

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 5, 2016, 6:30 PM**

Called to Order at 5:30 p.m.

Roll Call: Council Member Reyes, Council Member Ward, Council Member Gurrola, Vice Mayor Hamilton, 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: APN: 243-170-020. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Harlace Wallace. Under Negotiation: Terms and Price.

2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Steve Kabot. Employee Organizations: Porterville City Firefighters Association and Fire Officers Series.

3 - Government Code Section 54956.95 – Liability Claim (Application for Late Filing of Amended Claim). Claimant: Hishmeh Enterprises, Inc. and Central Cities Pizza, Inc. Agency claimed against: City of Porterville.

4 - Government Code Section 54956.95 – Liability Claim. Claimant: Carolyn Jones. Agency claimed against: City of Porterville.

5 - 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.

6 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – anticipated Litigation – Initiation of Litigation: Five Cases.

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

City Attorney Lew reported action pertaining to A-3 and A-4, as follows:

A-3. On a MOTION made by Vice Mayor Hamilton, and SECONDED by Council Member Gurrola the City Council unanimously denied the Application for Late Filing of Amended Claim by Hishmeh Enterprises, Inc. and Central Cities Pizza, Inc.

Documentation: M.O. 01-040516

Disposition: Application to File Late Amended claim denied.

A-4. On a MOTION made by Vice Mayor Hamilton, and SECONDED by Council Member Gurrola the City Council unanimously rejected the claim filed by Carolyn Jones.

Documentation: M.O. 02-040516

Disposition: Claim rejected.

Pledge of Allegiance Led by Council Member Ward
Invocation -- One individual participated.

PROCLAMATIONS

Library Week - April 10-16, 2016
Volunteer Week - April 10-16, 2016
MDA & Firefighter Month - May 2016

PRESENTATIONS

Employee of the Month - Mark Graves

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - March 21, 2016
2. Tulare County Economic Development Corp. (TCEDC) - March 23, 2016
3. SJVAPCD Special City Selection Committee - March 29, 2016

ORAL COMMUNICATIONS

- Juanita Baldo, 273 W. Gibbons, reported that her well had gone dry and requested a City water connection.
- Brock Neeley, Porterville, lauded City efforts pertaining to the City/County water agreement; and provided a handout regarding CalPERS.
- Fred Beltran, Porterville, stated that he was glad to see things happening and requested continued involvement as projects progress.
- Dan Blazer, Leadership Porterville Class of 2016, thanked City representatives for attending the Leadership Porterville event on April 1st.
- Ryan Jensen, Community Water Center of Visalia, indicated that he had been working with the community group in East Porterville, and requested that the City be flexible as it pertains to the proposed well abandonment requirement.
- Mr. Teran, Porterville, thanked the City, County and State for progress made.
- Carrie Critchenburg, stated that her vehicle was stolen in 2011 and requested that her case be re-opened.
- Daniel Penaloza, Porterville, thanked the Council for his recent appointment to the Animal Control Commission.
- Martha Flores, Porterville, spoke in support of Leadership Porterville participants; thanked the Council for its actions as it pertained to water; and spoke in support of public safety and the recent investigation of a suspected pipe bomb in her neighborhood.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve Items Nos. 1-14. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JUNE 2, 2015, AND MARCH 1, 2016

Recommendation: That the Council approve the draft Minutes of June 2, 2015, and March 1, 2016.

Documentation: M.O. 03-040516

Disposition: Approved.

2. REQUEST APPROVAL TO PURCHASE UTILITY VEHICLE FOR THE AIRPORT

Recommendation: That the City Council approve the purchase of the John Deere Gator TX utility vehicle from Lawrence Tractor Co., Inc. for a total purchase price of \$9,391.05.

Documentation: M.O. 04-040516

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE EQUIPMENT - KUBOTA UTILITY TRACTOR, ROTARY TILLER, AND CULTIVATOR

Recommendation: That the City Council authorize the purchase by negotiation of the Kubota tractor and rotary tiller and cultivator and authorize payment for said equipment upon satisfactory delivery.

Documentation: M.O. 05-040516

Disposition: Approved.

4. AUTHORIZATION TO PURCHASE EQUIPMENT - DORR-OLIVER CHECK VALVE ASSEMBLY

Recommendation: That City Council authorize the purchase of specialized equipment (Dorr-Oliver Check Valve Assembly) from Best Process, LLC at a cost of \$18,778.10.

Documentation: M.O. 06-040516

Disposition: Approved.

5. AUTHORIZATION TO PURCHASE SPECIALIZED REPAIR PARTS - JWC HEADWORKS GRINDER COMPACTOR

Recommendation: That City Council authorize the purchase of specialized repair parts (JWC Headworks Grinder Compactor) from JWC Environmental at a cost of \$12,071.57.

Documentation: M.O. 07-040516
Disposition: Approved.

6. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR BANKING SERVICES

Recommendation: That the City Council authorize the issuance of a Request for Proposals for banking services.

Documentation: M.O. 08-0405016
Disposition: Approved.

7. SUMMARY VACATION OF IRREVOCABLE OFFER OF DEDICATION ON PARCEL 8 OF TRACT MAP NO. 696

Recommendation: That the City Council:

1. Adopt the Resolution to Summarily Vacate the Irrevocable Offer of Dedication encumbering the north 30 feet of Lot 8 of Tract Map No. 696, recorded in Book 38 of maps, at page 68 of Official County Records and as described in the attached legal description; and
2. Authorize the City Clerk to record the Resolution.

Documentation: Resolution No. 13-2016
Disposition: Approved.

8. REQUEST FOR ADDITIONAL FUNDS FOR THE WASTE WATER TREATMENT FACILITY (WWTF) SLUDGE DE-WATERING AND ELECTRIC AIR BLOWER PROJECT

Recommendation: That City Council authorize the appropriation of \$33,964 from the Wastewater Treatment Facility Capital Reserve account to finance the final two changes for the WWTF Sludge De-watering and Electric Air Blower Project.

Documentation: M.O. 10-040516
Disposition: Approved.

9. RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION TO CALRECYCLE

Recommendation: That City Council approve the draft Resolution authorizing the City Manager, or his designee, as the Signature Authority to execute all documents necessary to implement and secure funding from CalRecycle.

Documentation: Resolution No. 14-2016
Disposition: Approved.

10. RETIREMENT OF POLICE SERVICE DOG "CHANTO"

Recommendation: That the City Council:

1. Approve the sale of Police Service Dog "Chanto" to Officer Jennifer Rutledge for the amount of \$1; and
2. Authorize the Mayor to execute the agreement and document the sale of "Chanto" to Officer Jennifer Rutledge.

Documentation: M.O. 11-040516

Disposition: Approved.

11. RETIREMENT OF POLICE SERVICE DOG "JACKSON"

Recommendation: That the City Council:

1. Approve the sale of Jackson to Officer Aaron Stocker for one dollar (\$1.00); and
2. Authorize the Mayor to execute the agreement and document to sell Jackson to Officer Aaron Stocker.

Documentation: M.O. 12-040516

Disposition: Approved.

12. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE CHAMBER OF COMMERCE - BUSINESS AFTER HOURS MIXER - APRIL 14, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Chamber of Commerce, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 13-040516

Disposition: Approved.

13. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE CHAMBER OF COMMERCE - IRIS FESTIVAL - APRIL 23, 2015

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Chamber of Commerce, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 14-040516
Disposition: Approved.

14. CITY COUNCIL MEMBER REQUESTED AGENDA ITEM - REQUEST FOR THE CITY COUNCIL TO CONSIDER THE INSTALLATION OF ADDITIONAL SPORTS FIELD LIGHTING AT THE SPORTS COMPLEX

Recommendation: Council Member Ward makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider the installation of additional sports field lighting at the Sports Complex.

Documentation: M.O. 15-040516
Disposition: Approved.

SCHEDULED MATTERS

15. STATUS AND REVIEW OF DECLARATION OF LOCAL EMERGENCY, AND CONNECTION OF NEW WELL AND PERMANENT WATER CONNECTIONS FOR 500 EAST PORTERVILLE AND VANDALIA AVENUE RESIDENTIAL UNITS

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 modified Draft Agreement between the City and the County of Tulare in regards to new well maintenance and responsibilities, and the permanent connection of 500 East Porterville and Vandalia Avenue residential units to the City's water system.

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

Following the report, staff addressed questions from the Council regarding well abandonment, installation of fire hydrants and infrastructure, the issuance of County well permits, and ADA triggers; and Council members expressed their appreciation to the State representatives in attendance for their efforts and collaboration in working towards a long-term solution.

State representatives Eric Lamoreaux, Greg Farley, and Kim Din each addressed the Council, thanking them for efforts made to date and moving forward. Collectively, they spoke of progress made, funding available to the City for water recycling and other water-related needs in the form of grants and low-interest loans, and programs available to assist west Porterville residents without water.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Ward that the City Council approve the continued Declaration of Local Emergency; and approve the Agreement between the City and the County of Tulare in regards to new well maintenance and responsibilities, and the

permanent connection of 500 East Porterville and Vandalia Avenue residential units to the City's water system. The motion carried unanimously.

Documentation: M.O. 15-040516

Disposition: Approved.

16. WATER SYSTEM - CONSIDERATION OF PROACTIVE MEASURES

Recommendation: That the City Council:

1. Direct staff to notice a Public Hearing to discuss the Water Conservation Plan and Phase status at the meeting of May 3, 2016;
2. Direct staff to notice a Public Hearing to consider a draft Ordinance amending Chapter 26 of the Municipal Code, discussing well abandonment; and
3. Schedule a Study Session to be held at 5:30 p.m. on Tuesday, April 12, 2016.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve the noticing of a Public Hearing to discuss the Water Conservation Plan and Phase status at the meeting of May 3, 2016, and the noticing of a Public Hearing to consider a draft Ordinance amending Chapter 26 of the Municipal Code, discussing well abandonment; and approve the scheduling of a Study Session to be held at 5:30 p.m. on Tuesday, April 12, 2016. The motion carried unanimously.

Documentation: M.O. 16-040516

Disposition: Approved.

The Council adjourned at 7:47 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
APRIL 5, 2016

Roll Call: Agency Members/Chairperson

WRITTEN COMMUNICATION

None

ORAL COMMUNICATIONS

None

SUCCESSOR AGENCY SCHEDULED MATTERS

SA-17. TERMINATION OF FAÇADE EASEMENT AGREEMENTS

Recommendation: That the Successor Agency:

1. Approve the Resolution in the form submitted herewith authorizing the termination of the Façade Agreements; and
2. Authorize the Executive Director to prepare, execute and effect the recordation among the official land records of the Termination Instruments subject to the written consent of the corresponding property owner having first been obtained.

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

COUNCIL ACTION: MOVED by Agency Member Ward, SECONDED by Agency Vice Chair Hamilton that the Successor Agency approve the Resolution in the form submitted herewith authorizing the termination of the Façade Agreements; and authorize the Executive Director to prepare, execute and effect the recordation among the official land records of the Termination Instruments subject to the written consent of the corresponding property owner having first been obtained. The motion carried unanimously.

Documentation: Successor Agency Resolution No. 2016-03

Disposition: Approved.

SA-18. APPROVE THE FIRST AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN

Recommendation: That the Successor Agency to the Porterville Redevelopment Agency adopt the draft resolution approving the First Amended and Restated Long Range Property Management Plan, prepared pursuant to Health & Safety Code Section 34191.5 and direct Successor Agency staff to submit the Long Range Property Management Plan to the Oversight Board.

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

COUNCIL ACTION: MOVED by Member Ward, SECONDED by Vice Chair Hamilton that the Successor Agency adopt the draft resolution approving the First Amended and Restated Long Range Property Management Plan,

prepared pursuant to Health & Safety Code Section 34191.5 and direct Successor Agency staff to submit the Long Range Property Management Plan to the Oversight Board. The motion carried unanimously.

Documentation: Successor Agency Resolution No. 2016-04

Disposition: Approved.

The Successor Agency adjourned at 7:49 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Vice Mayor Hamilton, spoke of the upcoming Youth Conference, Iris Festival Kick-Off, Music on Main Street, and Council Member Gurrola's trip to Washington.
- Council Member Reyes lauded the April 1st Leadership Porterville event and a recent performance by the Porterville High School Studio Band; and spoke of an upcoming Economic Summit.
- Mayor Stowe spoke of his attendance at the Family Crisis Center Fundraising event; and thanked State and County officials for efforts pertaining to the well agreement.
- John Lollis spoke of a recent meeting with CSET regarding animal shelter support services, PD's participation at the upcoming Youth Conference, and a volunteer Main Street clean-up event on April 16th.

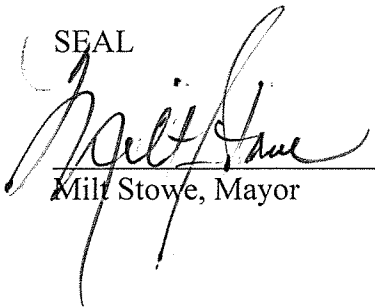
CLOSED SESSION

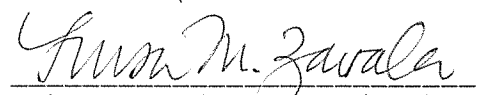
None

ADJOURNMENT

The Council adjourned at 7:54 p.m. to the meeting of April 12, 2016.

SEAL


Milt Stowe, Mayor


Luisa M. Zavala, Deputy City Clerk

