CITY COUNCIL MINUTES - SPECIAL MEETING
291 N. MAIN ST., PORTERVILLE, CALIFORNIA
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 25, 2006, 7:00 P.M.

Roll Call: Council Member McCracken, Council Member P. Martinez, Mayor Pro Tem F. Martinez, Mayor Hamilton
Absent: One Council Vacancy

Pledge of Allegiance led by Mayor Pro Tem Felipe Martinez
Invocation: Moment of Silence

ORAL COMMUNICATIONS
Martha Alcazar Flores, 249 South Indiana, asked if it was permissible to ask about the selection process. She explained the selection process as she understood it, and that the Mayor would make the selection if no decision was made by the Council as a whole regarding the two candidates. Mrs. Flores stated that in that instance, she hoped that all the other candidates would again be considered by the Council.

SCHEDULED MATTER

1. CONSIDERATION OF CITY COUNCIL APPOINTMENT

The City Manager presented the staff report.

Mayor Hamilton stated that he was not at the September 5 Council meeting, but he had read the minutes prepared by the Chief Deputy. He stated that Council Member McCracken also wished to speak on this matter.

Council Member McCracken spoke regarding his vote for a motion he wasn’t fully aware of the intent, which removed the voice of two Council members early in the process, and which denied qualified candidates an opportunity to come before the Council and have their day. Council Member McCracken stated that they pushed citizen involvement. He stated that the Council should interview all the candidates and then make their selection.

Mayor Pro Tem F. Martinez stated that he and the Mayor interviewed all seven of the candidates, and they were all qualified, but as requested, the field was narrowed to those they felt most qualified for the position on the Council.

Council Member P. Martinez stated that they had two qualified individuals to consider, which did not mean that the other five applicants were not qualified, but the Mayor and Mayor Pro Tem selected the two individuals they felt would best fit into their team. Council Member P. Martinez stated that the individuals who applied, if not selected for this position, could certainly serve their community in other ways, and on other committees. He stated that he applauded and thanked the applicants for participating in this process.
Mayor Hamilton stated that he was not present for the September 5 discussion on this matter, but it passed four/zero and he thought it was the will of the Council, so they should continue on.

It was decided to alternate the questions between the applicants so it would be more equitable. The City Manager and the City Attorney stepped down so the applicants could use their seats and microphones. Edith Lavonnon and Eddie Hernandez came forward and took their seats.

- **Question 1** - In the candidates opinion, what actions should the City government take with respect to the homeless situation.

  Mrs. Lavonne stated that the homeless situation had gotten worse, and they were seeing a lot of the by-products, but she didn’t know the legality as there was not much in the way of shelters here. She stated that there was not much in the way of shelters, but they needed to do something. She stated that she had not thought of it.

  Mr. Hernandez stated that the whole situation was appalling and the Council should take a leadership role and govern accordingly, possibly by organizing or formatting a group of individuals like LOVE, Inc., or some other group trying to deal with homeless by creating a forum in the community, as they did with the Pavarello House in Fresno. He stated that perhaps the City, and the Council, needed to be proactive and should take the lead and organize a group of individuals and come to a consensus and provide facility or a location for them.

- **Question 2** - How do you feel about growth in Porterville

  Mr. Hernandez stated that growth was good as long as it was constructive and could be proactive. The Council was heading in the right direction with their cohesion, and with the General Plan Update which will give the Council more direction. With a Council that is focused, and with support from the community, they were headed in the right direction.

  Mrs. Lavonne stated that they were heading in the right direction, but it needed to be planned more. She stated that they had an influx of people coming because they want the good life, and they needed to plan for them, along with the schools. They also needed to be planning for jobs, training, infrastructure, and housing needs. The City was working on economic development to bring in jobs, and they needed to grow in business for their people. They needed to look at the whole picture.

- **Question 3** - Has any Council Member up there asked you to put forth your resume?

  Mrs. Lavonne stated that none of the Council Members up there had asked her. She stated that Jim Oakey got her involved, and she got involved in Leadership Porterville. She stated that before she got involved she wanted to make sure she had the time required so she could do it right.

  Mr. Hernandez stated that he had worked toward this for ten years, and he believed this was just an extension of his public life. He stated that he had been looking for someone to run in lieu of himself, but was asked why not him. He stated that he did make the decision on his own.
• Question 4 - The Gang activity in the community was rather large, how will you be part of the solution to decrease gang activity?

Mr. Hernandez stated that he had been a reserve police officer for ten years, and he felt the key was youth activities, mentoring, and programs to occupy our youth to get them off the street.

Mrs. Lavonne stated that was a good start, but only a part. She stated that she had five children, and grandchildren, and has been active in many programs. Mrs. Lavonne stated that kids needed personal attention, but they also needed to learn boundaries and consequences, and learn that if they wanted to be here they needed to be a part of the community. She stated that the parents needed to monitor activities and provide direction, and the police force needed to effectively deal with the gang activities they see.

• Question 5 - In regards to infrastructure, what guidelines would you suggest for establishing road repair and construction priorities?

Mrs. Lavonne stated that infrastructure was many things, but roads were the most visible. To make decisions on roads, they needed to look at the infrastructure as a whole and prioritize what was most important. She stated then they fixed the roads, they needed to fix the worst ones so they did things right when they did them, and not just put on a band-aid.

Mr. Hernandez stated that gateway entrances had been discussed at the strategic planning session Saturday. The entrances are very unsatisfactory and did not represent the City of the Good Life. They needed to look at traffic studies, the most used roads, and what was most necessary. If the City continues to grow, they needed to the priorities and address their gateway entrances also.

• Question 6 - What challenges do you see in Porterville’s future?

Mr. Hernandez stated they needed to focus on the priorities—the General Plan Update, a four year college, expanded schools and roads, safety, jobs, and youth activities. The most current priority is jobs and constructive growth, implementing the General Plan, and having a cohesive Council to put it into place.

Mrs. Lavonne stated that a cohesive Council was primary to work together as a team to make things happen. She stated that they needed growth and to bring businesses here, and they needed to provide for their youth in the community so they will have jobs when they come out of school so they could keep them here. Mrs. Lavonne stated that by working together they could make things happen faster. She stated that they had a good City staff with good ideas, and they needed to be open to listen and change.

• Question 7 - What is the worst decisions made in last year?

Mrs. Lavonne stated that was all in one’s perspective, personal goals. She stated that she couldn’t say the worst one, but the decisions made that were the worst were because the Council was
divided. She stated that she would like to see some things happen that had been put on the back table. She stated that she would like to see them move forward.

Mr. Hernandez stated the item he had the most concern on was the shopping center at Jaye and 190. Both sides had merit, but when you looked at jobs as compared to rezoning property for a developer, with the General Plan Update coming up, and not wanting to put the cart before the horse, he was torn between jobs and growth, and the developer was left holding the bag. Whether it was right or wrong, he had some reservations on that one.

• Question 8 - If one of you does not get chosen, would the second person run for office at the next election?

Mr. Hernandez stated that he ran before was eight in a field of thirteen. It was not fun to lose but it was a valuable lesson to learn. He stated that he would absolutely consider running, as it was important to give back to your community one way or another.

Mrs. Lavonne stated that she would also consider running, whether chosen tonight or not. She stated that the Council had made a couple of good moves that needed to be continued and she would like to be involved in that. It was time to give back to her community.

• Question 9 - How would you accomplish getting more, higher paying jobs in the area?

Mrs. Lavonne stated it was part of the Council’s job, the City’s job, and the community’s job to make sure this is a more attractive place for businesses. They also need to get involved in the education side to make sure more qualified people were coming out of school, such as Porterville College which has excellent vocational classes. They also needed a good security system for safety for the businesses. They needed to work on infrastructure, places to go, recruit smaller businesses, and train the kids. The City as well as the community needed to work on these things.

Mr. Hernandez stated that the key for Council is providing direction. Council should provide direction and allow the staff to pursue the programs.

• Question 10 - What assets do you feel you could bring to the current Council?

Mr. Hernandez spoke on his background and his being taught morals and respect by his family. He spoke on what he learned about the needs of the community from working with community organizations and groups. He stated that he brought many things to the table and brought insight that the Council could utilize.

Mrs. Lavonne stated that she had many years in community service, through church, service clubs, local organizations, and twenty years with the County Employment Connection. She stated that she provides knowledge on both sides of the equation, the government side and the community side.

• Question 11 - What is the first item or idea you would like Council to get interested in?
Mrs. Lavonne stated that she saw Porterville growing rapidly, like Visalia, but we were not getting enough in developers’ fees. She stated that she didn’t believe that they won’t develop if the fees were raised, because Porterville was growing rapidly and the developer passed such costs on to the consumer. We need to have the fees to properly provide the infrastructure necessary for proper growth to happen. That was one of the things she would like to see happen first.

Mr. Hernandez stated that the most pressing thing was security. He stated that gang activity was seen everyday, and they needed to get behind the police department and give them the support they needed, and the Neighborhood Watch program needed to be reinitiated. He stated that they needed to get behind these programs and get the City back under control.

Mayor Hamilton called for a five minute break at 7:43 p.m.

• Question 12 - As the City continues to grow, with the vision of previous Councils to look at the east side, what’s your idea of our City growing toward the east?

Mr. Hernandez stated that it was essential that they move toward the east, and stop using prime agricultural land toward the west and utilize the eastern slope. They were still issues, but there was ways of getting around them. East and south was open, and there were lots of opportunity for growth, and there were infill projects that needed to be done instead of moving to the west any further.

Mrs. Lavonne stated that she saw new development to the east, and would like to see it continue. There was a lot of land that was in semi-farm in the east that would be good home land, but it was not areas that would have large yards. As the City expanded, they needed to make sure and put something in to provide for the homes that go there.

Mayor Hamilton asked if the Council was going to open up to allow questions from the audience. Council concurred that they would continue with their questions.

• Question 13 - There has been a complaint about trash receptacles left out on the street, what do you see as the City’s role as getting the trash cans off the street?

Mrs. Lavonne stated that she didn’t see this as a fining situation. She stated that what she would like to see is that the cans not be in the street, but on the curb. The trash collectors themselves sometimes leave the cans in the street. She stated that mainly it was a matter of educating people.

Mr. Hernandez stated that he didn’t see them creating another ordinance to try and police trash cans. He stated that he believed it was simply an education issue for the citizens.

• Question 14 - If selected to sit on the Council, are there any items you have a conflict of interest on, and on which you can not participate in?
The City Attorney explained conflicts of interest as pertained to the Council and abstaining from participation on items.

Mr. Hernandez stated that he had read the Form 700 and he had no conflicts.

Mrs. Lavonne stated that she didn’t believe that she had any conflicts.

- Question 15 - The Council has gotten lobbied by many people, and people want to know specifically who you will be working for.

Mrs. Lavonne stated that no one Council person would be her supervisor, or one constituent, it would be the community as a whole. Sometimes decisions would be made that would make people unhappy. She stated that she had a vision of where she wanted to see Porterville, she didn’t want to see another LA or Fresno. She wanted to keep quality of life, have growth and have us choose how we do that. She stated that she would make decisions that were best for the community as a whole. Porterville is a family, and she would do what was best for that community, no matter how she felt personally.

Mr. Hernandez stated he worked for no one and everyone, registered voter or no. He would make informed decisions, and do what was in the best interest of the community. As a Council member he will try to be proactive and have foresight, but when an individual comes up with an issue, he will listen and direct them to the proper department. When things came before the Council, he would listen to both sides of the story, then he would try to be proactive and make a good decision.

- Question 16 - A question facing Council is aggressive soliciting and a decision will be made that some people will not be comfortable with. How would you feel if your decision impacts the good hearted individuals of Porterville, but it really being done for the entire community to prosper as a whole?

Mr. Hernandez stated that a permit was required to do business in the City, some type of legal means to rationalize how you are doing business, and someone being a nuisance or aggravating our citizens needs to cease or leave the premises. The question needed to be addressed by the Council.

Mrs. Lavonne stated that if someone wanted to be in business, they needed to follow the proper licenses and to follow the proper rules. The people doing aggressive solicitation needed to be removed if they didn’t have the proper business license. It is the responsibility of the Council to address this, even if ordinances or laws were required.

- Question 17 - As the Council sits as the Planning Commission on planning items and the General Plan Update, what do you bring to the table as far as land use and planning decisions?
Mrs. Lavonne stated that she believed the General Plan Update would set the direction of where they wanted to go, and anything coming before the Planning Commission or Council needs to fit within that plan. Anything drastically opposite would be changed to fit within the Plan, however, new and innovative plans could be looked at. She stated that she was willing to walk the land and look at projects to see what would work.

Mr. Hernandez stated that the key to the question was the General Plan Update, that would be the Bible for the next twenty to thirty years. Once the Plan was put into place, any deviation would take extraordinary circumstances. He stated that he would rely on staff and the General Plan Update.

- Question 18 - What is government’s role and what is business’ role as pertains to downtown Main Street? What is the role of each entity to make sure Main Street is thriving?

Mr. Hernandez stated that looking at Visalia and Tulare as their Main Streets were thriving, and he compares it to Porterville to see what they are doing that we are not. He stated that he wished he knew the answer. Government’s role was to provide incentives and formulate a plan, but it required a team effort in the community.

Mrs. Lavonne stated they needed to decide what they wanted downtown to be. They needed a vision and then they needed to pursue it—perhaps promote their local artists, or look for suggestions from the community.

- Question 19 - How many boards do you sit on or have sat on, and what positions have you held?

Mrs. Lavonne reviewed her service.

Mr. Hernandez reviewed his service.

- Question 20 - Council responds to immediate problems and those that take thirty years. One of those is economic development. What, in your opinion, is a valid way to measure economic development, and if we are being successful?

Mr. Hernandez stated that a good measuring tool was the quality of life and the standard of living. These tools could be used to judge if the general plan and economic development was working.

Mrs. Lavonne stated that she didn’t think we had done enough. Economic development was growing, and providing a better life for the people, it was also encouraging entrepreneurialship. They needed to encourage growth in many different ways. They needed to look at the whole picture.

- Question 21 - Do you have the time to invest to sit on this Council and serve on committees and go to events and all the things it entails?
Mrs. Lavonne stated that this was not done for money, but for community service. She stated that she was an optimist. She had thought about the hours and she had cut down in other areas so she could pursue this. She stated that basically she was here as much as needed.

Mr. Hernandez stated that this was his civic responsibility, and community service was his life and his passion. He stated that he would make sacrifices in other areas to serve here, because you make time for your passions.

• Question 22 - Did either of you know the questions asked here before time?

Both applicants answered no.

Mayor Hamilton stated that they would take a break at this time.

The City Manager stated that he would get the questions from the audience and screen them before they reconvened. The Council took a recess from 8:34 p.m. to 8:42 p.m.

The City Manager stated that he collected six questions.

• How do you feel about the Casino moving to Highway 190 or to the Airport?

Mrs. LaVonne stated that she had mixed feelings. She was not a gambler, but she had seen the poverty on the reservation. She stated that there would environmental impacts to be reviewed, but she would like to see keep the casino in the area as it was a major source of revenue for the community and the tribe. She stated that she would like to see the environmental impact first.

Mr. Hernandez stated that many citizens drive to the casino, but he had safety concerns about about the road. The casino was a good partner to the community, and he would welcome them to the community as long as they paid their fair share of the infrastructure costs.

• What would you have done differently to have a more diverse and greater number of participants in the community meeting?

Mr. Hernandez stated that more advertisement was needed and outreach to the community as a whole. They should exhaust all means.

Mrs. LaVonne stated that everyone working on a committee has been disappointed with the turnout. She stated that perhaps more advertising, but it was also a question of cost. She stated that perhaps something like the Elks had would be nice, or in the water bill.

• Would you vote to increase the compensation to the Council, and what is fair compensation?

Mrs. LaVonne stated that she wasn’t looking for great compensation, perhaps her mileage and reimbursement.
Mr. Hernandez stated that they didn’t do it for the money, but the salary should be updated and increased incrementally. It should be fair.

• Will I be able to call you without a problem because your number is in the telephone directory?

Mr. Hernandez stated that he was in the directory, and he was always available.

Mrs. LaVonne stated that her home phone was not listed, but it could be easily changed. She would also be available by cell phone.

• How would you approach working with the Tule River Tribal Council on a government to government basis?

Mrs. LaVonne stated that the Tule River Tribe was their own government, elected by their constituents, and we are neighbors in close proximity. She stated that open communication was necessary and they needed to respect their ways, their laws, and their lands. They needed to work together because they wanted the same things.

Mr. Hernandez stated that they worked together now with joint activities.

• What should our City’s position be regarding illegal immigration, and how much do they contribute to local gang activity?

Mr. Hernandez stated that he came from a family of immigrants. He stated that they wouldn’t condone illegal immigrants, but legal immigrants should receive services, safety, etc. as guarantee by the system. He stated that he couldn’t turn his back on them though, anymore than the homeless. Mr. Hernandez stated that gangs was another matter, and it was a matter for the Police Chief or law enforcement to address.

Mrs. LaVonne stated that she couldn’t condone illegal immigration. She stated that the immigrants here were hard working and being taken advantage of, but she wasn’t sure how much the Council could get involved. She stated that she didn’t feel the immigrants were a big part of the gang activity.

Mayor Hamilton asked for the closing statements.

Mrs. LaVonne stated that she offered a different perspective to the Council. She was not male, almost as good a cook as Pete, she had a background in farming and knew what was involved in business. She had worked on the other side in business, and knew there was never two sides in an issue, there was three, there was two perspective and one fact to be weighed. She was involved in the start of “Paint the Town” and it was great to see it happen. They need to install energy in the town. She would do what was necessary time-wise, meeting, listening, to make the community to grow for all of them. As for the new casino, her feeling was the same as any other business, they needed to plan for it, do what was required, and go for it. Mrs. LaVonne stated that if chosen they
would see a lot of her, even more than in the past, because as a Council member they needed to be out there.

Mr. Hernandez stated that he considered himself a native of Porterville having lived here all his life, except six weeks. He was fortunate in being mentored by individuals such as Daniel Figueroa, who helped him. He stated that mentoring needed to be in place for today’s youth. He stated that it was an honor to be considered for this position, and he looked forward to serving with pride and honor.

Mayor Hamilton stated that he appreciated Mrs. Lavonne and Mr. Hernandez sitting in the hot seat for two hours.

Mayor Pro Tem F. Martinez stated that he would like to move they appoint a Councilperson that evening.

Council Member P. Martinez stated that he would like a quick five minute break. The Council recessed from 9:06 p.m. to 9:10 p.m.

**COUNCIL ACTION**

MOVED by Mayor Pro Tem F. Martinez, SECONDED by Council Member P. Martinez that Council nominate and appoint their next Council Member.

AYES: P. Martinez, F. Martinez, Hamilton
NOES: McCracken
ABSTAIN: None
ABSENT: One vacancy

Council Member P. Martinez nominated Eddie Hernandez for the Council position.

**COUNCIL ACTION**

MOVED by Council Member P. Martinez, SECONDED by Mayor Pro Tem F. Martinez that Council appoint Eddie Hernandez.

AYES: P. Martinez, F. Martinez, Hamilton
NOES: McCracken
ABSTAIN: None
ABSENT: One vacancy

Council Member McCracken stated that he would like to change his vote to yes.

Mayor Hamilton thanked Edith Lavonne for her participation.

Mrs. Lavonne stated that it was a good group to choose from, but the Council had not seen the last of her yet.

Mayor Hamilton thanked Martha Flores.
The City Manager then swore Eduardo “Eddie” Hernandez into office to fill the seat left vacant by Richard Stadtherr.

**ORAL COMMUNICATIONS**
None

**OTHER MATTERS**
- Council Member P. Martinez stated that he and Council Member McCracken had a meeting at the College tomorrow night, and they encouraged all citizens to come and participate in government. He stated that they also had their Paint the Town event coming up, and he encouraged people to get teams and participate in that. He stated that these activities were really important.
- Mayor Pro Tem F. Martinez stated that Paint the Town really made a difference and he encouraged everyone to get out to clean and paint the town, and help those individuals that could not help themselves.
- Council Member Hernandez thanked the other candidates. He stated that they were all worthy of sitting in that chair, and he hoped others would make the effort and step forward. He encouraged others to sit on committees and participate in government.
- Council Member P. Martinez stated that Relay for Life was also coming up. It is an important endeavor, and he encouraged people to form teams or support individuals. He stated that the Council supported Relay for Life.

**ADJOURNMENT**
The Council adjourned at 9:22 p.m. to the Council Meeting of October 3, 2006.

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Georgia Hawley, Chief Deputy City Clerk

**ATTEST:**

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Cameron Hamilton, Mayor