

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 20, 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: 42 SOUTH PLANO STREET. AGENCY NEGOTIATORS: JOHN LOLLIS AND DONNIE MOORE. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND THE BARN THEATER. UNDER NEGOTIATION: TERMS AND PRICE.

2 - GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATORS/PROPERTY: APN: 240050026. AGENCY NEGOTIATORS: JOHN LOLLIS AND DONNIE MOORE. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND PORTERVILLE MASONIC PROPERTIES, INC. 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 OFFICER SERIES.

4 - GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: MARIA VENTURA. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

5 - GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: LONNIE WESSON V. CITY OF PORTERVILLE ET AL., TULARE COUNTY SUPERIOR COURT CASE NO. VCU260276.

6 - GOVERNMENT CODE SECTION 54956.9(D) (3) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – SIGNIFICANT EXPOSURE TO LITIGATION: TWO 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: ONE CASE.

**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 Council Member Ward, and SECONDED by Vice Mayor Hamilton the City Council unanimously rejected the claim filed by Maria Ventura.

Documentation: M.O. 01-092016

Disposition: Claim rejected.

Pledge of Allegiance Led by Council Member Gurrola

Invocation – One individual participated.

PROCLAMATIONS

Adult Literacy Awareness Month - September 2016

Relay for Life Days - October 1st & 2nd, 2016

PRESENTATIONS

Employee of the Month -- Clyde Loflin

Employee Service Awards

AB 1234 REPORTS

1. TULARE COUNTY ASSOCIATION OF GOVERNMENTS (TCAG) -
SEPTEMBER 19, 2016

Council Member Gurrola reported on approval of a Porterville transit project and Short Range Transit Plan, and approval of funding for the rehabilitation of Hwy 65 from South Henderson to Tulare Rd.

2. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD)
BOARD –

Council Member Gurrola reported on adoption of the proposed 2016 Moderate Area Plan for the 2012 PM2.5 Standard, including a demonstration of attainment impracticability and request to reclassify the San Joaquin Valley from Moderate to Serious.

REPORTS

- I. City Commission and Committee Meetings

1. PARKS & LEISURE SERVICES COMMISSION - SEPTEMBER 1, 2016
2. LIBRARY & LITERACY COMMISSION - SEPTEMBER 13, 2016

Commission Chair Bailey thanked the Council for the Library Card Sign-Up Month proclamation; recognized library staff who had received Employee Service Awards;

reported on continued consideration of the Advocacy Took Kit, and review of library service roles and survey results; and spoke of current promotions, upcoming events and monthly highlights.

3. ARTS COMMISSION - SEPTEMBER 14, 2016

Commission Chair Worthington reported on the Commission's Special Meeting to consider hydrant contest designs, and participation at the Farmer's Market; expressed the Commission's desire to pursue a new animal shelter, and the creation of a Facebook page; and extended an invitation to the Commission's next meeting.

4. ANIMAL CONTROL COMMISSION - SEPTEMBER 19, 2016

Commissioner Pizanis reported on discussion pertaining to the need for additional personnel at the animal shelter to tend to the kennels and pursuit of a new shelter; and reported on the approval of the creation of a Facebook page. She also requested that the Council direct the City Attorney to advise as to whether animal control qualified for use of Measure H funds.

5. YOUTH COMMISSION - SEPTEMBER 12, 2016

6. TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE (TUTOC) - AUGUST 25, 2016

II. Staff Informational Reports

1. WATER CONSERVATION PHASE III STATUS UPDATE

ORAL COMMUNICATIONS

- Patricia Young, Porterville, spoke of the poor air quality, and requested that the Council consider restricting street sweeping and burning of green waste when the air quality was especially bad.
- Sonia Soto, Porterville, spoke of Child Cancer Awareness Month.
- Yolanda Anguiano, requested security at the Porterville Transit Center due to the presence of homeless and mentally ill in the area; and also spoke of the condition of the Transit Center restrooms.
- Ron Irish, Porterville, commended Council Member Gurrola for her efforts pertaining to Highway 65.

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion. Council Member Ward noted a previously disclosed conflict pertaining to Item No. 4, and stated that he would be abstaining from that item.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve Items Nos. 1-12, with the noted abstention on Item No. 4. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF SEPTEMBER 6, 2016, AND SEPTEMBER 8, 2016

Recommendation: That the Council approve the draft Minutes of September 6, 2016, and September 8, 2016.

Documentation: M.O. 02-092016

Disposition: Approved.

2. PURCHASE OF POLICE SERVICE DOG

Recommendation: That the City Council:

1. Approve the purchase of a police service dog and related training from Top Dog Training Center in the amount of \$10,506.87; and
2. Authorize the Chief of Police to enter in an agreement with Top Dog Training Center to acquire the service dog and associated training.

Documentation: M.O. 03-092016

Disposition: Approved.

3. AUTHORIZATION TO ADVERTISE FOR BIDS - PUTNAM AVENUE / D STREET TRAFFIC SIGNAL UPGRADE

Recommendation: That City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project; and
3. Authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council M.O. 02100714.

Documentation: M.O. 04-092016

Disposition: Approved.

4. RECONSIDER AWARD OF SOLAR PHOTOVOLTAIC SYSTEM POWER PURCHASE AGREEMENT – WASTE WATER TREATMENT FACILITY

Recommendation: That City Council:

1. Authorize the assignment from Sol Systems, LLC to AEP Onsite Partners, LLC per Section 16.2 of the Power Purchase Agreement; and
2. Authorize the Public Works Director to execute the Power Purchase Agreement.

AYES: Reyes, Gurrola, Hamilton, Stowe

NOES: None
ABSTAIN: Ward
ABSENT: None

Documentation: M.O. 05-092016
Disposition: Approved.

5. ACCEPTANCE OF PROJECT - OAK AVENUE TRANSPORTATION
ENHANCEMENT (TE) PROJECT

Recommendation: That City Council:
1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the immediate release of final payment, provided no stop
notices have been filed.

Documentation: M.O. 06-092016
Disposition: Approved.

6. AUTHORIZATION TO ADVERTISE FOR QUALIFICATIONS – ENGINEERING
SERVICES FOR THE PREPARATION OF SANITARY SEWER, WATER SYSTEM
AND STORM DRAIN MASTER PLAN UPDATES, RECYCLED WATER
FEASIBILITY STUDY AND STORM WATER RESOURCE PLAN

Recommendation: That the City Council authorize the Public Works Director to advertise a
Request for Qualifications (RFQ) for engineering consulting firms to
prepare comprehensive updates to the City's Sanitary Sewer, Water System,
and Storm Drain Master Plans, and for the preparation of a Recycled Water
Feasibility Study and Storm Water Resource Plan.

Documentation: M.O. 07-092016
Disposition: Approved.

7. SET A PUBLIC HEARING FOR THE ADOPTION OF THE CALIFORNIA BUILDING
AND FIRE CODES

Recommendation: That City Council set the Public Hearing for October 18, 2016, for the first
reading and to receive input regarding the adoption of the 2016 Editions of
the California Building, Plumbing, Mechanical, Electrical, Fire, Green
Building Standards, Residential, Administrative, Reference Standards, and
Energy Codes.

Documentation: M.O. 08-092016
Disposition: Approved.

8. ANNUAL LIBRARY FOOD FOR FINES CAMPAIGN

Recommendation: That the City Council authorize the 10th Annual Food for Fines Campaign to run October 1 through December 31, 2016.

Documentation: M.O. 09-092016

Disposition: Approved.

9. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 32C

Recommendation: That City Council approve the Lease Agreement between the City of Porterville and Mr. William Parham for Lot 32C at the Porterville Municipal Airport.

Documentation: M.O. 10-092016

Disposition: Approved.

10. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 32D

Recommendation: That City Council approve the Lease Agreement between the City of Porterville and Mr. Drew Williams for Lot 32D at the Porterville Municipal Airport.

Documentation: M.O. 11-092016

Disposition: Approved.

11. APPROVAL FOR COMMUNITY CIVIC EVENT - C & C CALLAHAN MINISTRIES, INC. - REVIVE TULARE COUNTY (RTC) BLOCK PARTY - OCTOBER 1, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the C & C Callahan Ministries, Inc., subject to Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application.

Documentation: M.O. 12-092016

Disposition: Approved.

12. AMENDMENT TO THE SEASONAL AND PART-TIME PAY RATES FOR YES EMPLOYEES

Recommendation: That the City Council:

1. Adopt the draft Resolution amending the City's Employee Pay and Benefit Plan, Seasonal and Part-time rates; and
2. Authorize the Mayor to execute these and other documents necessary to implement the provisions hereof.

Documentation: Resolution No. 68-2016

Disposition: Approved.

SCHEDULED MATTERS

13. PATRIOTIC PRIDE HYDRANT PROJECT

Recommendation: That the City Council approve ten designs and three alternate designs for the Patriotic Pride Hydrant Project.

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

Council Member Reyes spoke of his design, which was one of the ten selected by the Arts Commission; and the Council expressed its desire to thank all the participants.

COUNCIL ACTION: MOVED by Vice Mayor Cameron Hamilton, SECONDED by Council Member Virginia Gurrola that the City Council approve the ten designs and three alternates for the Patriotic Pride Hydrant Project; and direct staff to draft letters of appreciation to all participants. The motion carried unanimously.

Documentation: M.O. 13-092016

Disposition: Approved.

14. 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 Vice Mayor Hamilton that the City Council approve the continued Declaration of Local Emergency. The motion carried unanimously.

Documentation: M.O. 14-092016

Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Gurrola spoke of a group of young bicyclists who have been riding irresponsibly in and out of traffic throughout town.
- Vice Mayor Hamilton credited Council Member Ward for bringing the military banner idea to the Council.

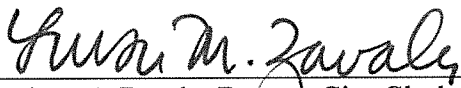
- Council Member Reyes acknowledged Council Member Ward for his initiation of an Arts Commission; and spoke of the 2016/2017 Leadership Porterville Class.
- Council Member Ward suggested that staff look into a Reading with the Stars event at the library, which would involve local celebrities/community leaders reading to children.
- Mayor Stowe lauded the September 11th event.
- City Manager Lollis spoke of upcoming ribbon cutting for the Adult Learning Center and the Jaye Street Bridge groundbreaking ceremony on Friday, September 23rd.

CLOSED SESSION

The Council reconvened in Open Session at 8:14 p.m., and it was reported that no action had taken place.

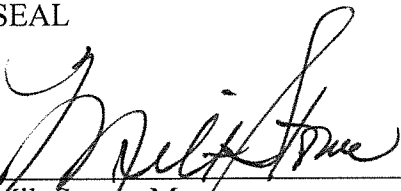
ADJOURNMENT

The Council adjourned at 8:15 p.m. to the meeting of October 4, 2016.



Luisa M. Zavala, Deputy City Clerk

SEAL



Milt Stowe, Mayor