

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 4, 2017, 5:30 PM**

Called to order at 5:33 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:

- A. Closed Session Pursuant to:
- 1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 260-320-037, 260-320-038, 260-310-016, 260-310-043, 260-310-042, 260-250-026, 260-250-031, 260-260-002, 260-260-006, and 260-320-032. Agency Negotiator: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Dexter J. and Erline Goodell. Under Negotiation: Terms and Price.
 - 2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Porterville City Employees Association and Public Safety Support Unit.
 - 3 - Government Code Section 54956.95 – Liability Claim: Claimant: James and Veronica Wickersham. Agency claimed against: City of Porterville.
 - 4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Judith Howard v. City of Porterville, et al., U.S. District Court Case No. 1:16-cv-01071-AWI-SAB.
 - 5 - 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.
 - 6 - 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-3, as follows:

- A-3. On a MOTION made by Council Member Hamilton, SECONDED by Vice Mayor Ward, the City Council unanimously reject the claim submitted by James and Veronica Wickersham.

Documentation: M.O. 01-040417

Disposition: Claim Rejected.

Pledge of Allegiance Led by Mayor Stowe
Invocation

PROCLAMATIONS

Library Week - April 9 - 15, 2017

Volunteer Week - April 23 - 29, 2017

AB 1234 REPORTS

This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Tulare County Economic Development Corp. (TCEDC) - March 22, 2017

Council Member Reyes stated that he was unable to attend the meeting, and reported that no action items were considered.

REPORTS

City Manager Lollis spoke briefly about Spring Clean-Up events on Saturday, April 8th.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, expressed disappointment in Council Member Hamilton's stance on AB 242; and stated that the bill was being supported by Diane Feinstein and John McCain.
- Sonia Lopez inquired about citations for violations and the appeal process.
- Logan Menchaca stated that he was a middle school student interested in a community garden project to help the environment, educate youth, and feed the needy; and inquired about the steps required to make the project happen.

CONSENT CALENDAR

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council approve Items Nos. 1-10. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF FEBRUARY 7, 2017, AND FEBRUARY 21, 2017

Recommendation: That the Council approve the draft Minutes of February 7, 2017, and February 21, 2017.

Documentation: M.O. 02-040417

Disposition: Approved.

2. ACCEPTANCE OF FOUR (4) COMPRESSED NATURAL GAS (CNG) REFUSE TRUCKS

Recommendation: That City Council:

1. Accept the project as complete; and
2. Authorize the filing of the Notice of Completion.

Documentation: M.O. 03-040417

Disposition: Approved.

3. ACCEPTANCE OF ONE (1) COMPRESSED NATURAL GAS (CNG) STREET

SWEEPER

Recommendation: That City Council:

1. Accept the project as complete; and
2. Authorize the filing of the Notice of Completion.

Documentation: M.O. 04-040417

Disposition: Approved.

4. APPROVAL OF AMENDMENT NO. 2 TO THE WASTE DISPOSAL AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND THE COUNTY OF TULARE

Recommendation: That the City Council approve and authorize the Mayor to sign Amendment No. 2 to the Waste Disposal Agreement with the County of Tulare.

Documentation: M.O. 05-040417

Disposition: Approved.

5. APPROVAL FOR COMMUNITY CIVIC EVENT - GREATER PORTERVILLE COUNCIL OF SENIOR CITIZENS AND ROLLIN' RELICS CAR CLUB - ROLLIN' RELICS CAR SHOW - MAY 13, 2017

Recommendation: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Greater Porterville Senior Council and the Rollin' Relics Car Club, subject to the stated requirements contained in the Application, Agreement and Exhibit A and Exhibit B.

Documentation: M.O. 06-040417

Disposition: Approved.

6. APPROVAL OF CAROLLO ENGINEERS, INC. PROFESSIONAL SERVICE AGREEMENT - MASTER PLAN UPDATES

Recommendation: That the City Council:

1. Approve the attached Professional Services Agreement with Carollo Engineers, Inc. for the Master Plan Updates; and
2. Authorize a 10% contingency for unforeseen design changes; and
3. Authorize the Mayor to execute the implementation of the agreement by his signature.

Documentation: M.O. 07-040417

Disposition: Approved.

7. INTENT TO SET A PUBLIC HEARING MOVING TO PHASE III OF THE CITY'S WATER CONSERVATION PLAN

Recommendation: That City Council direct the City Clerk to notice a Public Hearing to discuss the transition from Phase IV to Phase III of the Water Conservation Plan during the May 2, 2017, meeting.

Documentation: M.O. 08-040417

Disposition: Approved.

8. REQUEST FOR PROCLAMATION - MDA & FIREFIGHTER MONTH - APRIL 2017

Recommendation: That the City Council consider approval of the request to proclaim April 2017, as "MDA & Firefighter Month" in Porterville.

Documentation: M.O. 09-040417

Disposition: Approved.

9. REQUEST FOR PROCLAMATION CHILD ABUSE PREVENTION AND AWARENESS MONTH - APRIL 2017

Recommendation: That the City Council consider approval of the request to proclaim April 2017, as "Child Abuse Prevention and Awareness Month" in Porterville.

Documentation: M.O. 10-040417

Disposition: Approved.

10. REQUEST FOR PROCLAMATION - JAMES KUSSEROW

Recommendation: That the City Council consider approval of a proclamation in recognition of James Kusserow.

Documentation: M.O. 11-040417

Disposition: Approved.

PROCLAMATIONS

Child Abuse Prevention and Awareness Month – April 2017

MDA and Firefighter Month – April 2017

PUBLIC HEARINGS

11. ADOPTION OF A COST RECOVERY ORDINANCE

Recommendation: That the City Council approve the draft Ordinance, waive further reading, and order the ordinance to print.

City Manager Lollis introduced the item, and Community Development Director Jenni Byers presented the staff report. Council Member Flores confirmed that the ordinance applied to both commercial and residential.

The Public Hearing was opened at 7:28 p.m., and closed at 7:29 p.m., when nobody came forward.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Vice Mayor Ward, that the City Council approve the draft Ordinance, being AN ORDINANCE OF THE CITY OF PORTERVILLE, CALIFORNIA, AMENDING CHAPTER 2 (ADMIN) OF THE PORTERVILLE CITY CODE BY ADDING ARTICLE XV (COST RECOVERY PROGRAM) TO PROVIDE FOR COMPREHENSIVE COST RECOVERY IN NUISANCE ABATEMENT ACTIONS, waive further reading, and order the ordinance to print. The motion carried unanimously.

The Ordinance was read by title only.

Documentation: Ordinance No. 1840

Disposition: Approved.

SCHEDULED MATTERS

12. RESOLUTION CONFIRMING THE CITY'S PARTICIPATION IN THE ABANDONED VEHICLE ABATEMENT PROGRAM IN TULARE COUNTY

Recommendation: That the City Council approve the Draft Resolution confirming the City's participation in the abandoned vehicle abatement program administered by the Tulare County Association of Governments, acting as the Service Authority.

City Manager Lollis introduced the item and presented the staff report. A discussion ensued regarding the DMV assessment, allocations, and the Police Department's stance on the matter.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Flores, that the City Council approve the draft resolution confirming the City's participation in the abandoned vehicle abatement program administered by the Tulare County Association of Governments, acting as the Service Authority. The motion carried unanimously.

Documentation: Resolution No. 15-2017

Disposition: Approved.

13. AUTHORIZATION FOR TRAVEL BY CITY REPRESENTATIVES TO WASHINGTON D.C. TO MEET WITH FEDERAL AUTHORITIES REGARDING THE PROPOSED RELOCATION OF EAGLE MOUNTAIN CASINO

Recommendation: That the City Council:
1. Authorize travel by City representatives to Washington D.C. and Sacramento as necessary, and

2. Appropriate \$5,000 from the Special Purposes Fund for anticipated travel expenses.

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

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Hamilton, that the City Council Authorize travel by City representatives to Washington D.C. and Sacramento, as necessary; appropriate \$5,000 from the Special Purposes Fund for anticipated travel expenses; and designate Mayor Stowe and Council Member Hamilton as representatives, with Council Member Flores and Council Member Reyes as alternates. The motion carried unanimously.

Documentation: M.O. 12-040417

Disposition: Approved.

14. CONSIDER ADMINISTRATION OF A CODE ENFORCEMENT RESIDENT SURVEY

Recommendation: That the City Council provide direction in the circulation of the Resident Survey.

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

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Hamilton, that the City Council approve the Code Enforcement Resident Survey; and order it to print and circulate to residents. The motion carried unanimously.

Documentation: M.O. 13-040417

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. Acting Public Works Director Reed provided an update on the amount of properties that had not taken advantage of the emergency water connection program.

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

Documentation: M.O. 14-040417

Disposition: Approved.

Adjourned at 7:45 p.m. to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

**SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 NORTH MAIN STREET, PORTERVILLE, CA 93257
APRIL 4, 2017**

Roll Call: Agency Member Reyes, Agency Member Hamilton, Agency Member Flores,
Agency Vice Chair Ward, Agency Chair Stowe

WRITTEN COMMUNICATION

None

ORAL COMMUNICATIONS

None

SUCCESSOR AGENCY SCHEDULED MATTERS

SA-16. CONSIDERATION OF TENANT FOR VILLA SIENA COMMERCIAL SPACE

Recommendation: That the Successor Agency to the Porterville Redevelopment Agency approve the transfer of the Villa Siena commercial parcel from TPC Commercial, LLC to Dr. Stanton E. Schuler, DDS, for the establishment and operation of a general dental practice.

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

COUNCIL ACTION: MOVED by Vice Chair Ward, SECONDED by Agency Member Flores, that the Successor Agency to the Porterville Redevelopment Agency approve the transfer of the Villa Siena commercial parcel from TPC Commercial, LLC to Dr. Stanton E. Schuler, DDS, for the establishment and operation of a general dental practice. The motion carried unanimously.

Documentation: SA M.O. 01-040417

Disposition: Approved.

Adjourned at 7:47 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores thanked staff for its coordination of the Wall of Fame event, and

congratulated the honorees; spoke of her attendance at the indoor color guard and drumline event at Granite Hills; and reminded everyone of 1st Friday Coffee, Porterville Chamber Business after Hours and the Cinco de Mayo Parade.

- Council Member Hamilton gave kudos to staff for a successful Kids Fest; spoke of the upcoming Egg Hunt; and sent good wishes to the Police Department staff who had a stressful day.
- Council Member Reyes spoke of the Wall of Fame event; stated that he was glad to be back after missing a meeting; and spoke of a recent trip to the Bay area and the silver hair trend.
- Vice Mayor Ward thanked the Latter Day Saints Church for its presentation; and stated that he was travel weary.
- Mayor Stowe thanked Donnie for the Wall of Fame, which he described as the best one yet; stated that his heart went out to the family of the little girl who was murdered; and thanked the Latter Day Saints Church for the book he had received.
- City Manager Lollis spoke about an educational program that would be offered by Qualcomm next school year, Spring Clean events, Music on Main Street, and TCAG retreat; and wished everyone a happy Easter.

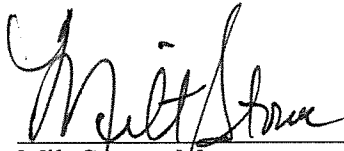
CLOSED SESSION

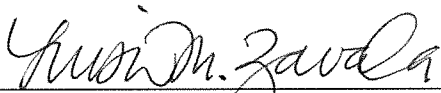
None

ADJOURNMENT

The Council adjourned at 7:56 p.m. to the meeting of April 18, 2017.

SEAL



Milt Stowe, Mayor

Luisa M. Zavala, Deputy City Clerk