

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

Called to Order at 5:30 p.m.

Roll Call: Council Member Monte Reyes, Council Member Martha Flores, Council Member Cameron Hamilton, Vice Mayor Brian Ward, Mayor 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: Address: APN: 253-192-010. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and SM Transit. Under Negotiation: Terms and Price.
- 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Celeste Bernardino by and through her guardian ad litem Argelia Reynosa. Agency claimed against: City of Porterville.
- 4 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis. Employee Organizations: All Unrepresented Management Employees.
- 5 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: John Duran v. City of Porterville, Tulare County Superior Court Case No. VCU 271986.
- 6 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two cases in which facts are not yet known to potential plaintiffs.
- 7 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Three cases.

6:38 P.M. RECONVENED OPEN SESSION AND REPORTED ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported that no reportable action was taken in Closed Session.

The Pledge of Allegiance was led by Mayor Milt Stowe in Vice Mayor Ward's absence. Invocation -- a moment of silence was observed.

PROCLAMATIONS

America Recycles Week - November 11-17, 2018

PRESENTATIONS

Employee of the Month - Marcial Morales
Certificate of Recognition - Josue Topete
Outstanding Business - Bob Ruffa Electric

AB 1234 REPORTS

1. Tulare County Economic Development Corp. (TCEDC) - October 25, 2018
City Manager Lollis reported that the member and alternate were both unable to attend.
2. Tulare County Task Force on Homelessness - October 17, 2018
City Manager Lollis reported on receipt of a presentation from Up Development, and an update on Focus Strategies.
3. Eastern Tule Groundwater Sustainability Agency - November 1, 2018
Council Member Hamilton reported on approval of policy recommendations from the ad hoc and subcommittee, and the next meeting date of December 1st.

STAFF INFORMATIONAL REPORTS

1. Golf Course 1st Quarter Report - FY 2018/19
2. OHV Park 1st Quarter Report - FY 2018/19
3. Building Permit Activity 1st Quarter Report - FY 2018/19
4. Street Performance Measure 1st Quarter Report - FY 2018/19
5. Code Enforcement Activity 1st Quarter Report - FY 2018/19
6. City Commission/Committee Attendance 1st Quarter Report - FY 2018/2019
7. Report on Charitable Car Washes - 2018 Calendar Year to Date

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, spoke regarding code enforcement and attendance quarterly reports; provided handouts regarding vote by mail ballots returned for the 2018 General Election; and expressed concern regarding low voter turnout amongst young voters.
- Ellen Nichols, Porterville, spoke of a car that was abandoned in front of her house over the weekend, which she reported to the Police Department and remained in front of her home.
- Toni Dumat, Executive Director of Family Crisis Center, thanked the City Council for the issuance of a proclamation recognizing October as Domestic Violence Awareness Month; and thanked Council Member Flores for her attendance at the Youth Summit.
- Ramon Camarena, Porterville, requested that the City Council consider naming the City Pool after Carmen Martinez Eoff in honor of her many contributions to the community.
- Pastor Buckley spoke in opposition to the casino relocation and of negative effects on the community.
- Bud Goings stated that he was also against gambling and the relocation of the casino to Porterville.
- Bob Buck spoke against gambling and the casino relocation.
- Tony Coda spoke of the economic and social impacts of casinos, and requested that the City Council not allow the casino to relocate to Porterville.
- Name not given, stated that a casino in Porterville would tempt the youth of our community to gamble; and requested that the Council oppose the relocation.
- Randy Goings spoke against the casino relocation; and stated that money spent at the casino was money not spent at a local business.
- Name not given, individual spoke of her father's gambling addiction and in opposition to people spending their welfare at the casino.

- Brock Neeley, stated that the land had previously belonged to the Tule Indian Tribe; and asked those in attendance where they were when liquor licenses were being considered.
- Bob Buck responded to comments made by Mr. Neeley.

Mayor Stowe spoke briefly regarding the status of the casino relocation request and staff provided the Department of Interior-Bureau of Indian Affairs' contact information to those in the attendance should they wish to communicate their opposition.

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 Martha Flores that the City Council approve Items Nos. 1-11. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF OCTOBER 2, 2018, AND OCTOBER 16, 2018

Recommendation: That the Council approve the draft Minutes of October 2, 2018, and October 16, 2018.

Documentation: M.O. 01-110618

Disposition: Approved.

2. AUTHORIZATION FOR EMERGENCY REPAIRS TO RESTORE SUPERVISORY CONTROL AND DATA ACQUISITION COMMUNICATION

Recommendation: That City Council:

1. Authorize the repairs to the SCADA System by Primex Company;
2. Direct the Finance Director to initiate a Purchase Order to Primex Company in an amount not to exceed \$47,361 (inclusive of all parts, taxes and a 10% contingency) for the repair of Supervisory Control And Data Acquisition Communications; and
3. Direct the Finance Director to make payment to Primex Company upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 02-110618

Disposition: Approved.

3. AUTHORIZATION TO ADVERTISE FOR BIDS - WELL NO. 37 PROJECT

Recommendation: That City Council:

1. Approve Staff's recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 03-110618

Disposition: Approved.

4. AUTHORIZATION TO ADVERTISE FOR BIDS - 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;
3. Authorize the Finance Director to appropriate the additional Special Gas Tax Funds in the amount of \$89,500 to fully fund the project; and
4. Authorize the Public Works Director to seek proportional reimbursements from the two school districts that have agreed to participate in this project.

Documentation: M.O. 04-110618

Disposition: Approved.

5. AMENDMENT TO CAROLLO ENGINEER'S SERVICE AGREEMENT FOR DIGESTER 3 REPAIR

Recommendation: That the City Council:

1. Authorize the Mayor to execute Addendum No. 1 to Carollo Engineer Service Agreement at an agreed upon fee of \$16,342 for the services described herein; and
2. Authorize progress payments up to 100% of the fee amount and authorize a 10% contingency to cover unforeseen costs.

Documentation: M.O. 05-110618

Disposition: Approved.

6. ACCEPTANCE OF FINAL MAP FOR TROOPER TERRACE (JASON MOYES - SMEE HOMES, INC.)

Recommendation: That City Council:

1. Approve the final subdivision map for Trooper Terrace;
2. Accept all offers of dedication shown on the final map or by separate deed document;
3. Authorize the Mayor to execute the Subdivision Agreement; and
4. Authorize the City Clerk to file said map with the County Recorder.

Documentation: M.O. 06-110618

Disposition: Approved.

7. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly Investment Portfolio Summary Report.

Documentation: M.O. 07-110618

Disposition: Approved.

8. FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the Financial Status Reports as presented.

Documentation: M.O. 08-110618

Disposition: Approved.

9. ESTABLISHMENT OF DEBT MANAGEMENT POLICY

Recommendation: That the City Council adopt the Draft Resolution establishing a Debt Management Policy.

Documentation: Resolution No. 76-2018

Disposition: Approved.

10. REQUEST FOR STREET CLOSURE - MYERS' 24TH ANNUAL CHRISTMAS TREE MEMORIAL SERVICE - DECEMBER 4, 2018

Recommendation: That the City Council approve the closure of "E" Street, between Putnam and Cleveland, on December 4, 2018, from 5:00 p.m. to 9:00 p.m., subject to the specified conditions.

Documentation: M.O. 09-110618

Disposition: Approved.

11. 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. 10-110618

Disposition: Approved.

PUBLIC HEARINGS

12. ADOPT 2018 SHORT RANGE TRANSIT PLAN

Recommendation: That the City Council:
1. Conduct a Public Hearing to receive public comment; and
2. Adopt the draft 2018 Short Range Transit Plan.

City Manager Lollis introduced the item, and Transit Manager Rich Tree presented the staff report.

The Public Hearing was opened at 7:43 p.m.

- Brock Neeley, Porterville, stated that Mr. Tree was doing a fantastic job providing excellent transit service.

The Public Hearing was closed at 7:45 p.m.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council adopt the 2018 Short Range Transit Plan. The motion carried unanimously.

Documentation: M.O. 11-110618

Disposition: Approved.

ADMINISTRATIVE HEARINGS

13. APPEAL OF ZONING ADMINISTRATOR DETERMINATION 2018-012 - GREEN POWER MOTOR COMPANY

Recommendation: That the City Council consider the appeal consistent with Chapter 305 - Signs, as approved in the Porterville Development Ordinance.

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

The Hearing was opened at 7:51 p.m. When no one came forward the Hearing was closed at 7:51 p.m.

The Council reviewed examples of signs provided by the applicant and discussed the 300 square foot restriction for signs. In response to questions posed by the Council, Ms. Byers stated that it was not typical for industrial businesses to use signage for marketing purposes, but that she could see how the 300 square foot restriction could be considered insufficient on industrial sized buildings.

Council requested that staff look into increasing the permitted square footage of signs on industrial buildings as well as addressing rooftop signage.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member A. Monte Reyes that the City Council grant the appeal and approve the sign proposed by the applicant. The motion carried unanimously.

Documentation: M.O. 12-110618

Disposition: Approved.

SCHEDULED MATTERS

14. CONSIDERATION OF APPOINTMENT TO THE ARTS COMMISSION

Recommendation: That the City Council consider the appointment of Diego Monterrubio to the City's Arts Commission.

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

COUNCIL ACTION: MOVED by Council Member Martha Flores, SECONDED by Council Member Cameron Hamilton that the City Council approve the appointment of Diego Monterrubio to the Arts Commission. The motion carried unanimously.

Documentation: M.O. 13-110618

Disposition: Approved.

The Council adjourned to a joint meeting of the City Council and Porterville Public Improvement Corporation at 8:04 p.m.

CITY COUNCIL AND PORTERVILLE
PUBLIC IMPROVEMENT CORPORATION JOINT MEETING AGENDA
291 N. MAIN STREET, PORTERVILLE, CA 93257
NOVEMBER 6, 2018

Roll Call: Member/Director Monte Reyes, Member/Director Martha A. Flores,
Member/Director Cameron Hamilton, Mayor/President Milt Stowe

Absent: Vice Mayor/Vice President Brian Ward

WRITTEN COMMUNICATION/ORAL COMMUNICATIONS

None

JOINT MEETING SCHEDULED MATTERS

15. CONSIDER RESOLUTIONS APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF CERTAIN INSTALLMENT SALE FINANCING DOCUMENTS IN CONNECTION WITH THE REFUNDING OF THE OUTSTANDING PORTERVILLE PUBLIC FINANCING AUTHORITY SEWER REVENUE BONDS, 2011 SERIES A

Recommendation: That the City Council, also meeting as the Board of Directors of the Porterville Public Improvement Corporation, adopt the draft Resolutions.

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

- Bud Levine, Wulff Hansen & Co, gave a brief presentation regarding the process and was happy to report a savings of 4.7 million.
- Dan Shaw, Brandis Tallman, spoke of the impressive turnout, complimented the City's credit, and thanked staff for their efforts.
- Nicki Tallman, Brandis Tallman, stated that they appreciated the opportunity to work with the City and spoke of the positive responses received from lenders.

COUNCIL ACTION: MOVED by Council Member/Director Cameron Hamilton, SECONDED by Council Member/Director Martha Flores that the City Council, also

acting as the Board of Directors of the Porterville Public Improvement Corporation, adopt the draft Resolutions. The motion carried unanimously.

Documentation: Resolution No. 77-2018; PIC Resolution No. 2018-01

Disposition: Approved.

The joint meeting adjourned to a meeting of the Porterville City Council at 8:14 p.m.

ORAL COMMUNICATIONS

- Brock Neeley, stated that it was good to see savings and investment in the City's infrastructure.

OTHER MATTERS

- Council Member Flores reported on her attendance at the American Legion and Auxiliary Boys and Girls State Delegate Dinner, Leadership Porterville Class of 2019 Reception, and Youth Summit; and congratulated this year's Chamber Awards winners.
- Council Member Hamilton spoke of his attendance at the Veterans Homecoming Pageant. Council Member Reyes spoke of the Chamber Installation and Awards Dinner, award winners and nominees, the Leadership Porterville Class of 2019 Reception, and the upcoming Veterans Day Parade on November 12th.
- Mayor Stowe spoke of his attendance at the Chamber Awards and Installation Dinner and the Harvest Moon Dinner.
- John Lollis thanked council members for their attendance at the Leadership Porterville Reception; reported that Halloween was a quiet night on the public safety front; and spoke of upcoming Battle of the Badges Blood Drive and birthday of Deputy City Clerk Luisa Zavala.

CLOSED SESSION

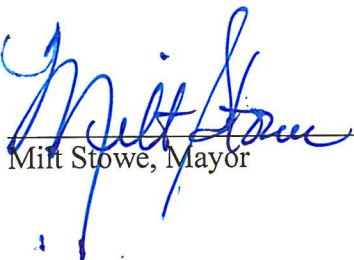
None

ADJOURNMENT

The Council adjourned at 8:26 p.m. to the meeting of November 20, 2018.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor