

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 16, 2016, 5:30 PM**

Called to Order at 5:30 p.m.

Roll Call: Council Member A. Monte Reyes, Council Member Brian Ward, Council Member Virginia Gurrola, Vice Mayor Cameron Hamilton, 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, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Peace Officers Association; Fire Officer Series; and Porterville City Firefighters Association.

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

3 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Nuckols and Nuckols Farming v. City of Porterville, Tulare County Superior Court Case No. 261084.

4 - Government Code Section – Conference with Legal Counsel – Existing Litigation: California Healthy Communities Network v. City of Porterville, California Court of Appeal, Fifth District, Case No. F067685.

5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Four Cases.

6 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Stowe. Unrepresented Employee – City Manager.

**6:30 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

City Attorney Lew reported action pertaining to A-2, as follows:

A-2. On a MOTION made by Council Member Gurrola, and SECONDED by Council Member Ward the City Council unanimously rejected the claim filed by Pedro Castillo.

Documentation: M.O. 01-021616

Disposition: Claim rejected.

The Pledge of Allegiance was led by Vice Mayor Hamilton.

Invocation - a moment of silence was observed.

PRESENTATIONS

Introduction of New Employees

AB 1234 REPORTS

None

REPORTS

This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - February 4, 2016
Commissioner Lucero presented the Commission's report, which consisted of information pertaining to the following: the installation of fitness equipment at Fallen Heroes Park, installation of a bike rack at Santa Fe Depot, youth baseball and softball programs, online registration/reservation service Rec1, an upcoming Block Party event, and the donation of a park bench by the Women's Club.
 2. Library & Literacy Commission - February 9, 2016
Commission Chair Bailey reported on discussion of the library advocacy tool kit and branding of the library; presented December highlights; and extended an invitation to attend Dr. Seuss Day activities on March 2nd.
 3. Arts Commission
Commissioner Deanna Worthington spoke of vacancies and lack of commitment amongst existing members. She requested that the Council refer any interested individuals and stated that the next meeting was on Wednesday, February 24th, at 5:30 p.m. in City Hall.
 4. Animal Control Commission
 5. Youth Commission - February 8, 2016
 6. Transactions and Use Tax Oversight Committee (TUTOC) - February 11, 2016
- II. Staff Informational Reports
 1. Water Conservation Phase IV Status Update

ORAL COMMUNICATIONS

- John Coffee, Porterville, commended staff for cleaning up the mistletoe in the slough at Veterans Park.
- Fred Beltran, Porterville, spoke regarding Item No. 7 and the need for a permanent solution to the water problem on the East side.
- Mr. Teran requested that the City go after funds to fund a permanent solution to the water problem in the East Vandalia area.
- Martha Flores, Porterville, extended an invitation to the Tulare/Kings Hispanic Chamber of Commerce Mixer at the El Patio restaurant in Lindsay on February 18th; and thanked staff for filling pot holes that she reported.
- Barry Caplan inquired about the organizations identified in staff report pertaining to Item No. 7.

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve Items Nos. 1-5. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF FEBRUARY 2, 2016

Recommendation: That the Council approve the draft Minutes for February 2, 2016.

Documentation: M.O. 02-021616

Disposition: Approved.

2. ADDENDUM NO. 1 TO LEASE AGREEMENT WITH SIERRA VIEW MEDICAL CENTER FOR 298 NORTH MAIN STREET

Recommendation: That the City Council authorize the Mayor, City Manager, and City Attorney to sign all necessary documents for Addendum No. 1 of the Lease Agreement with Sierra View Medical Center at 298 North Main Street.

Documentation: M.O. 03-021616

Disposition: Approved.

3. CONSIDERATION OF PROPOSED BUDGET CALENDAR FOR FISCAL YEAR 2016-2017

Recommendation: That the City Council approve the proposed budget calendar for the 2016-2017 fiscal year.

Documentation: M.O. 04-021616

Disposition: Approved.

4. AMENDMENT TO EMPLOYEE PAY & BENEFIT PLAN - PORTERVILLE PEACE OFFICERS ASSOCIATION

Recommendation: That the City Council approve the draft Resolution ratifying amendments to the Porterville Peace Officers Association Memorandum of Understanding and other documents as are necessary to implement the provision thereof.

Documentation: Resolution No. 08-2016

Disposition: Approved.

5. APPROVAL FOR COMMUNITY CIVIC EVENT - ROTARY CLUB OF PORTERVILLE - 5K/10K RUN - APRIL 2, 2016

Recommendation: That City Council approve the Community Civic Event Application and Agreement from Rotary Club of Porterville, except for the street closure,

subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 05-021616

Disposition: Approved.

PUBLIC HEARINGS

6. MODIFICATION NO. 1 TO COUNTY SPECIAL USE PERMIT PSP 08-004 ZA (PRC 2015-038-C).

Recommendation: That the City Council adopt the draft resolution approving Modification No. 1 to County Special Use Permit PSP 08-004 ZA (PRC 2015-038-C) to allow for the development of a three-phased Sikh Center expansion project.

City Manager John Lollis introduced the item, and Associate Planner Fernando Rios presented the staff report. During the report Mr. Rios requested that the first sentence of finding No. 3 on page 2 of the resolution be amended to replace "with" with "and."

The Public Hearing was opened at 7:11 p.m.

- Mark Hillman, stated that the applicant was in agreement with the conditions.
- John Coffee, spoke in favor of approval, and requested that the City urge the County to improve the maintenance of its neighboring property.
- Martha Flores, spoke in favor of approval.

The Public Hearing was closed at 7:14 p.m.

The Council briefly discussed the types of natural turf allowed, watering restrictions, and the property currently being serviced by a well.

COUNCIL ACTION: MOVED by Vice Mayor Cameron Hamilton, SECONDED by Council Member Brian Ward that the City Council adopt the draft resolution approving Modification No. 1 to County Special Use Permit PSP 08-004 ZA (PRC 2015-038-C) to allow for the development of a three-phased Sikh Center expansion project, as amended by staff. The motion carried unanimously.

Documentation: Resolution No. 09-2016

Disposition: Approved, as amended.

SCHEDULED MATTERS

7. STATUS AND REVIEW OF DECLARATION OF LOCAL DROUGHT EMERGENCY

Recommendation: That the City Council:

1. Receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration; and
2. Consider the connection to City water of a mobile laundry trailer to be placed in East Porterville.

City Manager Lollis introduced the item and presented the staff report. A discussion followed regarding the need for the County to identify a long-term solution, government competing with laundry local businesses, and the County's tank program.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Stowe that the City Council reconsider the request for connection to City water for a mobile laundry trailer to be placed in East Porterville.

AYES: Stowe
NOES: Reyes, Ward, Gurrola, Hamilton
ABSTAIN: None
ABSENT: None

Documentation: M.O. 06-021616
Disposition: Failed.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Stowe that the City Council approve the continued Declaration of Local Drought Emergency. The motion carried unanimously.

Documentation: M.O. 07-021616
Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, regarding the costs for those without water to wash laundry at a laundromat, requested that the Council consider the reduced costs in electricity associated with pumping of water from wells and running of washer and dryers at home.

OTHER MATTERS

- Council Member Gurrola thanked God for the water and snow.
- Council Member Ward requested that the commissions and committees reports appear on the agenda once per month, at the second meeting. The Council concurred and direction was given to staff.
- Vice Mayor Hamilton spoke of the upcoming City of Hope Spectacular on February 27th, and Rocky Hill Speedway event on May 6th.
- Mayor Stowe spoke of Porterville College's Hall of Fame Dinner on February 20th, and stated that he did have tickets for purchase.
- City Manager Lollis, reported that the City's flags were flying at half-mast due to deaths of Tulare County Sheriff personnel and Supreme Court Justice Scalia; thanked Acting Public Works Director Mike Reed and Acting City Engineer Javier Sanchez for their

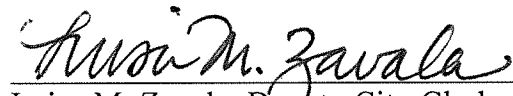
presentation to the Measure R Oversight Committee; and spoke of Leadership Porterville Government Day on Thursday, and an upcoming meeting with Porterville Developmental Center regarding the future of the facility.

CLOSED SESSION

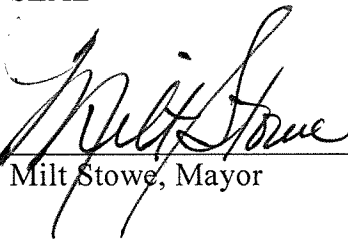
The Council took a five minute recess at 7:45 p.m. before reconvening in Closed Session. No reportable action was taken in Closed Session.

ADJOURNMENT

The Council adjourned at 8:35 p.m. to the meeting of March 1, 2016.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor