

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 19, 2016, 5:30 PM**

Called to Order at 5:35 p.m.

Roll Call: Council Member Reyes, Council Member Ward, Vice Mayor Hamilton, Mayor Stowe

Absent: Council Member Gurrola

ORAL COMMUNICATIONS

- Brock Neeley, spoke of information distributed to the Council regarding SB2523 and requested support.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Steve Kabot. Employee Organizations: Fire Officer Series.
- 2 - Government Code Section 54956.95 – Liability Claim: Claimant: Madison Thach. Agency claimed against: City of Porterville.
- 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Oscar Dieguez. Agency claimed against: City of Porterville.
- 4 - Government Code Section 54956.95 – Liability Claim: Claimant: Helen Gabriel. Agency claimed against: City of Porterville.
- 5 - Government Code Section 54956.95 – Liability Claim: Claimant: Kerry Kirchenberg. Agency claimed against: City of Porterville.
- 6 - Government Code Section 54956.95 – Liability Claim: Claimant: Daniel Ganoe. Agency claimed against: City of Porterville.
- 7 - 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.
- 8 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Three Cases.

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

City Attorney Lew reported action pertaining to A2, A3, A4, A5, and A6, as follows:

A-2 On a MOTION made by Vice Mayor Hamilton, and SECONDED by Mayor Stowe the City Council rejected the claim filed by Madison Thach.

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

ABSENT: Gurrola

Documentation: M.O. 01041916

Disposition: Claim rejected.

A-3 On a MOTION made by Vice Mayor Hamilton, and SECONDED by Mayor Stowe the City Council rejected the claim filed by Oscar Dieguez.

AYES: Reyes, Ward, Hamilton, Stowe

NOES: None

ABSTAIN: None

ABSENT: Gurrola

Documentation: M.O. 02041916

Disposition: Claim rejected.

A-4 On a MOTION made by Vice Mayor Hamilton, and SECONDED by Mayor Stowe the City Council rejected the claim filed by Helen Gabriel.

AYES: Reyes, Hamilton, Stowe

NOES: None

ABSTAIN: Ward

ABSENT: Gurrola

Documentation: M.O. 03041916

Disposition: Claim rejected.

A-5 On a MOTION made by Vice Mayor Hamilton, and SECONDED by Mayor Stowe the City Council rejected the claim filed by Kerry Kirchenberg.

AYES: Reyes, Ward, Hamilton, Stowe

NOES: None

ABSTAIN: None

ABSENT: Gurrola

Documentation: M.O. 04-041916

Disposition: Claim rejected.

A-6 On a MOTION made by Mayor Stowe, and SECONDED by Council Member Ward the City Council rejected the claim filed by David Ganoe.

AYES: Reyes, Ward, Hamilton, Stowe

NOES: None

ABSTAIN: None

ABSENT: Gurrola

Documentation: M.O. 05041916
Disposition: Claim rejected.

The Pledge of Allegiance was led by Vice Mayor Hamilton.
Invocation – a moment of silence was observed.

PRESENTATIONS

Recognition of City of Porterville Communications Dispatchers

AB 1234 REPORTS

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

1. Local Agency Formation Commission (LAFCO) - April 6, 2016
Vice Mayor Hamilton reported on reconsideration of the Deer Creek Storm Water District annexation.
2. Tulare County Economic Development Corp. (TCEDC) - April 8, 2016
Council Member Reyes reported on the Economic Summit, specifically an economic update by Christopher Thornberg,

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - April 7, 2016
Commissioner Lucero presented the Monthly Report which spoke of the City's dog park, ADA improvements, recent track meets, Corporate Games, Main Street planters, and volunteer efforts by Galaxy 9 Theaters' staff.
2. Library & Literacy Commission - April 12, 2016
Commission Chair Bailey spoke of the Commission's consideration of the Advocacy Toolkit, 2016 Goals and Objectives, a community questionnaire, and participation in a California Public Library Advocates Spring Workshop; and presented the monthly highlights from March; and extended an invitation to the Library's Día de los Niños event at Centennial Plaza on April 30th.
3. Arts Commission - March 16, 2016
4. Animal Control Commission - April 4, 2016
Commission Chair Arthur provided an update regarding the formation of a non-profit; reported on discussion regarding CSET support at the animal shelter and the need for a grooming station; and announced that the Commission's next meeting was on May 2nd.
5. Youth Commission - April 11, 2016
6. Transactions and Use Tax Oversight Committee (TUTOC)

II. Staff Informational Reports

1. Water Conservation Phase IV Status Update

ORAL COMMUNICATIONS

- Greg Shelton, Porterville, spoke in support of additional lighting at the Sports Complex, and expressed concerns regarding where the money would come from.
- Brock Neeley, Porterville, spoke in support of SB 2533 and noted that he had misidentified the bill in earlier comments.
- April Tolson, Porterville, spoke in support of moving forward with Phase 2 of the Sports Complex.
- Tyra Hamilton, spoke in support of additional lighting at the Sports Complex.
- Stephanie Cortez, Porterville Chamber of Commerce, thanked the City for its support of the Iris Festival and spoke of the significance of the event to the community.
- Ron Hulsey, Golden Hills Mobile Home Park, requested the Council consider adopting a rent stabilization ordinance and stated that he would provide the City with examples from other cities.
- Fred Beltran, East Porterville drought volunteer, spoke in support of Item No. 21, expansion of the Urban Development Boundary; and spoke in support of additional lighting at the Sports Complex.
- Martha Flores, Porterville, extended an invitation to the Association of Mexican American Educators Día del Maestro on May 13th, 5:30 p.m., at the Porterville Elks Lodge.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council approve Items Nos. 1 through 16.

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

1. CITY COUNCIL MINUTES OF APRIL 5, 2016

Recommendation: That the Council approve the draft Minutes of April 5, 2016.

Documentation: M.O. 06041916

Disposition: Approved.

2. REQUEST FOR APPROVAL TO PURCHASE THREE DELL LATITUDE 12 RUGGED TABLETS

Recommendation: That City Council approve the purchase of three (3) Dell Latitude 12 Rugged Tablets at a cost of \$6,661.56, which includes applicable sales tax and shipping.

Documentation: M.O. 07041916
Disposition: Approved.

3. RATIFICATION OF EXPENDITURE - SCE METER AND SERVICE CHANGE
FOR PUTNAM AVENUE/D STREET SIGNAL UPGRADE PROJECT

Recommendation: That City Council:
1. Approve the costs associated with the meter and service change; and
2. Authorize the City Engineer to sign the SCE application and issue
a \$5,981.28 payment.

Documentation: M.O. 08041916
Disposition: Approved.

4. RATIFICATION OF EXPENDITURE - SCE STREET LIGHTS FOR THE LIME
STREET RECONSTRUCTION PROJECT

Recommendation: That City Council:
1. Approve the costs associated with the installation of the street lights;
and
2. Authorize the City Engineer to sign the SCE application and issue an
\$18,550.51 payment.

Documentation: M.O.09-041916
Disposition: Approved.

5. AUTHORIZATION TO ADVERTISE FOR BIDS - JAYE STREET BRIDGE AT
TULE RIVER

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. 10041916
Disposition: Approved.

6. AUTHORIZATION TO ADVERTISE FOR BIDS - REHABILITATE FORMER
RUNWAY AS COMMERCIAL TAXIWAY

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. 11041916
Disposition: Approved.

7. AWARD SOLAR PHOTOVOLTAIC SYSTEM POWER PURCHASE AGREEMENT - WASTE WATER TREATMENT FACILITY

Recommendation: That City Council authorize staff, with assistance from the City Attorney, to enter into a Power Purchase Agreement with ImMODO Energy Services/Sol System LLC.

Documentation: M.O. 12041916

Disposition: Approved.

8. APPROVAL OF ANNUAL TRANSPORTATION AGREEMENT WITH COUNTY OF TULARE

Recommendation: That the City Council enter into an Agreement with the County of Tulare for FY 2015/2016 to provide service to County residents within the service area boundary, and authorize the Mayor to execute the Agreement on behalf of the City.

Documentation: M.O. 13041916

Disposition: Approved.

9. AUTHORIZE TRANSIT IMPROVEMENT PROJECTS AND AMENDMENTS TO THE FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

Recommendation: That City Council:

1. Authorize staff to submit the recommended transit projects to TCAG to be included in the 2016 FTIP and apply for funding; and
2. Authorize staff to reprogram \$525,000 in FY 2015/2016 Local Transportation Funding to remodel and make improvements to the Transit Center and upgrade RouteMatch Intelligent Transportation System software and hardware.

Documentation: M.O. 14041916

Disposition: Approved.

10. AUTHORIZATION TO APPLY FOR SECTION 5311 PROGRAM FUNDING

Recommendation: That City Council:

1. Approve the 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. 152016

Disposition: Approved.

11. A RESOLUTION APPROVING THE APPLICATION FOR STATE OFF-HIGHWAY VEHICLE GRANT FUNDS

Recommendation: That the City Council adopt the draft Resolution approving the application for State Off-Highway Vehicle Grant Funds.

Documentation: Resolution No. 162016

Disposition: Approved.

12. ONE-YEAR EXTENSION OF ON-CALL CONSULTING SERVICES CONTRACT

Recommendation: That the City Council:

1. Approve extension of all three contracts for a period of one year;
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. 15041916

Disposition: Approved.

13. INTENT TO SET A PUBLIC HEARING TO CONSIDER ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENR COST INDEX

Recommendation: That City Council:

1. Set a Public Hearing for May 3, 2016, pursuant to Government Code Section 66016, for consideration to implement the City of Porterville's Impact Fee ENR Cost Index auto escalator; and
2. Authorize staff to notify the development community of the Public Hearing in accordance with Government Code Section 66016.

Documentation: M.O. 16041916

Disposition: Approved.

14. APPROVAL FOR COMMUNITY CIVIC EVENT - KNIGHTS OF COLUMBUS - PARISH PRIDE CAR SHOW - JUNE 11, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Knights of Columbus, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B

Documentation: M.O. 17041916

Disposition: Approved.

15. REQUEST FOR PROCLAMATION - ARBOR DAY - APRIL 29, 2016

Recommendation: That the City Council consider approval of the request to proclaim April 29, 2016, as "Arbor Day" in the city of Porterville.

Documentation: M.O. 18041916

Disposition: Approved.

16. REQUEST FOR PROCLAMATION - IRIS FESTIVAL DAY - APRIL 23, 2016

Recommendation: That the City Council consider approval of the request to proclaim April 23, 2016, as "Iris Festival Day."

Documentation: M.O. 19041916

Disposition: Approved.

PUBLIC HEARINGS

17. VACATION OF UTILITY EASEMENTS ON PARCEL MAP NO. 5097

Recommendation: That City Council:

1. Adopt the draft Resolution of Vacation for sewer, water, and storm drain easements located within Parcel 1, Parcel 2, and Parcel 3 of Parcel Map No. 5097; and
2. Authorize the City Clerk to record the Resolution of Vacation.

City Manager Lollis introduced the item and Assistant City Engineer Javier Sanchez presented the staff report.

The Public Hearing was opened at 7:16 p.m. Seeing no one, the Mayor closed the Public Hearing at 7:16 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council adopt the draft Resolution of Vacation for sewer, water, and storm drain easements located within Parcel 1, Parcel 2, and Parcel 3 of Parcel Map No. 5097; and authorize the City Clerk to record the Resolution of Vacation.

AYES: Reyes, Ward, Hamilton, Stowe

NOES: None

ABSTAIN: None

ABSENT: Gurrola

Documentation: Resolution No. 172016

Disposition: Approved.

SCHEDULED MATTERS

18. AGREEMENT FOR RIDESHARE SERVICE BETWEEN THE CITY OF PORTERVILLE AND THE CALIFORNIA VANPOOL AUTHORITY

Recommendation: That the City Council:

1. Approve the draft Resolution setting forth Ridesharing Services for the City of Porterville; and
2. Approve Agreement between the California Vanpool Authority and the City of Porterville for ridesharing services.

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

In response to questions posed by the Council, Mr. Ron Hughes, California Vanpool Authority Executive Director, spoke regarding marketing of vanpools.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve the draft resolution setting forth Ridesharing Services for the City of Porterville; and approve Agreement between the California Vanpool Authority and the City of Porterville for ridesharing services.

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

Documentation: Resolution No. 182016
Disposition: Approved.

19. CONSIDERATION OF APPOINTMENT TO THE ARTS COMMISSION

Recommendation: That the City Council consider the appointment of Hector Marquez to the City's Arts Commission for a term to expire in February 2017.

City Manager Lollis introduced the item and Deputy City Clerk Luisa Zavala presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council approve the appointment of Hector Marquez to the City's Arts Commission for a term to expire in February of 2017.

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

Documentation: M.O. 20041916
Disposition: Approved.

20. SPORTS COMPLEX FIELD LIGHTING

Recommendation: That the City Council provide direction to staff regarding the lighting of athletic fields at the Sports Complex.

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

The Council discussed the cost of lighting and potential funding sources, which included a sales tax initiative and a developer impact fee for facilities; the need to conduct a sports lighting needs assessment and survey; and the need to plan additional lighting in the short-term and long-term.

Following discussion staff was given direction to conduct a sports lighting needs assessment and survey; research a sales tax measure and development impact fees for facilities; and identify short-term and long-term goals.

Documentation: None
Disposition: Direction given.

21. POLICY AMENDMENTS TO ACCOMMODATE EAST PORTERVILLE WATER CONNECTION PROGRAM

Recommendation: That the City Council:

1. Approve expansion of the Urban Development Boundary to include all parcels within the East Porterville Feasibility Study Project Area as prepared by the State Water Resources Control Board. Minor adjustments to this boundary during the course of preparation of the East Porterville Feasibility Study, if any, may be authorized by the Zoning Administrator; and
2. Adopt the draft Resolution, modifying the extraterritorial service agreement procedures.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve expansion of the Urban Development Boundary to include all parcels within the East Porterville Feasibility Study Project Area as prepared by the State Water Resources Control Board. Minor adjustments to this boundary during the course of preparation of the East Porterville Feasibility

Study, if any, may be authorized by the Zoning Administrator; and adopt the draft Resolution, modifying the extraterritorial service agreement procedures.

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

Documentation: Resolution No. 182016
Disposition: Approved.

22. 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.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Reyes that the City Council approve the continued Declaration of Local Emergency.

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

Documentation: M.O. 21041916
Disposition: Approved.

The Council adjourned at 7:52 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 19, 2016**

Roll Call: Member Reyes, Member Ward, Vice Chair Hamilton, Chair Stowe
Absent: Member Gurrola

WRITTEN COMMUNICATIONS
None

ORAL COMMUNICATIONS

None

SUCCESSOR AGENCY SCHEDULED MATTERS

23. AUTHORIZATION TO RELEASE A REQUEST FOR PROPOSALS FOR THE PORTERVILLE CORNERSTONE PROJECT

Recommendation: That the Successor Agency:
1. Approve the RFP for the Porterville Cornerstone Project site; and
2. Authorize the Successor Agency Executive Director to take any and all actions to provide for distribution and marketing of the project.

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

COUNCIL ACTION: MOVED by Agency Member Ward, SECONDED by Vice Chair Hamilton that the City Council approve the RFP for the Porterville Cornerstone Project site; and authorize the Successor Agency Executive Director to take any and all actions to provide for distribution and marketing of the project. The motion carried unanimously.

Documentation: Successor Agency M.O. 04041916
Disposition: Approved.

The Successor Agency adjourned at 7:55 p.m. to a meeting of the Porterville City Council

ORAL COMMUNICATIONS

- Brock Neeley, asked the Council to remember when the skate park was a priority of the Council.

OTHER MATTERS

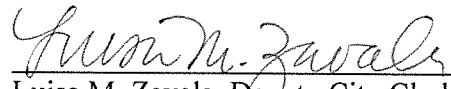
- Vice Mayor Hamilton spoke of the upcoming Iris Festival, Rodeo, Monster Truck show, and funeral service for Myron Wilcox.
- Council Member Reyes stated that there were recently monster trucks on display at Faggart Buick GMC and Ruffa Electric; and spoke of the event on Friday and Saturday at Rocky Hill Speedway.
- Mayor Stowe spoke of his attendance at the recent Youth Conference and Read, America events, and of upcoming Iris Festival and Man Alive events.
- City Manager Lollis thanked Debbie Salter and Chiefs Kroutil and Irish for the success of the Public Safety Building Dedication, and volunteers who participated in the downtown clean-up efforts. He spoke of an upcoming meeting regarding the summer meals program; reminded everyone of Arbor Day on the 29th; and announced that Development Associate Jason Ridenour would be speaking at Cal-Ed.

CLOSED SESSION

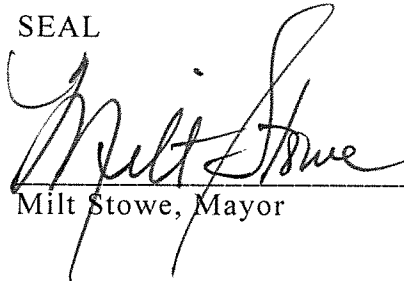
None

ADJOURNMENT

The Council adjourned at 8:01 p.m. to the meeting of May 3, 2016.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor

