CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 21, 2017, 5:30 PM

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

ORAL COMMUNICATIONS
None

CITY COUNCIL CLOSED SESSION:
City Manager Lollis recused himself from Item No. A-6 due to a potential conflict of interest pertaining to real property; and Council Member Reyes recused himself from Item No. A-8 due to a perceived conflict of interest.

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 252-193-010 and 252-193-008. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Citibank. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 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. Negotiating Parties: City of Porterville and Dexter J. and Erline Goodell. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs 255-220-046, 247-040-034, 247-040-035, 247-090-028, 247-110-019, 247-120-022, 248-050-036, and 248-010-019. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Greg Shelton. Under Negotiation: Terms and Price.

4 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 246-280-028. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Church of Christ. Under Negotiation: Terms and Price.

5 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 240-070-018. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Alan and Elizabeth Changala. Under Negotiation: Terms and Price.

6 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 240-060-004. Agency Negotiator: Patrice Hildreth. Negotiating Parties: City of Porterville and Harbinder S. Brar Limited Partners. Under Negotiation: Terms and Price.

7 - Government Code Section 54956.95 – Liability Claim: Claimant: Jennifer Parraguirre. Agency claimed against: City of Porterville.

8 - Government Code Section 54956.95 – Liability Claim: Claimant: Donald Doyel.

Agency claimed against: City of Porterville.
9 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three cases in which facts are not yet known to potential plaintiff.
10 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

6:40 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported on the following action taken during closed session:

A-2. On a MOTION made by Council Member Hamilton, and SECONDED by Council Member Flores the City Council unanimously approved the acceptance of offer of $140,000 plus closing cost, and the acceptance of an additional property donation.

Documentation: Resolution No. 08-2017; Resolution No. 09-2017; and M.O. 01-022117
Disposition: Approved.

A-3. On a MOTION made by Council Member Hamilton, SECONDED by Vice Mayor Ward the City Council unanimously approved purchase of properties for $338,000.

Documentation: Resolution No. 10-2017
Disposition: Approved.

A-7. On a MOTION made by Council Member Hamilton, SECONDED by Council Member Flores the City Council unanimously rejected the claim filed by Jennifer Parraguirre.

Documentation: M.O. 02-022117
Disposition: Approved.

A-8. On a MOTION made by Council Member Hamilton, SECONDED by Council Member Flores the City Council rejected the claim filed by Donald Doyel.

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

Documentation: M.O. 03-022117
Disposition: Approved.

The Pledge of Allegiance was led by Council Member Hamilton.
Invocation – a moment of silence was observed.

PRESENTATIONS

CAFR Presentation
Project Homeless Connect

AB 1234 REPORTS

None

REPORTS

I. City Commission and Committee Meetings
   1. Parks and Leisure Services Commission
      Commissioner Monte Moore presented the Commission's Report which included information pertaining to open gym, track and field, youth softball and baseball programs, Fishing Derby event, and Military Banners.
   2. Library & Literacy Commission - February 14, 2017
      Commissioner Allan Bailey reported on the Commission's discussion regarding use of the gift Mr. Peter Brown left to City Library; and reported on monthly highlights which included the Food for Fines Campaign, Story Time participants, volunteer hours, ESL attendance, Sunday patronage, and the upcoming Annual Read Across America event.
   3. Arts Commission – no report.
   4. Animal Control Commission - February 13, 2017
      Commissioner Daniel Penaloza presented monthly statistics pertaining to animal control.
   5. Youth Commission - February 13, 2017 – no report.
   6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.

II. Staff Informational Reports
   1. Wall of Fame Honor Designations
   2. Water Conservation Phase IV Status Update

Mayor Stowe recognized former Mayor and Council Member Virginia Gurrola and her husband Sal who were in attendance. He also noted that she was being honored by Porterville College as the 2017 Distinguished Hall of Fame inductee.

ORAL COMMUNICATIONS

- Virginia Gurrola, Porterville, spoke regarding an award presented to the City for the East Porterville Water Project, recognized Porterville Area Coordinating Council, City Manager Lollis, City staff and the Council for their efforts.
- Barry Caplan, Porterville, spoke of his experience in accounting and interest in the communicated as it pertained to his request for appointment to the Transactions and Use Tax Oversight Committee; and requested that the Council revert back to its previous proclamation process.
- Isla Courier, Strathmore, inquired of any proclamation sponsor alternatives.
- Linda Spears stated that she was an advocate for seniors who could not afford their City utility bills; and inquired about the Arts Commission.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Flores that the City Council approve Items Nos. 1 through 7. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF DECEMBER 6, 2016, AND JANUARY 31, 2017

Recommendation: That the Council approve the draft Minutes of December 6, 2016, and January 31, 2017.

Documentation: M.O. 04-022117
Disposition: Approved.

2. AWARD OF CONTRACT - FIRE PREVENTION WEED ABATEMENT

Recommendation: That the City Council authorize the Fire Chief to execute an agreement with R. Stephen Richard Inc. as the primary contractor for a 3-year term.

Documentation: M.O. 05-022117
Disposition: Approved.

3. CITY POOL CONCESSION LICENSE

Recommendation: That the City Council approve the City Pool Concession License with SM Transit.

Documentation: M.O. 06-022117
Disposition: Approved.

4. COMMUNITY CLEANUP EVENTS

Recommendation: That City Council:

1. Declare April 8, 2017, "Spring Clean-Up Day" and October 21, 2017, "Fall Clean-Up Day";
2. Encourage all residents to clean up their properties and take advantage of these special opportunities offered by the City;
3. Authorize the City to accept trash, litter and yard clippings delivered by City residents receiving City residential refuse service to the Spring and Fall Clean-Up Events for free disposal; and
4. Authorize the cost of both events be funded from the Solid Waste Operating Budget.

Documentation: M.O. 07-022117
Disposition: Approved.

5. AUTHORIZATION TO TRAVEL OUT OF STATE

Recommendation: That the City Council approve travel to Las Vegas, Nevada, for the purpose of attending the International Council of Shopping Centers conference.

Documentation: M.O. 08-022117
Disposition: Approved.

6. SCHEDULING OF CITY COUNCIL PRIORITY PROJECT STUDY SESSION AND PROPOSED BUDGET CALENDAR FOR FISCAL YEAR 20172018

Recommendation: That the City Council:
1. Approve the scheduling of its Priority Project Study Session for Tuesday, March 14, 2017, beginning at 5:30 PM in Council Chambers; and
2. Approve the proposed budget calendar for the 20172018 fiscal year.

Documentation: M.O. 09-022117
Disposition: Approved.

7. APPROVAL FOR COMMUNITY CIVIC EVENT - MONACHE HIGH SCHOOL AG/FFA DEPARTMENT - FARMER'S DAY AND 5K RUN - MARCH 4, 2017

Recommendation: That the Council approve the Community Civic Event Application and Agreement from the Monache High School Ag/FFA 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. 10-022117
Disposition: Approved.

The Council took a ten minute recess at 7:21 p.m.

SCHEDULED MATTERS

8. 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.

Council Member Flores spoke in support of the partnership and made a motion authorizing a maximum of $15,500 towards the Farmers Market and directing that the City

Manager work out an invoice requisition process for payment.

In response to the motion, City Manager Lollis requested clarification and inquired if the Council was opposed to financial support of any of the proposed activities in the presented budget. The Council discussed vendor fees, revenues, collaboration, competition with local businesses, and participation of local farmers. The Council concurred that the City Manager would have discretion and would come back to the Council should additional funds be required.

Community Development Director Jenni Byers spoke of community interest in a farmer's market; and Mayor Stowe spoke of his experience in Hanford.

COUNCIL ACTION: MOVED by Council Member Flores, SECONDED by Council Member Hamilton that the City Council authorize the use of up to $15,500, and direct the City Manager to develop an invoice requisition process for payment.

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

Documentation: M.O. 11-022117
Disposition: Approved.

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

Recommendation: That the City Council consider the appointment of one individual to the Transactions and Use Tax (Measure H) Oversight Committee to fill one vacancy with a term expiring in May 2018.

City Manager Lollis introduced the item and presented the staff report. Following the staff report, the Council utilized the McCracken Method to select an individual for appointment. The Deputy City Clerk distributed and collected ballots, and City Attorney Lew reported the results as follows:

- Council Member Reyes voted for Virginia Gurrola
- Vice Mayor Ward voted for Virginia Gurrola
- Mayor Stowe voted for Virginia Gurrola
- Council Member Hamilton voted for Virginia Gurrola
- Council Member Flores voted for Barry Caplan

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Vice Mayor Ward that the City Council appoint Virginia Gurrola to the Transactions and Use Tax Oversight Committee to a term expiring in May of 2018.

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

Documentation: M.O. 12-022117
Disposition: Approved.

10. 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.

Vice Mayor Ward explained that he had been approached by members of the community who were looking for flexibility in their watering day, and stated that he did not anticipate there being a significant impact to the community.

Discussion followed regarding the need for continued water conservation, permitting programs in nearby cities, enforcement, educating the public, and Sustainable Groundwater Management Act requirements.

Documentation: None
Disposition: No action taken.

11. 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 introduced the item, and Vice Mayor Ward spoke of signs remaining from November's election.

City Attorney Lew spoke of difficulties holding anyone other than the property owner accountable for temporary sign placement. A discussion ensued regarding the various types of signage, incorporation of a permitting process with candidate election process, and challenges experienced when enforcing sign regulations.

Documentation: None
Disposition: No action taken.

12. 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 presented the staff report. Vice Mayor Ward spoke of a recent experience at the County Animal Shelter where he discovered that discounted fees were available for certain breeds and/or events.

Members of the Council spoke in support of flexibility, and City Manager Lollis noted that fees were adopted by resolution of the Council. Police Chief Eric Kroutil agreed that the option to discount fees would be advantageous, and requested that the authority to discount the fees be granted to the City Manager or Police Chief to avoid having to seek Council approval each time.

Documentation: None
Disposition: Staff directed to bring back a draft resolution for consideration.

The Council took a ten minute recess at 8:35 p.m.

13. CONSIDERATION OF CITY COUNCIL PROCEDURAL HANDBOOK

Recommendation: That the City Council consider the City Council Procedural Handbook, and adopt changes to the Handbook and/or provide direction to staff as deemed appropriate.

City Manager Lollis introduced the item and presented the staff report. Council Member Flores stated that she would like to see the process for appointments to commissions and committees added to the handbook. After some discussion, it was determined that Council Member Flores would like to see more information provided by the candidates, and the Council requested that additional information be provided to interested parties about the various commissions and committees.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Reyes that the City Council adopt the City Council Handbook as is. The motion carried unanimously.

Documentation: M.O. 13-022117
Disposition: Approved.

14. CONSIDERATION OF RESCISSION OF APPOINTMENT TO THE ANIMAL CONTROL COMMISSION AND THE TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE

Recommendation: That the City Council consider the rescission of appointment of Mr. Richard Stadtherr to the City's Animal Control Commission and Transactions and Use Tax Oversight Committee.

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

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Vice Mayor Ward that the City Council approve the rescission of Mr. Richard Stadtherr's appointment to the Animal Control Commission and the Transactions and Use Tax Oversight Committee. The motion carried unanimously.

Documentation: M.O. 14-022117
Disposition: Approved.

15. 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. He also spoke of a public meeting at Granite Hills High School regarding Phase 2; and addressed questions pertaining to agency jurisdictions and funding for the repair of Henderson Avenue west of Newcomb Street.

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

Documentation: M.O. 15-022117
Disposition: Approved.

ORAL COMMUNICATIONS

- Barry Caplan stated that the Library and Literacy Commission was working with the City Librarian to address security for library computer use; and spoke about a new law that required single user bathrooms to be gender neutral.

OTHER MATTERS

- Council Member Flores thanked staff for its community meeting efforts.
- Council Member Hamilton spoke of upcoming events, such as Imagine Mardi Gras, PC Hall of Fame, and City of Hope Spectacular.
- Vice Mayor Ward hoped everyone had a great Valentine's Day and stated that she was looking forward to March.
- Council Member Reyes shared that he had been busy cleaning up after his tulip trees.
- Mayor Stowe spoke of Porterville College's Hall of Fame; and thanked City Attorney Lew for providing this year's ethics training.
- City Manager Lollis spoke of upcoming Eastern Tule GSA Public Hearing, CDBG Advisory and Housing Committee meeting, and Public Safety Banquet where Armando Perez and Jason Clark would be recognized.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 9:15 p.m. to the meeting of March 7, 2017.

Luisa M. Zavala, Deputy City Clerk

SEAL

Milt Stowe, Mayor