Call to Order: 1:00 p.m.
Roll Call: Council Member Irish, Council Member Martinez, Mayor Pro Tem Hamilton, Council Member Stadtherr, Mayor West

Pledge of Allegiance Led by Council Member Ron Irish
Invocation - One person participated.

ORAL COMMUNICATIONS
None

PUBLIC HEARING
1. SUBMISSION OF A CITY TRANSACTION AND USE TAX INCREASE PROPOSITION FOR THE NOVEMBER 8, 2005 SPECIAL ELECTION - PORTERVILLE POLICE, FIRE AND EMERGENCY RESPONSE/9-1-1 MEASURE

Recommendation: (1) That the Council consider the inclusion of a citizen’s oversight component in the ballot measure, and (2) That the Council adopt the draft Resolution as modified above, with Ordinance, placing the measure on the November 8, 2005 ballot.

City Manager John Longley presented the item and Deputy City Manager Darrel Pyle presented the staff report.

Fire Chief Frank Guyton presented a slide presentation named Community Update on Public Safety Needs. Chief Guyton stated that 130 questionnaires were received from the community, and over 100 participants agreed that the community needed to improve public safety efforts and programs in the City,

The City Manager presented the component of the draft Resolution’s Attachment 2, Porterville Police, Fire, and Emergency Response 9-1-1 Measure Program Guidelines and Expenditure Plan.

Mayor West opened the public hearing at 1:14 p.m.

Greg Shelton, 888 N. Williford, came forward and voiced his concern about paying additional taxes for public safety. He stated that one concern was that the money may be diverted and lost down the road.

Dan Dale, 112439 Nancy Avenue, PHD Criminologist with 35 years of law enforcement training and background, came forward. He stated that he had been teaching modern law enforcement as being proactive. He stated that they couldn’t be proactive any longer, because they
were running from call to call. He stated that they needed to be proactive and hire more police and fire officers get ahead of the calls.

Robert DeMattais, President of the Friends of the Library, came forward speaking on behalf of himself. He spoke about ‘robbing Peter to pay Paul’. He stated that was what the State did to the City, and the City did to the Library. Mr. DeMattais spoke regarding the correlation between crime and literacy. He stated that they must protect their children from the problems of criminal activity by restoring the Library budget and renew its varied programs. Mr. DeMattais stated that they owed the tax initiative to their youth, and they needed it to protect their citizens and their community.

Felipe Martinez, 195 W. Putnam, came forward and spoke regarding the need to protect their children from gangs, and how the special funding would help. He stated that they also needed to look at the needs of the senior citizens. Mr. Martinez stated that the City needed to be safe from crime through police protection, and protected from fire, through fire suppression, and the children protected through literacy and youth programs. He stated that they needed to make their community go forward.

Roy Rockholt, President of the Senior Council, stated that he felt the seniors would be willing to pay a little extra for better protection. He stated that the money would be well spent on more police and fire officers.

Dick Eckhoff, Chairman of Downtown Porterville, came forward and presented a statement in which he reviewed the population and needs of Porterville for police and fire. Mr. Eckhoff strongly urged the inclusion of a Citizens Oversight Committee and regular audits. He urged the Council to accept the staff’s recommendation, add the Citizens Oversight Committee component to the ballot measure, and to adopt said resolution placing it on the November ballot.

Dorothy Broome, 862 Crystal, came forward and spoke about the need for the measure and the noticing of the meeting.

Marty McCormick, 222 West Henderson, owner of the Yellow Rose flower shop, came forward and spoke about the aid she had received from Police and Fire. She stated that she owed her business to the Fire Department, and in the last three and a half years the Police Department and Fire Department had always been there to help her. She stated that she realized the need to have someone come when you called, and she was in favor of this tax initiative.

Jennifer Lindgren, 1123 East Jasmine Drive, spoke about what makes a great place to live. She stated that Porterville needed to strive to keep up with modern technology and trends. She stated that the City had been fiscally responsible, but something needed to be done. Mrs. Lindgren stated that students needed the resources of the library and library programs. She asked the Council to do what they felt was right to support the community and make some sacrifices, such as asking for a little more money from the voters. She stated that she would like to see the Council vote to maintain the quality of life they had.

Dick Scearcy, 1452 Linda Vista Avenue, stated that he lived about a mile north of the City limits, but with a business in Porterville. He stated that he derived benefit from the current fire and public safety departments. He summarized that the California lottery could not happen again with this measure—the monies would not be subject to misuse by the State, and any new taxes would be
spend for public safety. Mr. Scearcy stated that future Councils could not reduce further general fund expenditures to compensate for the new tax money raised as it was safeguarded by the independent audits and the establishment of an oversight committee. He urged the adoption of the measure to begin to return money to the City. He stated that he could not vote for the measure, but he could work hard to see it passed.

Mayor West asked those in opposition to come forward.

Boyd Leavitt, 457 W. Oak Avenue, came forward and stated that he was not saying he was for or against, but had questions. He asked if Council was acting on the matter that day. He stated that he wished he had a copy of the resolution ahead of time to review. Mr. Leavitt stated that the audience present was not a good sample of the general public, which would contain a section of the unemployed. He asked that the Council not act on this today and have a evening public hearing. Mr. Leavitt stated that he supported fire and police, but was also concerned about the safeguards and 4/5 super-majority ability to change the funding. He stated that the public needed more information before November 8 if the Council wanted their support. Mr. Leavitt stated that the public needs more information, the Council needed to change the ability of a super-majority to use the funds differently, and all the money should go to police and fire with safeguards that the regular budget does not get cut accordingly.

Bob Latour, 326 N. Lindale, came forward in support and urged Council to adopt resolution.

Ruth Smith, 644 Theta Avenue, not in favor or opposed, but with questions. Mrs. Smith questioned why police and fire didn’t get a raise in their budget.

The City Manager explained the budgeting procedure and the changes resulting from State mandated budget changes. He stated that revenues had not been keeping up with expenditures. He also briefly reviewed the proposed budget breakdown for the tax initiative funds.

Mrs. Smith urged the inclusion of the Citizens Oversight Committee.

Mayor West closed the public hearing at 1:53 p.m.

The City Manager stated that there was a typographical error throughout that should say .5%.

Council Member Stadtherr spoke regarding a gang reduction program from Paramount which was done through Parks and Recreation and Community Development. He stated that the proposed Expenditure Plan was tight and he questioned the ability to have a winning program ran by another department. Council Member Stadtherr asked if the Police Chief had reviewed the program from Paramount.

City Manager Longley stated that if there was a legitimate connection to public safety, there was within the measure flexibility to adopt and advance those types of programs. He stated that this would not prevent innovation where it is legitimate to that purpose. He stated that there was no reason that any legitimate program could not be accomplished in the Police Department.

Mayor Pro Tem Hamilton stated that the purpose of the tax initiative was to increase manpower on the street.
Council Member Irish spoke regarding the needs of Police and Fire and the changes in the community and the dissipation of funding over time. He stated that two things concerned him—he would rather have the 4/5 vote be a 5/0 vote, and he would want the Citizen Oversight Committee established with outside audits.

Mayor Pro Tem Hamilton stated that he wanted the public to understand that the Council was bringing something to the people—the people would make the decision on the November 8 ballot. He stated that on the economic side—of every $1,000, it would only be $5,000 more. Mayor Pro Tem Hamilton stated that everyone buying in Porterville would be helping Porterville.

Regarding the paragraph—“The City Council will not use public safety revenue measure funds to replace General Fund dollars budgeted for normal operations at the previous year’s service levels. In the event of an economic emergency, the City Council may only alter this provision by a super majority (4/5th) vote.” Council Member Irish made a motion to change the (4/5th) vote to (5/0) vote. Council discussed the necessity for the paragraph and Mayor Pro Tem Hamilton stated that they should take out the clause period.

Council Member Irish withdrew his motion.

The City Manager explained that the clause was inserted for the event of a financial catastrophe to maintain funding from the previous years when there was a large loss of money, and there was an across the board curtailment.

COUNCIL ACTION

MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that Council remove the above paragraph entirely from the Program Guidelines and Expenditure Plan. The motion carried unanimously.

COUNCIL ACTION

MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that Council accept the resolution as presented, with the Program Guidelines and Expenditure Plan as amended, with a Citizen Oversight Committee, and the correction of clerical errors. The motion carried unanimously.

ADJOURNMENT

The Council adjourned at 2:15 p.m. to the meeting of August 2, 2005 at 6:00 p.m.

Georgia Hawley, Chief Deputy City Clerk

Kelly West, Mayor