CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 18, 2018, 5:30 PM

Called to Order at 5:31 p.m.
Roll Call: Council Member Daniel Peñaloza, Council Member Monte Reyes, Council Member Milt Stowe, Vice Mayor Brian Ward, Mayor Martha A. Flores

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 140 South C Street, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.

2- 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.

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

6:35 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

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

The Pledge of Allegiance was led by Council Member Daniel Peñaloza.
Invocation -- a moment of silence was observed

PRESENTATIONS

Environmental Protection Agency

AB 1234 REPORTS

1. Local Agency Formation Commission (LAFCO) - December 5, 2018
City Manager Lollis reported that former Council Member Hamilton had attended the meeting at which legislative updates and end of year reports were presented.

2. Eastern Tule Groundwater Sustainability Agency - December 6, 2018
Public Works Director Mike Reed reported on action pertaining the establishment of policies.

Council Member Reyes reported on receipt of updates, dashboard reports, presentations and panel discussions regarding inter- and intra- agency agreements and boundaries.

Recommendation: That City Council:

1. Award the purchase of specialized equipment parts to JWC Environmental for a not to exceed amount of $14,129.05 which includes taxes, shipping and a ten percent contingency;
2. Direct the Finance Director to initiate a Purchase Order to JWC Environmental for a not to exceed amount of $14,129.05 which includes taxes, shipping and a ten percent contingency; and
3. Direct the Finance Director to make payment to JWC Environmental upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 05-121818
Disposition: Approved.

6. AUTHORIZATION OF PAYMENT FOR EMERGENCY REPAIR OF FIRE ENGINE PUMP TRANSMISSION

Recommendation: That the City Council authorize payment of $12,988.55 to Burton's Fire, Inc. for the emergency repair of Engine 72.

Documentation: M.O. 06-121818
Disposition: Approved.

7. AUTHORIZATION TO AWARD CONTRACT - 155, 165 AND 185 NORTH D STREET ASBESTOS AND OTHER HAZARDOUS MATERIALS ABATEMENT PROJECT

Recommendation: That City Council:

1. Award the 155,165, and 185 North D Street Asbestos and Other Hazardous Material Abatement Project to Cencal Services, Inc in the amount of $99,000;
2. Authorize progress payments up to 95% of the contract amount;
3. Authorize a $9,900 construction contingency to cover unforeseen construction costs; and
4. Authorize $30,670 for construction management, quality control, and inspections.

Documentation: M.O. 07-121818
Disposition: Approved.

8. AUTHORIZATION TO AWARD CONTRACT - RAILS-TO-TRAILS CORRIDOR LIGHTED CROSSWALKS PROJECT

Recommendation: That City Council:

1. Award the Olive Avenue Corridor Lighted Crosswalks Project to PTM General Engineering Services of Riverside in the amount of $224,042;
2. Authorize a 10% contingency to cover unforeseen construction costs;

3. Authorize 8.9% ($20,000) for construction management, quality control, and inspection; and
4. Authorize progress payments up to 100% of the contract amount.

Documentation: M.O. 08-121818
Disposition: Approved.

9. AUTHORIZATION TO AWARD CONTRACT - OLIVE AVENUE CORRIDOR LIGHTED CROSSWALKS PROJECT

Recommendation: That City Council:
1. Award the Olive Avenue Corridor Lighted Crosswalks Project to California Professional Engineering in the amount of $481,000;
2. Authorize progress payments up to 100% of the contract amount;
3. Authorize a 10% contingency to cover unforeseen construction costs;
4. Authorize 6.2% ($30,000) for construction management, quality control, and inspection; and
5. Authorize the Finance Director to appropriate the additional Local Transportation Funds in the amount of $45,100 to fully fund the project.

Documentation: M.O. 09-121818
Disposition: Approved.

11. APPROVAL OF MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT - DESIGN OF PEDESTRIAN TRAIL FROM OLIVE AVENUE TO PUTNAM AVENUE

Recommendation: That City Council:
a. Approve the attached Resolution in support of the Program Supplement to the Cooperative Agreement;
b. Authorize the Mayor and City Clerk to execute the Program Supplement; and
c. Authorize staff to forward the executed Program Supplement to TCAG for approval.

Documentation: Resolution No. 83-2018; M.O. 10-121818
Disposition: Approved.

12. NEGOTIATION AGREEMENT BY AND BETWEEN THE CITY OF PORTERVILLE AND THE TULE RIVER INDIAN TRIBE

Recommendation: That the City Council approve the Negotiation Agreement By and Between the City of Porterville and the Tule River Indian Tribe, subject to the Tribe providing the appropriate contact/notice information.

Documentation: M.O. 11-121818

Disposition: Approved.

13. RENEWAL OF AIRPORT LEASE - SPORTS COMPLEX PARKING

Recommendation: That City Council approve the renewal of the Lease Agreement between the City of Porterville and the Airport Enterprise Fund and authorize the Mayor to sign said Lease Agreement.

Documentation: M.O. 12-121818
Disposition: Approved.

14. RENEWAL OF AIRPORT LEASE - SEWER OPERATING FUND

Recommendation: That City Council approve the renewal of the Lease Agreement between the City of Porterville Sewer Operating Fund and the Airport Enterprise Fund and authorize the Mayor to sign said Lease Agreement.

Documentation: M.O. 14-121818
Disposition: Approved.

15. AMENDMENT TO EMPLOYEE PAY & BENEFIT PLAN - UNREPRESENTED MANAGEMENT EMPLOYEES

Recommendation: That the City Council:

1. Adopt the draft resolution approving changes to the Employee Pay and Benefit Plan concerning Unrepresented Management Employees; and
2. Direct HR staff to amend all other documentation as may be necessary to document and implement said authorized changes.

Documentation: Resolution No. 84-2018
Disposition: Approved.

16. AMENDMENT TO THE PAY RATE SCHEDULE FOR SEASONAL AND PART-TIME EMPLOYEES

Recommendation: That the City Council:

a. Adopt the draft Resolution amending the City's Employee Pay and Benefit Plan, Seasonal and Part-time rates; and
b. Authorize the Mayor to execute these and other documents necessary to implement the provisions hereof.

Documentation: Resolution No. 85-2018
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. 14-121818
Disposition: Approved.

SCHEDULED MATTERS

18. CONSIDERATION OF APPOINTMENT TO THE ARTS COMMISSION

Recommendation: That the City Council consider the appointment of Wes Maas to the City's Arts Commission to the term expiring July of 2019.

City Manager Lollis introduced the item, and Administrative Services Director Patrice Hildreth presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Milt Stowe that the City Council approve the appointment of Wes Maas to the City's Arts Commission to the term expiring in July of 2019. The motion carried unanimously.

Documentation: M.O. 15-121818
Disposition: Approved.

19. MILITARY BANNER PROGRAM BANNER LOCATION DESIGNATION

Recommendation: That the City Council designate the location of new military banners as the program expands past its current designated locations.

City Manager Lollis introduced the item, and Parks and Leisure Services Director Donnie Moore presented the staff report.

Council Members expressed their preferences regarding the areas identified by the Parks and Leisure Services Commission for expansion, discussed the length of time banners are on display, and spoke of the success of the program.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Monte Reyes that the City Council approve the placement of banners along Henderson Ave. from Veterans Park to Main, Olive Ave. from Main to Plano, Plano from Olive to Fallen Heroes Park, and Olive from Main to Veterans Memorial Building. The motion carried unanimously.

Documentation: M.O. 16-121818
Disposition: Approved.

10. LIGHTED CROSSWALKS PROJECT BID RESULTS

Recommendation: That City Council reject all bids and authorize staff to re-advertise for bids on the project.

City Manager Lollis introduced the item, and the staff report was waived.

Vice Mayor Ward expressed concerns regarding the costs and suggested that staff look into alternatives that do not require going out into the road to reduce costs. In response, City Manager Lollis suggested that the Joint City/School Committee discuss it at a future meeting.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Milt Stowe that the City Council approve the rejection of all bids and authorize staff to re-advertise for bids on the project. The motion carried unanimously.

Documentation: M.O. 17-121818
Disposition: Approved.

The Council adjourned at 7:38 p.m. to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY AGENDA 291 NORTH MAIN STREET, PORTERVILLE, CA 93257 DECEMBER 18, 2018

Roll Call: Agency Member Peñaloza, Agency Member Reyes, Agency Member Stowe, Vice Chair Ward, Chair Flores

WRITTEN COMMUNICATION
None

ORAL COMMUNICATIONS
None

SUCCESSOR AGENCY SCHEDULED MATTERS

20. REVIEW AND APPROVAL OF DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FISCAL YEAR 2019-20

Recommendation: That the Successor Agency adopt the draft SA Resolution approving the Recognized Obligation Payment Schedule for the fiscal period of July 1, 2019 through June 30, 2020, provided that should any modification be required to the ROPS 19-20 by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 19-20 to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 19-20 to the Countywide Oversight Board.

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

AGENCY ACTION: MOVED by Vice Chair Brian Ward, SECONDED by Agency Member Daniel Penaloza that the Successor Agency adopt the SA Resolution approving the Recognized Obligation Payment Schedule for the fiscal period of July 1, 2019 through June 30, 2020, provided that should any modification be required to the ROPS 19-20 by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 19-20 to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 19-20 to the Countywide Oversight Board. The motion carried unanimously.

Documentation: Resolution No. 2018-03
Disposition: Approved.

The Successor Agency adjourned at 7:39 p.m. to a meeting of the Porterville City Council. 7:39 p.m.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, stated that the majority of Porterville voters voted against Proposition 1.

OTHER MATTERS

- Council Member Reyes communicated that he was very impressed with the Eastern Tule GSA's progress to date; and wished everyone a Merry Christmas and happy New Year.
- Council Member Stowe also wished everyone a Merry Christmas and happy New Year.
- Council Member Peñaloza stated that he was happy to have survived his first meeting; thanked staff, the community, and members of the Council for their assistance; and wished everyone a happy holiday season.
- Vice Mayor Ward indicated that he was pleased to see the Council Member Stowe doing well; spoke of the gift of Greenpower; and thanked public safety personnel who would be working on the holidays.
- Mayor Flores spoke of her attendance at the Aldi's grand opening event, the Burton School District meet and greet, Sierra View Medical Center holiday mingler, and Porterville Pharmacy ribbon cutting; and wished everyone a Merry Christmas.
- City Manager Lollis spoke of positive comments received regarding this year's employee luncheon, and extended appreciation to the staff who assisted in putting on the event and members of the Council for their participation; spoke of future California Air Resource Board requirements pertaining to electric buses; and presented the Council with plaques in recognition of the East Porterville Water Project.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:49 p.m. to the meeting of January 15, 2019.

Fernando Gabriel-Moraga, Acting Deputy City Clerk

SEAL

Martha A. Flores, Mayor