

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 7, 2018, 5:30 PM**

Call to Order at 5:33 p.m.

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

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

- A. Closed Session Pursuant to:
- 1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 251-350-014. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.
 - 2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 253-050-093 and 253-050-089. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and James Gregory Shelton. Under Negotiation: Terms and Price.
 - 3 - 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.
 - 4 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Management & Confidential Series; Porterville City Employees Association; Public Safety Support Unit; and all Unrepresented Management Employees.
 - 5 - Government Code Section 54956.95 – Liability Claim: Claimant: Ryan Monk. Agency claimed against: City of Porterville.
 - 6 - Government Code Section 54956.95 – Liability Claim: Claimant: Daniel Jacuinde. Agency claimed against: City of Porterville.
 - 7 - Government Code Section 54956.95 – Liability Claims: Claimants: Isidro Flores, Monica Flores, and Isabella Flores. Agency claimed against: City of Porterville.
 - 8 - 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.
 - 9 - 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.
 - 10 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.

6:30 P.M. RECONVENED OPEN SESSION AND REPORTED ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported action pertaining to A-5, A-6, and A-10 as follows:

- A-5. On a MOTION made by Council Member Cameron Hamilton, and SECONDED by Vice Mayor Brian Ward the City Council unanimously rejected the claim filed by Ryan Monk.

Documentation: M.O. 01-080718

Disposition: Claim rejected.

- A-6. On a MOTION made by Council Member Cameron Hamilton, and SECONDED by Vice Mayor Brian Ward the City Council unanimously rejected the claim filed by Daniel Jacuinde.

Documentation: M.O. 02-080718

Disposition: Claim rejected.

- A-10. On a MOTION made by Mayor Milt Stowe, and SECONDED by Vice Mayor Brian Ward the City Council unanimously approved the initiation of litigation concerning abatement of a building.

Documentation: M.O. 03-080718

Disposition: Approved.

The Pledge of Allegiance was led by Council Member Monte Reyes.

Invocation -- a moment of silence was observed.

AB 1234 REPORTS

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

1. Council of Cities - July 18, 2018
Mayor Stowe reported on discussion pertaining to the Economic Development Corporation (EDC) and its value to cities who participate, Proposition 3, and water.
2. Tulare County Economic Development Corp. (TCEDC) - July 26, 2018
Council Member Reyes reported on his appointment as Chair of the ECD, approval of financial report, discussion of Memorandum of Understanding, and scheduling of a workshop on the 10th.
3. Eastern Tule Groundwater Sustainability Agency (GSA) - August 2, 2018
Council Member Hamilton reported on action pertaining to new Executive Officer, amendments to Joint Powers Agreement (JPA) and bylaws, and referral of items to the Stakeholder Committee.

REPORTS

This is the time for all informational items.

- I. Staff Informational Reports
 1. Report on Charitable Car Washes
 2. Code Enforcement Quarterly Report
 3. Golf Course 4th Quarter Report - FY 2017/18
 4. OHV Park 4th Quarter Report - FY 2017/18
 5. City Commission and Committee Attendance Reports - 4th Quarter FY 2017/18
 6. Building Permit Activity - 4th Quarter Report (April, May, June)
 7. Street Performance Measure - 4th Quarterly Report (April, May, June)

Council Member Flores commented on attendance of commission and committee members and inquired about policies or procedures in place for those members who have excessive absences. Mr. Lollis stated that the removal of a member could be initiated by the Council or the commission/committee; and Vice Mayor Ward spoke of previous discussions pertaining to a standard attendance percentage of 70%.

ORAL COMMUNICATIONS

- Tony Trujillo, Porterville, stated that he was representing the residents of Casa del Rio and spoke of issues with low lighting and fencing that separates the river from the playground. He expressed concern for the safety of the children in the neighborhood and requested better fencing to keep transients from using the playground as a shortcut.
- Tamara Bishop-Mitchell, Chair of Library Commission, thanked the Council for its special meeting with the Library and Literacy Commission; inquired about funds that were put aside for the elevator, restroom, and windows; and stated that the library should benefit from the proposed tax measure as well.

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 through 12. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF MAY 15, 2018

Recommendation: That the Council approve the draft Minutes of May 15, 2018.

Documentation: M.O. 04-080718

Disposition: Approved.

2. REQUEST TO PURCHASE POLICE VEHICLE

Recommendation: That the City Council:

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

Documentation: M.O. 05-080718
Disposition: Approved.

3. AUTHORIZATION TO PURCHASE ELECTRONIC FAREBOXES FOR
ELECTRIC TRANSIT BUSES

Recommendation: That the City Council:

1. Adopt a Resolution authorizing the City Manager or his designee to sign all contract documents, purchase orders and change orders for an electronic farebox system purchase contract with Genfare of Elk Grove Village, IL for the purchase of nine Fast Fare fareboxes, four Fast Fare-E Remote Readers, and spare parts in an amount to not exceed \$185,889.72; and
2. Authorize the Mayor to sign the Resolution.

Documentation: Resolution No. 56-2018
Disposition: Approved.

4. CONSIDERATION OF YOUTH EXPERIENCING SUCCESS (YES)
PROGRAM AGREEMENT AND REQUEST FOR EXPANSION

Recommendation: That the City Council:

1. Approve the draft Agreement between the City of Porterville and the Porterville Unified School District Regarding the YES Program, and authorize the Mayor to sign said Agreement;
2. Approve the budget adjustment in the amount of \$181,000 to increase the FY2017-2018 YES Program costs and the corresponding increase in the YES Program revenue budget; and 3. Authorize staff to modify the FY2018-2019 revenue and expenditure estimates for the YES program, to accommodate the 2018-19 school year expansion.

Documentation: M.O. 06-080718
Disposition: Approved.

5. AUTHORIZATION TO APPLY FOR FTA SECTION 5311 PROGRAM
FUNDING

Recommendation: That City Council:

1. Approve the attached draft Resolution authorizing staff to act on behalf of the City to apply for FTA Section 5311 financial assistance; and
2. Authorize the Mayor to sign the Resolution.

Documentation: Resolution No. 57-2018
Disposition: Approved.

6. SELECTION OF ON-CALL ENVIRONMENTAL CONSULTANTS

Recommendation: That the City Council:

1. Authorize staff to negotiate on-call contracts with AES, Crawford & Bowen, LSA, and Provost & Pritchard Consulting Group;
2. Authorize the Mayor to sign contract documents;
3. Authorize the Community Development Director to sign task orders; and
4. Authorize staff to make payments up to 100% upon satisfactory completion of tasks.

Documentation: M.O. 07-080718

Disposition: Approved.

7. REQUEST FOR AN EXTENSION OF TIME FOR SALAZAR RANCH

Recommendation: That the City Council adopt the draft resolution approving a 24-month extension of time for the Salazar Ranch Tentative Subdivision Map.

Documentation: Resolution No. 58-2018

Disposition: Approved.

8. QUARTERLY PORTFOLIO SUMMARY

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

Documentation: M.O. 08-080718

Disposition: Approved.

9. PRELIMINARY FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the preliminary financial status reports as presented.

Documentation: M.O. 09-080718

Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT - FAMILY HEALTH CARE NETWORK - 18TH ANNUAL HEALTH FAIR AND FIESTAS PATRIAS - SEPTEMBER 16, 2018

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Family Health Care Network, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 10-080718

Disposition: Approved.

COUNCIL OF THE CITY OF PORTERVILLE ADDING ARTICLE
X TO CHAPTER 18 OF THE PORTERVILLE MUNICIPAL CODE
REGARDING NUISANCES RELATED TO SHOPPING CARTS. The
motion carried unanimously.

The Ordinance was read by title only.

Documentation: Ordinance No. 1848

Disposition: Approved.

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None

OTHER MATTERS

- Council Member Flores, expressed gratitude to fire personnel; stated that he would be praying for all those effected by the fires; thanked the Police Department for including the Council in the swearing in ceremony; and added that she looked forward to attending the Military Academy ribbon cutting ceremony.
- Council Member Hamilton echoed Council Member Flores' remarks; and asked about the turnout at National Night Out.
- Council Member Reyes spoke of his attendance at the Jaye Street Bridge grand opening; and echoed the sentiments communicated by Council Member Flores regarding wildfires.
- Vice Mayor Ward spoke of upcoming back to school traffic and activities; also thanked firefighters and their efforts; stated that the City had a great team and that he was glad to see the Mayor in attendance.
- Council Member Hamilton spoke of a community meeting with Burton School District and lauded Police Chief Eric Kroutil and Acting Public Works Director Mike Reed for their participation.
- Mayor Stowe spoke of a recent medical scare; thanked fire personnel; encouraged drivers to slow down and look out for kids going back to school; and appreciated public comments regarding the much needed tax measure.
- City Manager Lollis spoke of the recent passing of Mr. Kabot; and announced the return of fire patrol unit from fighting the Ferguson fire and its likely departure to Mendocino.

CLOSED SESSION

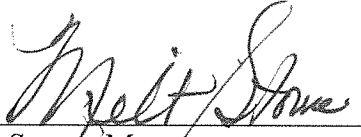
The Council took a five minute recess and reconvened in Closed Session at 7:48 p.m. City Attorney Lew announced that no reportable action was anticipated.

ADJOURNMENT

The Council adjourned at 8:50 p.m. to the meeting of August 21, 2018.

SEAL


Luisa M. Zavala, Deputy City Clerk


Milt Stowe, Mayor

