

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 18, 2016, 5:30 PM**

Called to Order at 5:33 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 Donnie Moore. 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 Patrice Hildreth. Employee Organizations: Porterville City Firefighters Association and Fire Officer Series.
- 3 - 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.
- 4 - 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 there was no reportable action.

Pledge of Allegiance Led by Council Member Ward

Invocation – a moment of silence was observed.

PROCLAMATIONS

Friends of Libraries Week -- October 16 - 22, 2016

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) - October 17, 2016
Council Member Gurrola reported on the affirmation of a consultant agreement with IBI Group for the 2017 City of Porterville Short Range Transit Plan; and informational items pertaining to the status of bids for Highway 65, and an expenditure plan amendment for Measure R.

2. League of California Cities Annual Conference - October 5-7, 2016
Mayor Stowe, Vice Mayor Hamilton and Council Member Reyes stated they had attended the conference. Council Member Reyes reported on sessions he attended pertaining to changing marijuana regulations, drone regulations, leadership, and the use of augmented reality.
3. Local Agency Formation Commission (LAFCO) - October 5, 2016 – no report.

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 - October 6, 2016
Commissioner Monte Moore presented the Commission's Monthly Report which included information pertaining to: the Paws in the Pool event, foot golf tournaments, Ghoulish Garden at the Zalud House; and Veterans Day Run.
 2. Library & Literacy Commission - October 11, 2016
Commission Chair Allan Bailey thanked the Friends of the Library for their efforts; reported on library staff presentations pertaining to Leamos! And Career Online High School programs, introduction to volunteer ESL tutor Polly Meachum, and Tumblebooks; and presented September statistics.
 3. Animal Control Commission - October 10, 2016
Commission Chair Florenza Pizanis reported on Commission discussion regarding an animal shelter wish list, Facebook page, staffing, and the Koret Report; and requested clarification on animal control's eligibility for Measure H funding.
 4. Youth Commission - October 10, 2016
Leisure Services Specialist Amy Graybehl introduced youth commissioners in attendance and reported on recent and upcoming activities in the community.
 5. Arts Commission – no report.
 6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update

EMERGENCY ITEM

Recommendation: That the City Council consider the addition of an emergency item to the agenda as item number 11.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council consider approval of adding the item to the agenda. The motion carried unanimously.

Documentation: M.O. 01-101816

Disposition: Approved.

ORAL COMMUNICATIONS

- Diana Oseguerra Martinez thanked the Council on behalf of Kiwanis for the addition of the Emergency Item.
- Brock Neeley, Porterville, spoke in favor of Proposition 57 and against the approval of a resolution in opposition.
- Grace Munoz Rios, Porterville, requested approval of Item No. 3; spoke of efforts to date and of upcoming toy donation opportunities; and extended an invitation to 1st Friday Coffee.
- Barry Caplan, Porterville, inquired about the vacancy on the Transaction and Use Tax Oversight Committee; recognized Council Member Gurrola for her service on the Council; and expressed disappointment that a proclamation submitted regarding equality was not sponsored by the Council.
- Juan Vasquez, EDD, spoke of upcoming events in Porterville: the Veterans Health and Resource event at the Elks Lodge, a Veterans Workshop on the 1st of the month, and a Tulare County Veterans Collaborative meeting at Porterville College; and extended an invitation to attend the events.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola, that the City Council approve Items Nos. 1-4. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JULY 21, 2015, AND OCTOBER 4, 2016

Recommendation: That the Council approve the draft Minutes of July 21, 2015, and October 4, 2016.

Documentation: M.O. 02-101816

Disposition: Approved.

2. APPROVAL OF THE 2016 CITY OF PORTERVILLE TRANSIT DIVISION TITLE VI PROGRAM

Recommendation: That the City Council adopt the Resolution affirming and approving the 2016 Title VI Program Update and authorizing staff to submit the

approved 2016 Title VI Program Update to the Federal Transit Administration (FTA).

Documentation: Resolution NO. 74-2016

Disposition: Approved.

3. APPROVAL FOR COMMUNITY CIVIC EVENT - U.S. MARINE CORPS RESERVE TOYS FOR TOTS PROGRAM - A CHRISTMAS TO REMEMBER CAR & BIKE SHOW - NOVEMBER 12, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the U.S. Marine Corps Reserve subject to the stated requirements contained in the Application, Agreement and Exhibit A.

Documentation: M.O. 03-101816

Disposition: Approved.

4. APPROVAL FOR COMMUNITY CIVIC EVENT - BARN THEATER - BEAUTY AND THE BEAST PRESENTS "A HAUNTING WE WILL GO" - OCTOBER 29, 2016

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

Documentation: M.O. 04-101816

Disposition: Approved.

PUBLIC HEARINGS

5. PUBLIC HEALTH GOAL REPORT

Recommendation: That City Council conduct a public hearing to solicit comments on the Public Health Goal Report.

City Manager Lollis introduced the item and Acting Public Works Director Mike Reed presented the staff report.

The Public Hearing was opened at 7:24 p.m.

- Barry Caplan asked for clarification regarding the exact area the contamination measurements are usually taken, to which staff indicated that all measurements were taken at the well heads.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton, that the City Council solicit comments on the Public Health Goal Report. The motion carried unanimously.

Documentation: M.O. 05-101816

Disposition: Approved.

6. ADOPTION OF THE CALIFORNIA BUILDING AND FIRE CODES

Recommendation: That City Council:

1. Conduct a Public Hearing to receive input regarding the adoption of the 2016 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Buildings, Existing Buildings, and Referenced Standards Codes; and
2. Approve for first reading the draft ordinances adopting the 2016 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Buildings, Existing Buildings, and Referenced Standards Codes, waive further reading and order the ordinances to print.

City Manager Lollis introduced the item, and Public Works Director Mike Reed presented the staff report.

The Public Hearing was opened at 7:37 p.m., and closed at 7:38 p.m., when nobody came forward.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola, that the City Council approve the first reading of Ordinance 1834, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING ARTICLE I OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF PORTERVILLE AND ADOPTING BY REFERENCE THE 2016 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE ALONG WITH DESIGNATED APPENDICES, THE CALIFORNIA ENERGY CODE, THE CALIFORNIA HISTORICAL BUILDINGS CODE, THE CALIFORNIA EXISTING BUILDING CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; Ordinance 1835, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SECTION 7-4 OF THE MUNICIPAL CODE OF THE CITY OF PORTERVILLE ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; Ordinance 1836, being AN

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SECTION 7-6 OF THE MUNICIPAL CODE OF THE CITY OF PORTERVILLE ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA PLUMBING CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; Ordinance 1837, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SECTION 7-9 AND DELETING SECTION 7-10 OF THE MUNICIPAL CODE OF THE CITY OF PORTERVILLE AND ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA ELECTRICAL CODE PUBLISHED BY BNI PUBLICATIONS, INC; Ordinance 1838, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING ARTICLE IV OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF PORTERVILLE ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; Ordinance 1839, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF PORTERVILLE ADOPTING BY REFERENCE EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, THE 2016 EDITION OF THE CALIFORNIA FIRE CODE ALONG WITH DESIGNATED APPENDICES, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL. The motion carried unanimously.

The Ordinances were read by title only.

Documentation: Ordinance 1834; Ordinance 1835; Ordinance 1836; Ordinance 1837; Ordinance 1838; Ordinance 1839

Disposition: Approved.

SCHEDULED MATTERS

7. PORTERVILLE ANIMAL CONTROL SHELTER FACILITY STAFFING

Recommendation: That the City Council consider Staff's report and provide direction.

City Manager Lollis introduced the item, and Police Chief Eric Kroutil presented the staff report.

Mayor Stowe asked if the Police budget had enough funds to hire additional staff for the Animal Shelter. City Manager Lollis explained that staff's recommendation was that the Police Department budget be amended to accommodate the extra employees.

The Council and staff discussed the reason why staff was proposing to hire as opposed to using CSET employees, which staff attributed to the higher cost of CSET employees.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Reyes, that the City Council approve the hiring of 2 part time technicians for the Porterville Animal Shelter. The motion carried unanimously.

Documentation: M.O. 06-101816

Disposition: Approved.

8. CONSIDERATION OF REAPPOINTMENTS TO THE LIBRARY & LITERACY COMMISSION

Recommendation: That the City Council consider the reappointment of Catherine May, Tamara Bishop and Jennifer Biagio to serve on the Library and Literacy Commission for three-year terms to expire in October 2019.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton, that the City Council appoint Catherine May, Tamara Bishop and Jennifer Biagio to serve on the Library and Literacy Commission for three-year terms to expire in October 2019. The motion carried unanimously.

Documentation: M.O. 07-101816

Disposition: Approved.

9. CONSIDERATION OF A RESOLUTION IN OPPOSITION TO PROPOSITION 57 - THE PUBLIC SAFETY AND REHABILITATION ACT

Recommendation: That the City Council consider approval of the Draft Resolution in opposition to Proposition 57.

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

In response to questions posed by the Council, Police Chief Kroutil spoke of the Police Chief Association's opposition to the Prop 57, and elaborated on its negative aspects from law enforcement's perspective.

Council Member Gurrola voiced concern with the proposition.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton, that the City Council consider approval of the draft

Resolution in opposition to Proposition 57. The motion carried unanimously.

Documentation: Resolution No. 75-2016

Disposition: Approved.

10. 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.

Acting Public Works Director Mike Reed updated the Council on the connections the City has been making in East Porterville and on the upcoming meetings.

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

Documentation: M.O. 08-101816

Disposition: Approved.

11. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE KIWANIS - DIA DE LOS MUERTOS/GIVE A DROP OF HOPE 5K RUN - OCTOBER 30, 2016

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

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

- An event organizer came forward, spoke in favor of the event, and stated that the event would be held in honor of Heidi Gutierrez, a teacher at Santa Fe School. She also addressed the challenges in doing a blood drive due to the closure of the blood bank in Porterville.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton, that the City Council approve the Community Civic Event Application and Agreement from Porterville Kiwanis, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application: The motion carried unanimously.

Documentation: M.O. 09-101816

Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley provided some additional information pertaining to Proposition 57.
- Richard Stadther, Florenza Pizanis, and Daniel Penaloza thanked the Council for its action pertaining to the addition of Animal Shelter Technician positions.
- Diana Oseguerra thanked the Council for approval of Item No. 11.
- Barry Caplan attributed the reduced number of stray dogs in his neighborhood as evidence of good work on the part of the City's animal control personnel.

OTHER MATTERS

- Council Member Gurrola announced that her and her husband Sal had become great-grandparents with the birth of their granddaughter's twins; and spoke of an AAUW event on October 22nd for young adults seeking information about college.
- Vice Mayor Hamilton reported that the Dodgers were leading the Cubs 6-0.
- Council Member Reyes reported that he had the privilege of reprising his role of Royal Porter Putnam during the Pioneer Days celebration; and apologized for confusing the young students who stated he looked too young to be the founder of Porterville.
- Council Member Ward reported his attendance at the recent candidate forums and lauded the events and the conduct of the candidates.
- City Manager Lollis reported on: a productive meeting regarding the winter closure of Highway 190; local filming activities by Jason Stone and the Travel Channel; the Green Summit; Congressman McCarthy's visit; voting on the Patriotic Hydrant Contest; and a Downtown Block Party.
- Acting Public Works Director Mike Reed announced that Water Utilities Superintendent Mike Knight placed first in the Rib Cook-Off.

CLOSED SESSION

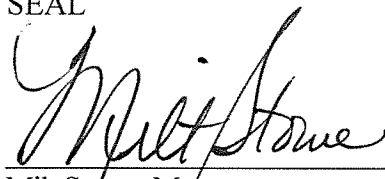
None

ADJOURNMENT

The Council adjourned at 8:23 p.m. to the meeting of November 1, 2016


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor

