

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 17, 2016, 5:30 PM**

Called to Order at 5:31 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 54956.8 – Conference with Real Property Negotiators/Property: APNs: 302-390-015 and 302-309-024. Agency Negotiator: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Fraser Atkinson. Under Negotiation: Terms and Price.
- 2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: Portions of the old East Side Atchison, Topeka & Santa Fe Rail Line, generally described as a collection of 15 individuals lots beginning at the northern terminus of the Rails to Trails Parkway on East Mulberry Avenue, across Lime Street in a northeasterly direction, on towards North G Street, and culminating at the center line of West Reid Avenue. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Greg Shelton. Under Negotiation: Terms and Price.
- 3 - 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.
- 4 - Government Code Section 54956.95 – Liability Claim: Claimant: Magdalena Castro. Agency claimed against: City of Porterville.
- 5 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: California Healthy Communities Network v. City of Porterville, California Court of Appeal, Fifth District, Case No. F067685.
- 6 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three Cases in which facts are not yet known to potential plaintiff.
- 7 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two 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-4, as follows:

- A-4. On a MOTION made by Vice Mayor Hamilton, and SECONDED by Council Member Ward the City Council unanimously rejected the claim filed by Magdalena Castro.

Documentation: M.O. 01-051716

Disposition: Claim rejected.

Pledge of Allegiance was led by Council Member Reyes

Invocation – a moment of silence was observed.

PRESENTATIONS

2015/2016 Youth Commission Annual Report & Certificates of Recognition

AB 1234 REPORTS

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

1. San Joaquin Valley Air Pollution Control District (SJVAPCD) Board - May 4-5, 2016
Council Member Gurrola reported on legislation updates, and spoke of consideration of options to address the dangers association with tree mortality.
2. Local Agency Formation Commission (LAFCO) - May 11, 2016
Vice Mayor Hamilton reported on the approval of the Deer Creek Storm Water District annexation.
3. Tulare County Association of Governments (TCAG) - May 16, 2016
Council Member Gurrola reported on a workshop on the Measure R Strategic Work Plan, and approval of College Avenue and Plano Street roundabout.

REPORTS

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - May 5, 2016
Commissioner Lucero reported commencement of the following: Summer Day Camp enrollment, swim lessons, opening of the City pool, youth volleyball, and Junior Giants. She also spoke of the upcoming military banner ceremony, completion of the Dog Park, and volunteer efforts at the Henry Street property.
 2. Library & Literacy Commission - May 10, 2016
Chair Bailey reported on: the Commission's continued efforts to work on its Advocacy Toolkit, creation of an Ad-Hoc Committee, and attendance at the California Public Library Advocates Workshop. He also reported April highlights regarding library patronage and program participation.
 3. Arts Commission – no report.
 4. Animal Control Commission - May 2, 2016 – no report.
 5. Youth Commission - May 9, 2016 – no additional report.
 6. Transactions and Use Tax Oversight Committee (TUTOC) - May 12, 2016
– no report.
- II. Staff Informational Reports
 1. Water Conservation Phase IV Status Update

2. Military Banner Program Ceremony

ORAL COMMUNICATIONS

- Margaret Land, Animal Control Commissioner, spoke of improvements to the animal shelter in response to the recommendations by Koret; stated that the shelter was still in need of a maintenance worker to do laundry and clean stalls; and reported that the shelter was working with three adoption groups. She expressed her support for an adoption center on the condition that funds for a new shelter are not used.
- Brock Neeley, Porterville, spoke of a Sequoia tree in front of Unitarian Fellowship that was a victim of the drought; and provided a copy of a City Council Agenda from the City of Shawano, Wisconsin, for the Council's review of Items 15-U and 15-V.
- Dan Blazer, Visalia, representing Sierra View Medical Center, spoke of efforts to bring a farmers market to Porterville and requested the City's support.
- Ramona Chiapa, Porterville, urged the Council to support partnering with Sierra View to bring Visalia's farmers market to Porterville; and requested that interested farmers be pointed in their direction.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Reyes that the City Council approve Items Nos. 1-14. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF APRIL 12, 2016, APRIL 19, 2016, AND MAY 9, 2016

Recommendation: That the Council approve the draft Minutes of April 12, April 19 and May 9, 2016.

Documentation: M.O. 02-051716

Disposition: Approved.

2. PURCHASE OF GLOCK HANDGUNS

Recommendation: That the City Council:

1. Authorize Department Staff to negotiate the purchase of 64 Glock, .40 caliber handguns from PROFORCE Law Enforcement; and
2. Authorize payment upon receipt of handguns.

Documentation: M.O. 03-051716

Disposition: Approved.

3. PURCHASE OF TEN (10) PORTABLE MOTOROLA APX6000 RADIOS

Recommendation: That the City Council:

1. Authorize Department staff to negotiate the purchase of ten (10) Motorola APX6000 handheld radios; and
2. Authorize payment upon receipt of radios.

Documentation: M.O. 04-051716

Disposition: Approved.

4. REQUEST TO PURCHASE MOBILE DATA TERMINALS

Recommendation: That the City Council:

1. Authorize Department staff to negotiate the purchase of (30) Dell tablet Mobile Data Terminals (MDT's); and
2. Authorize payment upon receipt of MDT's.

Documentation: M.O. 05-051716

Disposition: Approved.

5. 2016 FREEDOM FEST

Recommendation: That the City Council:

1. Authorize the expenditure of \$22,000 to Pyro Spectaculars, Inc. for the 2016 Freedom Fest fireworks show; and
2. Authorize staff to operate a shuttle route to and from the Transit Center and Sports Complex from 4:00 p.m. to 10:00 p.m. on July 2, 2016.

Documentation: M.O. 06-051716

Disposition: Approved.

6. REPLACEMENT OF FIELD SERVICES SERVER

Recommendation: That City Council approve the award of bid to Dell to replace the server at Field Services with a Dell Power Edge R630 Server in the amount of \$6,860.05.

Documentation: M.O. 07-051716

Disposition: Approved.

7. ACCEPTANCE OF PROJECT - PUBLIC SAFETY BUILDING

Recommendation: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

Documentation: M.O. 08-051716

Disposition: Approved.

8. RENEWAL OF HR TEST RENTAL AND USE AGREEMENT BETWEEN CITY OF PORTERVILLE AND CPS HR CONSULTING

Recommendation: That the City Council approve the draft Resolution authorizing the two-year renewal of the Test Rental and Use Agreement with CPS HR Consulting, and authorize the Administrative Services Director to sign on behalf of the City.

Documentation: Resolution No. 23-2016

Disposition: Approved.

9. SUMMARY VACATION OF CORSAIR PLACE

Recommendation: That the City Council:

1. Adopt the Resolution to Summarily Vacate Corsair Place, relinquishment of frontage access, and 20-foot storm drain easements encumbering Parcel 3 and the remainder parcel of Parcel Map No. 4823; and
2. Authorize the City Clerk to obtain the appropriate signatures and record the draft Resolution.

Documentation: Resolution No. 24-2016

Disposition: Approved.

10. DEPARTMENT OF FINANCE POPULATION UPDATE

Recommendation: That the City Council authorize the Mayor to sign a request for State certification for the city of Porterville, January 1, 2016, at a population of 60,070.

Documentation: M.O. 09-051716

Disposition: Approved.

11. PARKS AND LEISURE SERVICES COMMISSION MEETINGS

Recommendation: That the City Council approve the Parks and Leisure Services Commission to go dark for the months of June and July 2016, with the Commission being available to meet if necessary.

Documentation: M.O. 10-051716

Disposition: Approved.

12. INTENT TO RESCHEDULE THE PUBLIC HEARING TO JULY 19, 2016, TO
CONSIDER A WATER RATE INCREASE

Recommendation: That City Council reschedule the Public Hearing to July 19, 2016, to
consider a water rate increase.

Documentation: M.O. 11-051716

Disposition: Approved.

13. REQUEST FOR PROCLAMATION - 40TH ANNIVERSARY OF
COMMUNITY SERVICES EMPLOYMENT TRAINING (CSET) - MAY 2016

Recommendation: That the City Council consider approval of the request to issue a
proclamation recognizing the 40th Anniversary of CSET.

Documentation: M.O. 12-051716

Disposition: Approved.

14. REQUEST FOR PROCLAMATION - FREEDOM DAYS IN PORTERVILLE -
JUNE 14 - JULY 4, 2016

Recommendation: That the City Council consider approval of the request to proclaim June 14
to July 4, 2016, as "Freedom Days in Porterville."

Documentation: M.O. 13-051716

Disposition: Approved.

Following approval of Item No. 13, the Mayor read and presented a proclamation to CSET
in honor of its 40th anniversary.

SECOND READINGS

15. SECOND READING - ORDINANCE 1832 - WELL ABANDONMENT

Recommendation: That the Council give Second Reading to Ordinance No. 1832, waive
further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor
Hamilton that the City Council give Second Reading to Ordinance No.
1832, being AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE AMENDING THE PORTERVILLE
MUNICIPAL CODE AS IT PERTAINS TO WELL
ABANDONEMENT, waive further reading and adopt said ordinance.

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

The Ordinance was read by title only.

Documentation: Ordinance No. 1832

Disposition: Approved.

SCHEDULED MATTERS

16. CONSIDER ALLOWING AUTOMATIC ICE VENDING MACHINES/WATER DISPENSERS FOR RESALE OF CITY WATER

Recommendation: That City Council:

1. Consider the ice vending machine/water dispenser in concept as presented herein; and
2. If allowed, authorize staff, upon payment of applicable fees, to accommodate this vendor and future vendors by installing isolated water service/meters specific to this type of equipment.

City Manager Lollis introduced the item and Acting Public Works Director Mike Reed presented the staff report. Following the report, Scott Doyle and Justin Bouchard of Pimlico Properties, Iceborn, addressed questions regarding the equipment and service provided.

The Council discussed varying the water rate structure for commercial use, the proposed locations, and the impact of ice vending machines/water dispensers on the City's water system.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve the ice vending machine/water dispenser as presented, and authorize staff, upon payment of applicable fees, to accommodate this vendor and future vendors by installing isolated water service/meters specific to the type of equipment.

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

Documentation: M.O. 14-051716

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.

City Manager Lollis introduced the item and presented the staff report. Following the report, City Manager Lollis addressed questions from the Council regarding the most recent Executive Order issued by Governor Brown which would make permanent the emergency conservation regulations.

The Council discussed tertiary treatment, effluent farming operations, and other options being explored in a feasibility study.

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

Documentation: M.O. 15-051716

Disposition: Approved.

18. CONSIDER THE DEVELOPMENT OF AN ANIMAL ADOPTION CENTER
WITHIN THE CITY

Recommendation: That the City Council provide direction to staff regarding the development of an animal adoption center within the city.

City Manager Lollis introduced the item and presented the staff report. Following the report, Council Member Ward elaborated on the proposed adoption center.

The Council discussed the funding and staffing required to operate the proposed adoption center, and the recent hiring of a live release coordinator. Staff was directed to provide the Council with additional information pertaining to operational costs prior to the budget study session.

Documentation: None.

Disposition: Staff given direction.

ORAL COMMUNICATIONS

- Candelario Medina, Porterville, stated that the animal shelter should not be a priority to the community.

OTHER MATTERS

- Council Member Reyes spoke of the LP 2016 Graduation ceremony on Wednesday evening at Nuckols Ranch.
- Vice Mayor Hamilton communicated a suggestion to paint the fire hydrants on Main Street red, white and blue for the upcoming holiday.
- Council Member Ward requested clarification regarding military banners for those killed in action; and discussion followed regarding the intended process.

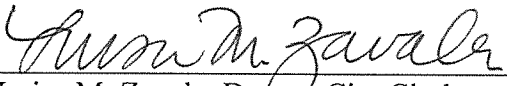
- City Manager Lollis thanked the Police Department for their presence at The Porterville Fair and City employees who volunteered at the City's fair booth; and recognized Kelli Ballard from The Recorder who was relocating out of state.

CLOSED SESSION

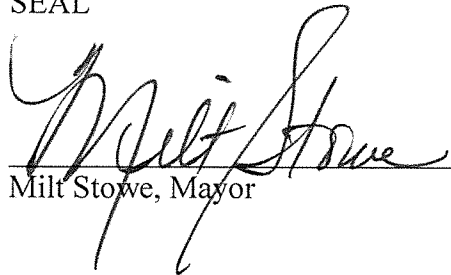
None

ADJOURNMENT

The Council adjourned at 8:36 p.m. to the meeting of June 7, 2016.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor

