

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 15, 2016, 5:30 PM**

Called to Order at 5:31 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: 240-050-026. Agency Negotiators: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Porterville Masonic Properties, Inc. Under Negotiation: Terms and Price.
- 2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Che Johnson. Employee Organization: Porterville City Firefighters Association.
- 3 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Judith Howard v. City of Porterville, et al., US District Court Case No. 1:16-cv-01071-AWI-SAB.
- 4 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Four cases in which facts are not yet known to potential plaintiff.
- 5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

**6:30 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 during Closed Session.

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

PROCLAMATIONS

America Recycles Week - November 13 - 19, 2016

AB 1234 REPORTS

1. TULARE COUNTY ECONOMIC DEVELOPMENT CORP. (TCEDC) -
NOVEMBER 15, 2016
Council Member Reyes reported on receipt of a postelection economic report.

REPORTS

I. City Commission and Committee Meetings

1. PARKS & LEISURE SERVICES COMMISSION - NOVEMBER 3, 2016

Commissioner Moore presented the Commission's Monthly Report, which included information pertaining to: the removal of old non-ADA compliant playground equipment at Murry Park, the Annual Veteran's Day Run, a glow ball night event at the golf course, the Christmas Tree Lighting Ceremony, and 41st Annual Senior Christmas Dinner. He also recognized Green Bean Farm, Porterville Runners Club, Beckman Coulter in coordination with Habitat for Humanity, Boy Scout Troop 182, and Granite Hills High School Zonta and Z Club for their National Make a Difference Day efforts in the community.

2. LIBRARY & LITERACY COMMISSION - NOVEMBER 8, 2016

Commissioner Bailey reported on: reports pertaining to staff participation at the CLA Conference Forum, and newly added online resources Pronunciator and ProCitizen; discussion pertaining to development of a strategic plan for federal funding, and library programs implemented in other cities; monthly statistics for October; and the Library's Celebration of International Game Day.

3. ARTS COMMISSION - OCTOBER 26, 2016

No report.

4. ANIMAL CONTROL COMMISSION - NOVEMBER 14, 2016

Commissioner Stadtherr stated that the Commission would have a report at the second meeting in December.

5. YOUTH COMMISSION - NOVEMBER 7, 2016

Commissioners Farquharson and Buckley reported on the selection of a project and Operation Gratitude.

6. TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE (TUTOC)

No report.

II. Staff Informational Reports

1. WATER CONSERVATION PHASE III STATUS UPDATE

2. 2016 LEGISLATIVE SESSION AND ELECTION PROPOSITIONS

EMERGENCY ITEM

Consideration of the Addition of Emergency Item (Approved M.O. 01111516)

City Manager Lollis stated that there was a request to consider the addition of an emergency item. City Attorney Lew confirmed that the item met criteria for consideration.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve the addition of the Emergency Item as Item No. 14. The motion carried unanimously.

Documentation: M.O. 01-111516

Disposition: Item added.

ORAL COMMUNICATIONS

- Diana Oseguerra, Tulare resident, reported on the success of their 5K run event and thanked Porterville Runners Club, Kiwanis, Team Heidi and participants for the efforts.
- Name not given, thanked the Council for permitting the event and spoke of increased membership.
- Steve Doe , Department of Water Resources, Project Manager for East Porterville Water Project, introduced himself and stated that he was available for questions.
- Richard Stadtherr, Porterville, congratulated the candidates and the community on a cordial City Council election.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve Items Nos. 1 through 9. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JUNE 16, 2015, SEPTEMBER 15, 2015, AND OCTOBER 6, 2015

Recommendation: That the Council approve the draft Minutes of June 16, 2015, September 15, 2015, and October 6, 2015.

Documentation: M.O. 02-111516

Disposition: Approved.

2. AWARD OF CONTRACT - PUTNAM AVENUE / D STREET TRAFFIC SIGNAL UPGRADE

Recommendation: That City Council:

1. Award the Putnam Avenue / D Street Traffic Signal Upgrade Project to Loop Electric in the amount of \$395,778.63;
2. Authorize a 10% contingency to cover unforeseen costs;
3. Authorize \$28,000 for construction management, construction surveying, quality control, and inspection services; and
4. Authorize progress payments up to 100% of the contract amount.

Documentation: M.O. 03-111516

Disposition: Approved.

3. AUTHORIZATION TO EXECUTE AN OWNERSHIP TRANSFER AGREEMENT BETWEEN STATE OF CALIFORNIA AND CITY OF PORTERVILLE - EAST PORTERVILLE WATER SUPPLY PROJECT

Recommendation: That City Council:

1. Authorize the Mayor to execute the East Porterville Water System Transfer Agreement; and
2. Authorize the Mayor to execute Exhibit 'A,' Agreement to Assign water easements rights from Porter Vista Public Utility District to the California Department of Water Resources and eventually to the City of Porterville upon completion of the project.

Documentation: M.O. 04-111516

Disposition: Approved.

4. APPROVAL OF APPLICATION FOR STATE MATCHING GRANT FOR FAA AIRPORT IMPROVEMENT PROGRAM (AIP)

Recommendation: That the City Council adopt the resolution authorizing the submission of an application for an AIP Matching grant, accepting the allocation of state AIP matching funds and execution of an AIP Matching Grant Agreement for the PMMP and improvement projects at the Porterville Municipal Airport and authorize the City Manager to sign the documents required to apply for and accept the grant funds.

Documentation: Resolution No. 77-2016

Disposition: Approved.

5. REQUEST FOR 2016 CHRISTMAS EVE CLOSURE AT THE CENTRAL LIBRARY

Recommendation: That the City Council authorize the Parks and Leisure Service Department's Library Division to close the Central Library at 41 West Thurman Avenue on December 24, 2016.

Documentation: M.O. 05-111516

Disposition: Approved.

6. APPROVAL FOR COMMUNITY CIVIC EVENT - AMERICAN CANCER SOCIETY, INC. - RALLY FOR A CURE - NOVEMBER 19, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the American Cancer Society, subject to the stated requirements contained in the Application, Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 06-111516

Disposition: Approved.

7. REQUEST FOR PROCLAMATION - PORTERVILLE CHAMBER OF COMMERCE
BOARD CHAIR - ROB TAYLOR

Recommendation: That the City Council consider approval of the request to recognize
outgoing Chamber of Commerce Board Chair Rob Taylor.

Documentation: M.O. 07-111516

Disposition: Approved.

8. CANCELLATION OF JANUARY 3, 2017, CITY COUNCIL MEETING

Recommendation: That the City Council cancel the January 3, 2017, City Council
Meeting.

Documentation: M.O. 08-111516

Disposition: Approved.

9. CITY COUNCIL MEMBER REQUESTED AGENDA ITEM - CONSIDER PAVING
IMPROVEMENT OF UNION AVENUE BETWEEN INDIANA STREET AND JAYE
STREET

Recommendation: That the City Council approve Council Member Gurrola's request to
consider the paving improvement of Union Avenue between Indiana
Street and Jaye Street as a Scheduled Matter at the December 6th meeting.

Documentation: M.O. 09-111516

Disposition: Approved.

PUBLIC HEARINGS

10. 2015-2020 CDBG CONSOLIDATED PLAN AND 2015-16 ACTION PLAN
SUBSTANTIAL AMENDMENT

Recommendation: That the City Council:

1. Conduct a public hearing to solicit comments on the Amendment to
the 2015-2020 Consolidated Plan and 2015-2016 Action Plan;
2. Adopt the Amended 2015-2020 Consolidated Plan and 2015-2016
Action Plan;
3. Approve the Amendment to the 2010 Consolidated Plan; and
4. Authorize the City Manager to execute all necessary documents.

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

The Public Hearing was opened at 7:02 p.m. When no one came forward, the Public
Hearing was closed at 7:02 p.m.

In response to questions posed by Council, Ms. Byers spoke of the selection of properties and stated that staff could bring potential properties to the Council for future; and Economic Development Associate Jason Ridenour spoke of the marketing of opportunities for business assistance funds.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council adopt the Amended 2015-2020 Consolidated Plan and 2015-2016 Action Plan; approve the Amendment to the 2010 Consolidated Plan; and authorize the City Manager to execute all necessary documents. The motion carried unanimously.

Documentation: Resolution No. 78-2016

Disposition: Approved.

SCHEDULED MATTERS

11. CONSIDER ADMINISTRATION OF A CODE ENFORCEMENT RESIDENT SURVEY

Recommendation: That the City Council provide direction considering the administration of a Code Enforcement Resident Survey.

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

Discussion followed regarding the intent of the survey and the types of questions asked. The Council directed staff to work with Mayor Stowe to put together a survey for Council consideration.

Documentation: None

Disposition: Direction given.

12. APPROVAL OF THE EASTERN TULE SUSTAINABLE GROUNDWATER AGENCY (GSA) JOINT POWERS AGREEMENT (JPA) AND AUTHORIZATION TO EXECUTE SUPPLEMENTAL AGREEMENTS FOR THE GREATER TULE SUBBASIN MEMORANDUM OF UNDERSTANDING (MOU)

Recommendation: That City Council:

1. Receive this report as an update on staff's progress towards the formation of a Groundwater Sustainability Agency under the "Act" and efforts leading towards an Eastern Tule GSA Joint Powers Agreement;
2. Approve the draft Eastern Tule GSA Joint Powers Agreement contingent upon approval by Tulare County;
3. Authorize the appointment of a Council Member to sit on the Eastern Tule GSA Authority Board during the December 6, 2016, City Council meeting;

4. Authorize a \$10,000 annual fiscal year budget amount for the efforts outlined in the Tule Subbasin MOU; and
5. Authorize the Mayor to sign the supplemental agreements as formal inclusion of Kern-Tulare Irrigation District and Alpaugh Irrigation District to the member list of the Tule Subbasin Stakeholder Group.

City Manager Lollis introduced the item, and Acting Public Works Director Mike Reed presented the staff report, during which he requested the staff recommendation be amended to authorize the appointment of a Council Member and an Alternate to sit on the Eastern Tule GSA Authority Board at its next City Council meeting.

In response to questions from the Council, Mr. Reed spoke about the “white areas” and timelines associated with the JPA and GSA.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council receive the report; approve the draft Eastern Tule GSA Joint Powers Agreement contingent upon approval by Tulare County; authorize the appointment of a Council Member and Alternate to sit on the Eastern Tule GSA Authority Board during the December 6, 2016, City Council meeting; authorize a \$10,000 annual fiscal year budget amount for the efforts outlined in the Tule Subbasin MOU; and authorize the Mayor to sign the supplemental agreements as formal inclusion of Kern-Tulare Irrigation District and Alpaugh Irrigation District to the member list of the Tule Subbasin Stakeholder Group. The motion carried unanimously.

Documentation: M.O. 10-111516

Disposition: Approved.

13. 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, Acting Public Works Director Reed addressed questions from the Council regarding the current status of the water system and Phase 2 of the project, and spoke of amendments that he would like to see made to the MOU. The Council requested that a deadline date for completion of the well be included.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Reyes that the City Council approve the continued Declaration of Local Drought Emergency; and authorize staff to work

on an amendment to the MOU to include a deadline date of March 1, 2017, for completion of the well. The motion carried unanimously.

Documentation: M.O. 11-111516

Disposition: Approved, as amended.

14. APPROVAL FOR COMMUNITY CIVIC EVENT – ROTARY CLUB OF PORTERVILEL AND PORTERVILLE CHAMBER OF COMMERCE – CHILDREN’S CHRISTMAS PARADE – DECEMBER 1, 2016

Recommendation: That the City Council:

1. Approve the Community Civic Event application from the Porterville Chamber of Commerce and Rotary Club of Porterville subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application;
2. Authorize the temporary suspension of the Fixed Route Transit System from 4:30 p.m. to 7:00 p.m. on December 1, 2016; and
3. Restrict the closure of parking spaces in front of City Hall from 3:00 p.m. to 5:00 p.m., to those at the north end of the City Hall along Main Street.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve the Community Civic Event application from the Porterville Chamber of Commerce and Rotary Club of Porterville subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application; authorize the temporary suspension of the Fixed Route Transit System from 4:30 p.m. to 7:00 p.m. on December 1, 2016; and restrict the closure of parking spaces in front of City Hall from 3:00 p.m. to 5:00 p.m., to those at the north end of the City Hall along Main Street.

Documentation: M.O. 12-111516

Disposition: Approved.

The Council adjourned at 7:58 p.m. to a meeting of the Public Improvement Corporation.

PORTERVILLE PUBLIC IMPROVEMENT CORPORATION AGENDA
291 N. MAIN STREET, PORTERVILLE, CA 93257
NOVEMBER 15, 2016

Roll Call: Director Reyes, Director Ward, Director Gurrola, Vice President Hamilton,
President Stowe

WRITTEN COMMUNICATION

None

ORAL COMMUNICATIONS

None

PUBLIC IMPROVEMENT CORPORATION SCHEDULED MATTERS

PIC-1. ANNUAL MEETING OF THE PUBLIC IMPROVEMENT CORPORATION

Recommendation: That the City Council, sitting as the Porterville Public Improvement Corporation:

1. Approve the election of officers as indicated in the draft resolution;
2. Accept public comment; and
3. Approve the 2016 Status Report for Certificates of Participation Projects.

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

BOARD ACTION: MOVED by Vice President Hamilton, SECONDED by Director Ward that the Public Improvement Corporation approve the election of officers as indicated in the draft resolution; and approve the 2016 Status Report for Certificates of Participation Projects. The motion carried unanimously.

Documentation: PIC Resolution 2016-01

Disposition: Approved.

The Public Improvement Corporation adjourned at 8:01 p.m. to a meeting of the Public Financing Authority.

PORTERVILLE PUBLIC FINANCING AUTHORITY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA 93257
NOVEMBER 15, 2016

Roll Call: Director Reyes, Director Ward, Director Gurrola, Vice President Hamilton,
President Stowe

WRITTEN COMMUNICATION

None

ORAL COMMUNICATIONS

None

PUBLIC FINANCING SCHEDULED MATTERS

PFA-1.ANNUAL MEETING OF THE PORTERVILLE PUBLIC FINANCING AUTHORITY

Recommendation: That the City Council, sitting as the Porterville Public Financing Authority, hold a public meeting in accordance with the Authority's By-laws, accept public comment, and approve the 2016 Status Report for the Redevelopment Bond Issue #1 and refinance of Tax Allocation Bond Projects.

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

BOARD ACTION: MOVED by Director Ward, SECONDED by Director Gurrola that the Porterville Public Financing Authority approve the 2016 Status Report for the Redevelopment Bond Issue #1 and refinance of Tax Allocation Bond Projects. The motion carried unanimously.

Documentation: PFA M.O. 01-111516

Disposition: Approved.

The Porterville Public Financing Authority adjourned at 8:03 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

- Council Member Elect Martha Flores, Volunteer Community Liaison for the Tulare-Kings Hispanic Chamber of Commerce, extended an invitation to its Annual Awards Banquet on Saturday in Visalia.

OTHER MATTERS

- Council Member Gurrola spoke of the success of the Veteran's Day Parade and how she enjoyed riding in the fire truck; and lauded staff for a great job on the Veterans Day Run.
- Vice Mayor Hamilton stated that he enjoyed driving in the parade; commented on the patriotic fire hydrants; and spoke of Director Kusserow's last Banda-Rama.
- Council Member Ward wished everyone a happy Thanksgiving; and thanked staff for their efforts pertaining to the military banners.
- Council Member Reyes spoke of the implementation of Phase IV on December 1st, the helicopter flyover at the Veterans Day Parade, and the importance of keeping the gutters clean.
- Mayor Stowe thanked everyone for their parade efforts; commended staff on the Veterans Day Run and cleanup after the parade; wished everyone a Happy Thanksgiving; and thanked Sal and Virginia Gurrola for their work in support of Measure J.
- City Manager Lollis stated that Coffee with a Cop was taking place on Friday at Hoagies.

- Community Development Director Byers reminded those in attendance about First Friday Coffee, where the Mayor would be giving his State of the City Address, and the Christmas Parade on December 1st.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:14 p.m. to the meeting of December 6, 2016.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor

