

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 6, 2016, 5:30 PM**

Called to Order at 5:35 p.m.

Roll Call: Council Member Reyes, Council Member Ward (arrived during Closed Session),
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: APNS 255220046, 247040034, 247-040035, 247090028, 247110019, 247120022, 248050036, 255220045, 255240013, AND 248010019. AGENCY NEGOTIATOR: JOHN LOLLIS AND JENNI BYERS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND GREG SHELTON. UNDER NEGOTIATION: TERMS AND PRICE.

2 - 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.

3 - GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATORS/PROPERTY: 1893 SOUTH NEWCOMB STREET. AGENCY NEGOTIATOR: JOHN LOLLIS AND MARIA BEMIS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND RICHARD CHILCUTT. UNDER NEGOTIATION: TERMS AND PRICE.

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

5 - 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 PLAINTIFFS

RECONVENED OPEN SESSION at 6:30 PM

City Attorney Lew reported action pertaining to A1 and A4, as follows:

A1. On a MOTION made by Vice Mayor Hamilton, and SECONDED by Council Member Gurrola the City Council unanimously authorized the purchase of property for \$338,000.

Documentation: M.O. 01-090616

Disposition: Approved.

- A4. On a MOTION made by Council Member Gurrola, and SECONDED by Vice Mayor Hamilton the City Council unanimously accepted the claim filed by Abraham Martinez.

Documentation: M.O. 02-090616

Disposition: Claim accepted.

The Pledge of Allegiance was led by Vice Mayor Hamilton.

Invocation -- a moment of silence was observed.

PROCLAMATIONS

Library Card Sign-Up Month - September 2016

Interim Fire Chief Glenn Irish spoke of personnel dispatched to wild fires in August, and recognized those in attendance.

AB 1234 REPORTS

1. TULARE COUNTY ECONOMIC DEVELOPMENT CORP. (TCEDC) - AUGUST 24, 2016
Council Member Reyes reported on the compilation of survey responses, and consideration of a change in the CEO benefits package.
2. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD) BOARD - AUGUST 18, 2016
Council Member Gurrola reported on consideration of options for addressing PM2.5 Clean Air mandates in light of Federal EPA inaction on District's 2015 PM2.5 Plan.

REPORTS

I. Staff Informational Reports

1. City Manager Lollis reported on an upcoming vacancy on the SJVAPCD Board in light of Council Member Gurrola not running for reelection.
2. City Manager Lollis reported on consideration of Highway 190 winter closure at the next Tulare County Board of Supervisors meeting.

ORAL COMMUNICATIONS

- Jeff Szeles thanked the Porterville Police Department for its efforts; requested that the City consider offering a discount for services offered to active and retired military; extended an invitation to a luau event on Saturday for cancer survivors and caregivers, at 26 W. Gibson; and spoke of upcoming Relay for Life on October 1st and 2nd.

CONSENT CALENDAR

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve Items Nos. 1-15. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JULY 7, 2015, AUGUST 2, 2016, AND AUGUST 30, 2016

Recommendation: That the Council approve the draft Minutes of July 7, 2015, August 2, 2016, and August 30, 2016.

Documentation: M.O. 03-090616

Disposition: Approved.

2. ACCEPTANCE OF PROJECT - PORTERVILLE HOTEL SITE RESTORATION PROJECT

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. 04-090616

Disposition: Approved.

3. RENEWAL OF AGREEMENT WITH KINGS/TULARE AREA AGENCY ON AGING

Recommendation: That the City Council approve the renewal of the agreement with K/TAAA and authorize and direct the Mayor to execute the same.

Documentation: M.O. 05-090616

Disposition: Approved.

4. DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT 2015/2016 PROGRAM YEAR

Recommendation: That the City Council consider the draft 2015-2016 Consolidated Annual Performance Evaluation Report and direct staff to submit it to the Department of Housing and Urban Development by the required deadline of September 28, 2016, as well as respond to any comments received prior to September 06, 2016.

Documentation: M.O. 06-090616

Disposition: Approved.

5. AUTHORIZATION TO EXECUTE A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION

Recommendation: That the City Council adopt the resolution authorizing the City Manager to execute the grant agreement with the Federal Aviation Administration for Airport Improvement Project (AIP) Project No. 3-06-0190-014-2016 at the Porterville Municipal Airport.

Documentation: Resolution No. 61-2016
Disposition: Approved.

6. PROGRAM SUPPLEMENT TO THE LOCAL AGENCY-STATE MASTER AGREEMENT – UPGRADE SIGNAL TO INSTALL PROTECTED LEFT-TURN PHASING PROJECT (PUTNAM AVENUE & D STREET)

Recommendation: That the City Council:

1. Approve the program supplement by passing a Resolution authorizing the Mayor to sign the subject program supplement; and
2. Direct the City Clerk to return the signed program supplement to the Department of Transportation.

Documentation: Resolution No. 62-2016
Disposition: Approved.

7. MASTER AGREEMENT ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS AGREEMENT NO. 06-5122F15 AND PROGRAM SUPPLEMENT NO. F056 ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 06-5122F15 – PEDESTRIAN ACCESS CORRIDOR PROJECT (GARDEN AVENUE)

Recommendation: That the City Council:

1. Approve the subject master agreement by passing a resolution authorizing the Mayor to sign the subject master agreement;
2. Approve the subject program supplement by passing a resolution authorizing the Mayor to sign the subject program supplement; and
3. Direct the City Clerk to return the signed agreements to Caltrans.

Documentation: Resolution Nos. 63-2016; and 64-2016
Disposition: Approved.

8. RESOLUTIONS APPROVING TWO APPLICATIONS FOR YOUTH SOCCER AND RECREATION DEVELOPMENT PROGRAM GRANT FUNDS

Recommendation: That the City Council adopt two Resolutions approving applications for Youth Soccer and Recreation Development Program Grant Funds.

Documentation: Resolution Nos. 65-2016; and 66-2016
Disposition: Approved.

9. CONSIDERATION OF STREET CLOSURE FOR ZALUD HOUSE MUSEUM PIONEER DAYS & RIB COOK-OFF

Recommendation: That the City Council authorize the temporary closure of Main Street between Putnam and Morton Avenues; and Thurman and Cleveland Avenues between Division Street and the alley west of Second Street, for

the Zalud House Museum Pioneer Days & Rib Cook-off on October 8, 2016, 5:00 AM-4:00 PM.

Documentation: M.O. 07-090616

Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT - FIL-AMER. ASSOCIATION OF CALIFORNIA - FILIPINO WEEKEND FIESTA - SEPTEMBER 24-25, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Filipino-American Association of California, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 08-090616

Disposition: Approved.

11. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE UNIFIED SCHOOL DISTRICT - MONACHE HIGH SCHOOL VOCAL DEPARTMENT - KALEIDOSCOPE RUN - SEPTEMBER 25, 2016.

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Unified School District and Monache Vocal Department, subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 09-090616

Disposition: Approved.

12. APPROVAL FOR COMMUNITY CIVIC EVENT - PALABRA DE VICTORIA CHURCH - COMMUNITY OUTREACH - SEPTEMBER 24, 2016

Recommendation: That the Council approve the Community Civic Event Application and Agreement from the Palabra de Victoria Church, subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 10-090616

Disposition: Approved.

13. REQUEST FOR PROCLAMATION - CONSTITUTION WEEK - SEPTEMBER 17-23, 2016

Recommendation: That the City Council consider approval of the request to proclaim September 1723, 2016, as "Constitution Week."

Documentation: M.O. 11-090616
Disposition: Approved.

14. REQUEST FOR PROCLAMATION - RELAY FOR LIFE DAYS - OCTOBER 12, 2016

Recommendation: That the City Council consider approval of the request to proclaim October 1st and 2nd as "Relay for Life Days."

Documentation: M.O. 12-090616
Disposition: Approved.

15. REQUEST FOR PROCLAMATION - ADULT LITERACY AWARENESS MONTH - SEPTEMBER 2016

Recommendation: That the City Council consider approval of the request to proclaim September 2016 as "Adult Literacy Awareness Month."

Documentation: M.O. 13-090616
Disposition: Approved.

PUBLIC HEARINGS

16. CONDITIONAL USE PERMIT TO ALLOW FOR A TYPE 21 OFF-SALE GENERAL (BEER, WINE AND DISTILLED SPIRITS) ALCOHOL LICENSE AT WHITE'S MARKET 1204 S. MAIN ST.

Recommendation: That the City Council:

1. Adopt the draft resolution approving Conditional Use Permit (PRC 2016-021C); and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

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

The Public Hearing was opened at 6:57 p.m.

- Mike Galetto, applicant, stated that the purchase of the existing license would not increase the number within the census tract.

The Public Hearing was closed at 6:58 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2016-021C), as amended to remove condition nos. 14 and 15; and authorize the Mayor to sign the Letter of Public Convenience or Necessity. The motion carried unanimously.

Documentation: Resolution No. 67-2016
Disposition: Approved.

SCHEDULED MATTERS

17. PURCHASE OF POLICE BODY-WORN CAMERAS

Recommendation: That the City Council:

1. Authorize Department staff to enter into a five year contract with Taser, Inc. for the purchase of (53) body worn cameras, (53) electronic control devices with holsters, (10) docking stations, (9) Administration licenses, unlimited cloud storage and associated installation hardware and technical support for \$383,461.39;
2. Authorize payment(s) to Taser, Inc. per contract; and
3. Approve a budget adjustment to increase the Police Department's appropriation in the Measure H Fund for the fiscal year 2016-2017, in the amount of \$16,354 for the first year contract with Taser, Inc.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Mayor Stowe that the City Council Authorize Department staff to enter into a five year contract with Taser, Inc. for the purchase of (53) body worn cameras, (53) electronic control devices with holsters, (10) docking stations, (9) Administration licenses, unlimited cloud storage and associated installation hardware and technical support for \$383,461.39; authorize payment(s) to Taser, Inc. per contract; and approve a budget adjustment to increase the Police Department's appropriation in the Measure H Fund for the fiscal year 2016-2017, in the amount of \$16,354 for the first year contract with Taser, Inc. The motion carried unanimously.

Documentation: M.O. 14-090616

Disposition: Approved.

18. 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 Gurrola that the City Council approve the continued Declaration of Local Emergency. The motion carried unanimously.

Documentation: M.O. 15-090616

Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Vice Mayor Hamilton spoke of Bells Across America event in celebration of Constitution Week; and congratulated Mayor Stowe on the birth of his grandson.
- Council Member Ward stated that he hoped everyone had a happy Labor Day weekend; and noted the beginning of "silly season."
- Council Member Reyes spoke of his attendance at the 75th Anniversary of the 20-And's Club celebration and the San Esteban Circle 61st Annual Dance.
- Mayor Stowe spoke of the event in remembrance of 9/11 on Sunday, 5pm at Port Naz Church.
- City Manager Lollis lauded staff for the success of the Farmer's Market in August; and spoke of an upcoming TCAG meeting to be held at Fire Station No. 2 on 9/19; announced that one application had been received for the Patriotic Pride Hydrant Contest; and lastly reported that Mr. Richard Tree and Porterville Transit was currently featured in BUSRide magazine.
- Vice Mayor Hamilton requested that Council Member Ward be awarded a plaque for his efforts to keep the meeting short.

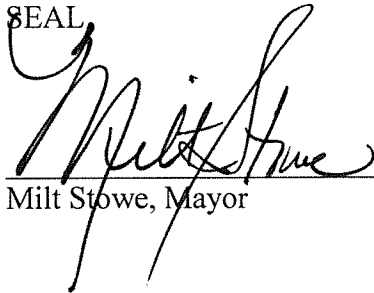
CLOSED SESSION

None

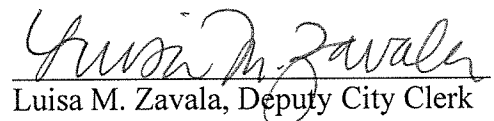
ADJOURNMENT

The Council adjourned at 7:11 p.m. to the meeting of September 20, 2016.

SEAL



Milt Stowe, Mayor



Luisa M. Zavala, Deputy City Clerk