CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 7, 2017, 5:30 PM

Call to Order 5:30 p.m.
Roll Call: Council Member Reyes, Council Member Hamilton, Council Member Flores, Mayor Stowe
Absent: Vice Mayor Ward

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, provided the Council with copies of the Suicide Prevention Taskforce Status Report and comic book.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 253-124-004. Agency Negotiator: John Lollis and Donnie Moore. Negotiating Parties: City of Porterville and Comision Honorifica Mexicana Americana, Inc. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 260-250-026, 260-250-03, 260-260-002, 260-260-006, 260-310-016, 260-310-042, 260-310-043, 260-320-010, 260-320-032, and 260-320-035. Agency Negotiator: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Dexter J. and Erline Goodell. Under Negotiation: Terms and Price.

3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Che Johnson, and Steve Kabot. Employee Organizations: Porterville City Firefighters Association and Fire Officer Series.

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. Emmanuel V. Andamo et al., Tulare County Superior Court Case No. VCU263182.

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.

6 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two cases, plus 20 potential receivership cases.

6:37 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Julia Lew reported that there had been no reportable action taken in Closed Session.

The Pledge of Allegiance was led by Vice Mayor Ward.
Invocation – a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Ramon Velasco

AB 1234 REPORTS

1. Local Agency Formation Commission (LAFCO) - January 18, 2017
   Council Member Hamilton reported on consideration of a Municipal Service Review.

2. Council Of Cities - January 18, 2017
   Mayor Stowe reported on an H.R. 23 presentation, and discussion pertaining to the creation of a regional prevailing wage and an area homeless committee.

3. Eastern Tule Groundwater Sustainability Agency JPA -January 19, 2017
   Council Member Hamilton reported on the selection of officers and receipt of updates from staff.

4. Tulare County City Selection Committee - January 23, 2017
   Council Member Hamilton reported on appointment of Tulare Mayor Carlton Jones.

5. Tulare County Association Of Governments (TCAG) - January 23, 2017
   Council Member Flores reported that the overlay of Highway 65 from Henderson Avenue to Ave 137 would begin in May; and spoke of committee election appointments, receipt of an Active Transportation Plan (ATP) update, and amendments to Measure R policies.

6. Tulare County Economic Development Corp. (TCEDC) - January 25, 2017
   Council Member Reyes reported on review of a performance report, appointment of Donnette Silva Carter to member at large vacancy on the board, and upcoming 2017 Economic Summit.

REPORTS

I. Staff Informational Reports
   1. Building Permit Activity - 2nd Quarter FY 2016/17
   2. Street Performance Measure - 2nd Quarterly Report (October, November, December)
   3. Porterville Golf Course - 2nd Quarter FY 2016/17
   4. Porterville OHV Park - 2nd Quarter FY 2016/17
   5. Attendance Report for City Commissions and Committees -- 2nd Quarter FY 2016/17
   6. Report on Charitable Car Washes

EMERGENCY ITEM

CONSIDERATION OF THE ADDITION OF AN EMERGENCY ITEM

Recommendation: That the City Council consider the addition of an emergency item to the agenda as Item No. 23.

City Manager Lollis indicated that the emergency item was a Request for Proclamation.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Reyes that the City Council consider approval of adding the item to the agenda.

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

Documentation: M.O. 01-020717
Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, stated that he had placed copies of the new Suicide Prevention Taskforce comic book a the back table for the public; inquired about the issuance of code violation citations by public safety officers; and spoke of information on LAFCO's website that was out of date.
- David Horowitz, Horowitz Jewelry, stated that he had been fined $800 for placement of a banner at his business; claimed that he had the banner removed prior to his receipt of the $500 citation; and claimed the City was harassing him and not business friendly.
- Lois Enis, Porterville, urged residents to donate benches.
- Barry Caplan, Porterville, spoke of his experience as an engineer for accounting software and of his interest in the community as it pertained to his Request for Appointment to the Transaction and Use Tax Oversight Committee.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Reyes, SECONDED by Council Member Flores that the City Council approve Items Nos. 1-13.

City Manager John Lollis informed the Council that the agreement regarding Item No. 4 was still in draft form. The agreement would be reviewed and brought back by staff for Council approval once in final form.

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

1. CITY COUNCIL MINUTES OF NOVEMBER 1, 2016, AND NOVEMBER 15, 2016

Recommendation: That the Council approve the draft Minutes of November 1, 2016, and November 15, 2016.

Documentation: M.O. 2-020717
Disposition: Approved.

2. REQUEST FOR APPROVAL TO PURCHASE MICROSOFT OFFICE 365, A SUBSCRIPTION-BASED HOSTED VERSION OF MICROSOFT'S EMAIL AND CALENDARING SYSTEM

Recommendation: That the City Council:

1. Approve the migration from Exchange 2010 to Office 365 E1 platform at an annual subscription cost of $16,507.50; and
2. Authorize the IT Manager to execute a contract with Global CTI to assist in the migration process for a fee of $9,960.

Documentation: M.O. 03-020717
Disposition: Approved.

3. REQUEST FOR APPROVAL TO PURCHASE THE QUEST DR4300 DISK BACKUP APPLIANCE

Recommendation: That the City Council approve the purchase of the Quest DR4300 disk backup appliance at a cost of $24,261.30, which includes applicable sales tax and shipping.

Documentation: M.O. 04-020717
Disposition: Approved.

4. AUTHORIZATION TO PURCHASE BATTERY-ELECTRIC TRANSIT BUSES, CHARGING STATIONS, FAREBOXES, AND ITS SOFTWARE AND EQUIPMENT FOR TRANSIT ELECTRIFICATION PROJECT

Recommendation: That the City Council:

1. Adopt a Resolution authorizing the City Manager or his designee to sign all contract documents, purchase orders and change orders for a bus purchase contract with GreenPower Motor Company of Porterville, CA for a ten-year period through February of 2027, with an initial purchase of ten buses and eleven charging stations in an amount not to exceed $9,502,192; and
2. Adopt a Resolution authorizing the City Manager or his designee to sign all contract documents, purchase orders and change orders for a

ITS system purchase contract with RouteMatch of Atlanta, GA, for the purchase of a variety of dispatching, communication, vehicle location, passenger counting and analytical tools in an amount not to exceed $400,000; and

3. Adopt a Resolution authorizing the City Manager or his designee to sign all contract documents, purchase orders and change orders for an electronic farebox system purchase contract with Genfare of Elk Grove Village, IL for the purchase of eleven electronic fareboxes in an amount not to exceed $163,992.78; and
4. Authorize the Mayor to sign the Resolutions.

Documentation: Resolution No. 02-2017; Resolution No. 03-2017; and Resolution No. 04-2017

Disposition: Approved.

5. APPROVAL OF EASEMENT AT CENTENNIAL PLAZA PARKING LOT AND PURCHASE AND INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS

Recommendation: That the City Council:

1. Approve the draft Resolution granting easement across city-owned parcels 253-207-008-000 and 253-207-009-000, located near the intersection of Thurman Avenue and 2nd Street, to Southern California Edison (SCE) for an electrical service associated with the installation of public charging stations at the Centennial Plaza parking lot and authorize Mayor and City Clerk to execute the Grant of Easement and Resolution granting SCE the right to install and maintain electrical infrastructure within the Centennial Plaza parking lot;
2. Authorize Staff to negotiate the purchase of 6 electric vehicle charging stations, installation, and the required 10-year network subscription from ChargePoint, Inc., at a total cost of $25,803 (plus sales tax and shipping fees to be applied during time of invoicing);
3. Authorize payment upon installation and acceptance of charging stations; and
4. Direct the scheduling of a Public Hearing to consider the establishment of a fee structure for the use of the charging stations.

Documentation: M.O. 06-020717

Disposition: Approved.

6. AUTHORIZATION TO REPAIR CITY WELL 4

Recommendation: That City Council:

1. Direct the Finance Director to initiate a Purchase Order to Valley Pump

& Dairy Systems in an amount not to exceed $11,718 for the repair of City Well No. 4; and
2. Direct the Finance Director to make payment to Valley Pump & Dairy Systems upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 06-020717
Disposition: Approved.

7. AUTHORIZATION TO REPAIR CITY WELL 6

Recommendation: That City Council:
1. Direct the Finance Director to initiate a Purchase Order to Valley Pump & Dairy Systems in an amount not to exceed $32,536 for the repair of City Well No. 6; and
2. Direct the Finance Director to make payment to Valley Pump & Dairy Systems upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 07-020717
Disposition: Approved.

8. ACCEPTANCE OF PROJECT - SCRANTON AVENUE WATER RELOCATION 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. 08-020717
Disposition: Approved.

9. ACCEPTANCE OF PROJECT - TRANSIT MAINTENANCE & CNG FACILITY EXPANSION 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. 09-020717
Disposition: Approved.

10. INTERIM FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the interim financial status reports as presented.

Documentation: M.O. 10-020717
Disposition: Approved.

11. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly Portfolio Summary report.

Documentation: M.O. 11-020717
Disposition: Approved.

12. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE BREAKFAST ROTARY - CANCER CENTER RUN - MAY 6, 2017

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

Documentation: M.O. 12-020717
Disposition: Approved.

13. REQUEST FOR PROCLAMATION - 100TH ANNIVERSARY OF THE ALTA MIRA CHAPTER NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION (NSDAR).

Recommendation: That the City Council consider approval of the request to issue a proclamation recognizing the 100th anniversary of the Alta Mira Chapter NSDAR.

Documentation: M.O. 13-020717
Disposition: Approved.

PUBLIC HEARINGS

14. ANNEXATION 481 - SEVENTH DAY ADVENTIST CHURCH AT LINDA VISTA AVENUE AND STATE ROUTE 65

Recommendation: That the City Council adopt the draft resolution requesting that the Local Agency Formation Commission take proceedings for Annexation 481.

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

The Public Hearing was opened at 7:03 p.m. When no one came forward the Mayor closed the Public Hearing at 7:03 p.m.

<u>COUNCIL ACTION:</u> MOVED by Council Member Hamilton, SECONDED by Council Member Flores that the City Council that the City Council adopt the draft resolution requesting that the Local Agency Formation Commission take proceedings for Annexation 481.

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

Documentation: Resolution No. 06-2017
Disposition: Approved.

15. VACATION OF MEDIAN AVENUE AND MILO STREET

Recommendation: That City Council:

1. Adopt the draft Resolution of Vacation of Median Avenue and Milo Street located on Parcel Map No. 4078; and
2. Authorize the City Clerk to record the Resolution of Vacation.

City Manager Lollis introduced the item, and Acting City Engineer Javier Sanchez presented the staff report.

The Public Hearing was opened at 7:05 p.m. When no one came forward the Mayor closed the Public Hearing at 7:05 p.m.

<u>COUNCIL ACTION:</u> MOVED by Council Member Flores, SECONDED by Council Member Hamilton that the City Council Adopt the draft Resolution of Vacation of Median Avenue and Milo Street located on Parcel Map No. 4078 and authorize the City Clerk to record the Resolution of Vacation.

AYES:	Reyes, Hamilton, Flores, Stowe
NOES:	None
ABSTAIN:	None

ABSENT: Ward

Documentation: Resolution No. 07-2017
Disposition: Approved.

SCHEDULED MATTERS

16. CONSIDERATION OF PARTNERSHIP WITH SIERRA VIEW MEDICAL CENTER FOR PROPOSED 2017 FARMERS MARKET

Recommendation: That the City Council consider the City's partnership with Sierra View Medical Center for the proposed 2017 Farmers Market.

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

The Council and Staff had a discussion regarding possible future increases in the amount of money required to hold the Farmers Market each year. They also discussed the local participation from vendors and the public.

Council Member Hamilton requested to see a detailed budget prior to a vote of the Council; and Council Member Reyes agreed with the request.

- Dan Blazer, Farmers Market Committee, addressed questions from the Council regarding the Healthy Bucks Program.

Disposition: Continued to the meeting of February 21, 2017.

17. CONSIDERATION OF APPOINTMENTS TO THE TRANSACTIONS AND USE TAX (MEASURE H) OVERSIGHT COMMITTEE ("TUTOC")

Recommendation: That the City Council consider the appointment of four individuals to the Transactions and Use Tax (Measure H) Oversight Committee to fill two vacancies with terms expiring in May 2018 and two vacancies with terms expiring in May 2020.

City Manager Lollis introduced the item, and Administrative Services Director Patrice Hildreth presented the staff report.

Following the staff report, the Council utilized the McCracken Method to select the four individual's for appointment. The Deputy City Clerk distributed and collected ballots, and City Attorney Lew reported the results as follows:

- Mayor Stowe voted for John Angell, Mike Boudreaux Sr., Jerry C. Claborn, and Daniel J. Stadtherr
- Council Member Flores voted for John Angell, Mike Boudreaux Sr., Barry Caplan,

and Jerry C. Claborn

- Council Member Hamilton voted for John Angell, Mike Boudreaux Sr., Jerry C. Claborn, and Daniel J. Stadtherr
- Council Member Reyes voted for John Angell, Mike Boudreaux Sr., Barry Caplan, and Jerry C. Claborn

After a brief discussion it was agreed that Mr. Angell and Mr. Boudreaux would serve the terms ending in 2020 and Mr. Claborn would serve the term ending in 2018.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Flores that the City Council appoint John Angell and Mike Boudreaux Sr. to terms ending in 2020 and Jerry C. Claborn to a term ending in 2018 on the Transactions and Use Tax (Measure H) Oversight Committee.

With one vacancy still available, the Deputy City Clerk distributed and collected ballots again; and City Attorney Lew reported the results as follows:

- Council Member Flores voted for Barry Caplan
- Council Member Reyes voted for Barry Caplan
- Mayor Stowe voted for Daniel J. Stadtherr
- Council Member Hamilton voted for Daniel J. Stadtherr

Since neither remaining candidate had received three votes in favor of appointment, the Council decided to wait until all five members of the Council were present to break the tie.

Documentation: M.O. 14-020717
Disposition: Approved appointment of three individuals; and continued consideration of remaining vacancy to the meeting of February 21, 2017.

18. CONSIDER ESTABLISHING A PERMIT TO ALLOW RESIDENTS TO MODIFY THE EVEN/ODD WATERING SCHEDULE

Recommendation: That the City Council consider the establishment of a permit to allow residents to modify the even/odd watering schedule.

City Manager Lollis introduced the item and presented the staff report. In light of Vice Mayor Ward's absence, the Council decided to continue the item to the next meeting.

Disposition: Item continued to the meeting of February 21, 2017.

19. CONSIDER ESTABLISHING A FINE FOR VIOLATING THE CITY'S SIGN ORDINANCE

Recommendation: That the City Council consider the establishment of a fine for violating the City's Sign Ordinance.

City Manager Lollis introduce the item, it was noted that the item was requested by Vice Mayor Ward and the Council agreed to continue the item to the next meeting.

Disposition: Item continued to the meeting of February 21, 2017.

20. CONSIDER ADJUSTMENT OF ANIMAL SHELTER ADOPTION FEES

Recommendation: That the City Council consider the adjustment of Animal Shelter adoption fees.

City Manager Lollis introduced the item, and because it had been requested by Vice Mayor Ward was continued to the next meeting.

Disposition: Item continued to the meeting of February 21, 2017.

21. CONSIDERATION OF SCHEDULING CITY COUNCIL GOAL AND PRIORITY SETTING SESSION

Recommendation: That the City Council provide direction in the scheduling and method toward the setting of goals and priorities, to be employed in a goal setting session and be scheduled as determined by the Council.

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

Council directed staff to schedule an adjourned meeting in March, and indicated that they would each identify priorities which would be communicated to staff prior to the meeting.

Disposition: Staff to bring back proposed date for adjourned meeting.

22. 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.

<u>COUNCIL ACTION:</u> MOVED by Council Member A. Monte Reyes, SECONDED by Council Member Cameron Hamilton that the City Council approve the continued Declaration of Local Emergency.

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

Documentation: M.O. 15-020717
Disposition: Approved.

23. REQUEST FOR PROCLAMATION - PATRIOTISM WEEK

Recommendation: That the City Council consider the request to proclaim February 20 – 26, 2017, as "Patriotism Week."

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

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Flores, that the City Council approve the request to proclaim February 20 – 26, 2017, as "Patriotism Week."

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

Documentation: M.O. 16-020717
Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, stated that he was really looking forward to the Farmers Market coming back.
- Dan Blazer stated that he appreciated the Council's discussion pertaining to the Farmers Market; attributed the increase in funds to the additional month the market would be on Main Street; and expressed a desire to maintain the partnership between the Farmers Market, Sierra View, and the City.
- Barry Caplan, Porterville, stated that he had attended a recent transit survey meeting and found it to be a positive and informative experience.

OTHER MATTERS

- Council Member Flores stated that she had attended the Porterville High School Business Showcase and it was excellent.
- Council Member Hamilton spoke of the increase in funds requested for the Farmers

Market and stated that while he believed the number was lower than it probably should be he needed to see a budget prior to making a decision; spoke of upcoming Coffee with a Cop on Thursday at Stafford's; thanked staff for their efforts pertaining to the retrieval of a body in the Tule River and expressed his condolences to the family of the deceased; and spoke of flooding at the reservation.

- Council Member Reyes gave himself kudos for holding on to an autographed Tom Brady rookie card he acquired many years ago.
- Mayor Stowe thanked those in the retrieval of the body in the river; and spoke of Porterville College's Hall of Fame event on February 25th.
- City Manager Lollis stated that Virginia Gurrola had been recognized by TCAG as 2016 Local Official of the Year; stated that Public Works Director Mike Reed was in Sacramento due to the City being recognized for the East Porterville Water Project; and spoke of upcoming Love Your Downtown event on Thursday, Tractor Supply Co. Ribbon Cutting event on Saturday, and a CDBG Community Meeting on February 15th.

CLOSED SESSION

The Council took a ten minute recess at 7:50 p.m. and reconvened in Closed Session. It was reported that no reportable action was anticipated.

ADJOURNMENT

The Council adjourned at 8:40 p.m.to the meeting of February 21, 2017.

Luisa M. Zavala
Luisa M. Zavala, Deputy City Clerk

SEAL

Milt Stowe
Milt Stowe, Mayor