8. AUTHORIZATION FOR WASTEWATER TREATMENT FACILITY
LOADER TRANSMISSION REPLACEMENT

Recommendation: That the City Council:

1. Authorize the Wastewater Treatment Facility Loader Transmission replacement by Pape Machinery at an amount not to exceed \$14,400.42;
2. Authorize the Finance Director to issue a purchase order to Pape Machinery; and
3. Authorize payment of said repair upon satisfactory completion.

Documentation: M.O. 08-101618

Disposition: Approved.

9. ACCEPTANCE OF PUBLIC BENEFIT GRANT PROGRAM - ALTERNATIVE
FUEL INFRASTRUCTURE PROJECTS FINANCIAL ASSISTANCE FROM
THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Recommendation: That the City Council accept the grant funds from the San Joaquin Valley Air Pollution Control District and authorize the City Manager to execute the Agreement.

Documentation: M.O. 09-101618

Disposition: Approved.

10. JAYE STREET BRIDGE - AUGMENTATION TO VSCE'S CONSULTANT
CONTRACT

Recommendation: That City Council authorize the augmentation of VSCE's service agreement contract by \$130,785.54.

Documentation: M.O. 10-101618

Disposition: Approved.

11. PROGRAM SUPPLEMENT TO THE LOCAL AGENCY-STATE MASTER
AGREEMENT – OLIVE AVENUE CORRIDOR CROSSWALK WARNING
LIGHTS INSTALLATION PROJECT

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. 74-2018; and M.O. 11-101618
Disposition: Approved.

12. UPDATE TO THE MEMORANDUM OF UNDERSTANDING WITH THE
TULARE COUNTY ASSOCIATION OF GOVERNMENTS FOR TRANSIT
PLANNING AND PROGRAMMING FEDERAL FUNDS

Recommendation: That the City Council authorize the Mayor to sign the Memorandum of Understanding between the Tulare County Association of Governments and City of Porterville regarding the coordination of on-going transit planning and programming federal funds that support the on-going and future deployment of transit services by the City of Porterville.

Documentation: M.O. 12-101618
Disposition: Approved.

13. INTENT TO SCHEDULE A PUBLIC HEARING FOR THE 2018 SHORT
RANGE TRANSIT PLAN

Recommendation: That the City Council schedule a Public Hearing for November 6, 2018, to allow for public comments and to consider adoption of the 2018 Short Range Transit Plan.

Documentation: M.O. 13-101618
Disposition: Approved.

14. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE ROTARY
CLUB AND PORTERVILLE CHAMBER OF COMMERCE - PORTERVILLE
CHILDREN'S CHRISTMAS PARADE - NOVEMBER 29, 2018

Recommendation: That the City Council:

1. Approve the Community Civic Event application and agreement submitted by the Porterville Chamber of Commerce and Rotary Club of Porterville, 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 29, 2018; 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. 14-101618
Disposition: Approved.

15. REQUEST FOR PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER 2018

Recommendation: That the City Council consider approval of the request to proclaim the month of October 2018, as "Domestic Violence Awareness Month."

Documentation: M.O. 15-101618

Disposition: Approved.

16. REQUEST FOR PROCLAMATION - AMERICA RECYCLES WEEK - NOVEMBER 11-17, 2018

Recommendation: That the City Council consider approval of the request to proclaim November 11-17, 2018, as "America Recycles Week."

Documentation: M.O. 16-101618

Disposition: Approved.

17. 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. 17-101618

Disposition: Approved.

PUBLIC HEARINGS

18. BUDGET ADJUSTMENT/CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) FUNDING

Recommendation: That the City Council:

1. Conduct the Public Hearing to receive public comment;
2. Authorize use of these funds to offset costs for personnel assigned to the Police Department's Patrol Division, including necessary training, equipment, and overtime costs; and
3. Adopt the draft Resolution approving a budget adjustment increasing the Police Department's Special Safety Grants Citizen's Option for Public Safety (COPS) budget by \$100,000 to support said costs.

City Manager Lollis introduced the item, and Police Captain Dominic Barteau presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council use of these funds to offset costs for personnel assigned to the Police Department's Patrol

Division, including necessary training, equipment, and overtime costs; and adopt the draft Resolution approving a budget adjustment increasing the Police Department's Special Safety Grants Citizen's Option for Public Safety (COPS) budget by \$100,000 to support said costs. The motion carried unanimously.

Documentation: Resolution No. 75-2018

Disposition: Approved.

SECOND READINGS

19. SECOND READING - ORDINANCE NO. 1849 - ZONE CHANGE PRC 2017-046-Z

Recommendation: That the Council give Second Reading to Ordinance No. 1849, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Vice Mayor Brian Ward that the City Council give Second Reading to Ordinance No. 1849, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE (PRC 2017-046-Z) FROM CG (GENERAL AND SERVICE COMMERCIAL) TO RM-3 (HIGH DENSITY RESIDENTIAL), waive further reading, and adopt said Ordinance. The motion carried unanimously.

Documentation: Ordinance No. 1849

Disposition: Approved.

SCHEDULED MATTERS

20. APPOINTMENTS TO THE LIBRARY AND LITERACY COMMISSION

Recommendation: That the City Council consider the appointment of four individuals to three-year terms on the Library and Literacy Commission.

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

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council approve the reappointments of Allen Bailey, Patience Christenson, Esther Figueroa, and Edith LaVonne to the three year terms on the Library and Literacy Commission to end in October of 2021. The motion carried unanimously.

Documentation: M.O. 18-101618

Disposition: Approved.

21. RECOMMENDATIONS FROM THE CITY COUNCIL'S CANNABIS AD HOC COMMITTEE

Recommendation: That the City Council provide direction given the recommendations of the Cannabis Ad Hoc Committee and information provided.

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

Discussion followed regarding the types of activities and uses, taxes vs. fees, and a general vs. special election. Members of the Council expressed an interest in exploring options to accommodate medicinal use of cannabis; and Mayor Stowe stated that he was opposed to any type of cannabis dispensary in town. The Ad Hoc Committee was directed to further explore a medicinal dispensary.

Documentation: None

Disposition: Direction given.

ORAL COMMUNICATIONS

- Tony Mauck thanked Mayor Stowe for his leadership and spoke against any type of cannabis dispensary in town.
- Daniel Penaloza stated that there were probably more people who had opinions and concerns about the cannabis issue; suggested the Council schedule a public hearing; and stated that he had tried to get people to attend the meeting tonight but was unsuccessful.

OTHER MATTERS

- Council Member Flores spoke of her attendance at the Candlelight Vigil and Fil-Amer Association's coronation and anniversary celebration.
- Council Member Hamilton spoke of his attendance at the Business Expo and Candlelight Vigil, and also spoke of the upcoming Veterans Day parade.
- Council Member Reyes spoke of his attendance at the Pioneer Days Rib Cook-Off; and encouraged those interested in participating in the upcoming parades to submit applications.
- Vice Mayor Ward spoke of his attendance at his daughter's school fall festival.
- Mayor Stowe spoke of his attendance at the Relay for Life event; and stated that the attendance was lower than previous years.
- City Manager Lollis provided an update on the drought garden; and spoke of his participation in the Habitat for Humanity Golf Tournament, the draft Environmental Impact Statement hearing for the casino relocation, Coffee with a Cop, Fall Clean-Up, the new Leadership Porterville Class, and fundraiser for Point in Time survey. He also wished everyone a happy boss's day.

CLOSED SESSION

None

ADJOURNMENT

The City Council adjourned at 8:07 p.m. to the meeting of November 6, 2018.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor