PORTERVILLE CITY COUNCIL MINUTES  
COUNCIL CHAMBERS, CITY HALL  
291 N. MAIN STREET, PORTERVILLE, CALIFORNIA  
JUNE 24, 2008 - 6:00 P.M.

Roll Call: Council Member McCracken, Council Member Pedro Martinez, Mayor Pro Tem Felipe Martinez, Council Member Hernandez, Mayor Hamilton

Pledge of Allegiance led by Mayor Pro Tem Felipe Martinez  
Invocation – a moment of silence was observed.

The Council adjourned at 6:02 p.m. to a Meeting of the Porterville Redevelopment Agency.

PORTERVILLE REDEVELOPMENT AGENCY MINUTES

Roll Call: Agency Members McCracken, Agency Member Pedro Martinez, Agency Vice Chair Felipe Martinez, Agency Member Hernandez, Agency Chair Hamilton

ORAL COMMUNICATIONS
None

REDEVELOPMENT AGENCY SCHEDULED MATTER:

PRA-1. REDEVELOPMENT BOND ISSUE REFINANCING

Recommendation: That the Redevelopment Agency authorize staff to proceed with the refinancing of the 2002 bond issue utilizing Option 1, provided that the numbers don’t substantially change.

Agency Member McCracken and Agency Vice Chair Felipe Martinez indicated that they were within 500 feet of the project area and recused themselves. They then exited the chambers.

Community Development Director Brad Dunlap noted that Mayor Hamilton also had a conflict, but would be participating by Rule of Necessity. Mr. Dunlap then presented the staff report.

AGENCY ACTION: MOVED by Agency Member Hernandez, SECONDED by Agency Member Pedro Martinez that the Porterville Redevelopment Agency authorize staff to proceed with the refinancing of the 2002 bond issue utilizing Option 1, provided that the numbers don’t substantially change.

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

Disposition: Approved

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Agency Vice Chair Felipe Martinez and Agency Member McCracken returned to the dais.

The Redevelopment Agency adjourned at 6:11 p.m. to a meeting of the Porterville City Council.

**ORAL COMMUNICATIONS**

None

City Manager Longley read a proclamation, which had been signed by the Mayor in recognition of the sponsors, volunteers and workers of the Eagle Mountain Air Show.

**CONSENT CALENDAR**

1. **APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE UNIFIED SCHOOL DISTRICT –CENTRAL VALLEY HOT SUMMER DAZE CAR AND BIKE SHOW AND MUSIC FESTIVAL**

   Recommendation: That the Council approve the proposed Community Civic Event Application and Agreement submitted by the Porterville Unified School District, subject to the state requirements contained in Application, Agreement and Exhibit “A”.

   Documentation: M.O. 01-062408

   Disposition: Approved

2. **DRAFT LETTER TO CALIFORNIA PUBLIC UTILITIES COMMISSION REGARDING SOUTHERN CALIFORNIA EDISON SAN JOAQUIN CROSS VALLEY LOOP APPLICATION**

   Recommendation: That the City Council approve the proposed draft letter, and authorize the Mayor to sign and transmit to addresses.

   Documentation: M.O. 02-062408

   Disposition: Approved

**COUNCIL ACTION:** MOVED by Council Member McCracken, SECONDED by Mayor Pro Tem Felipe Martinez that the City Council approve Items 1 and 2. The motion carried unanimously.

**PUBLIC HEARINGS**

3. **VACATION OF PUBLIC EMERGENCY ACCESS EASEMENT RELATED TO THE RIVERWALK MARKETPLACE COMMERCIAL CENTER EXPANSION (ENNIS COMMERCIAL PROPERTIES)**

   Recommendation: That the City Council conduct a Public Hearing; and authorize the City Clerk to execute the vacation of said easement.

   City Manager Longley stated that he was within 500 feet of the commercial center and was therefore conflicted out of the item.
Deputy City Manager John Lolli introduced the item, and Public Works Director Baldo Rodriguez presented the staff report.

The public hearing opened at 6:17 p.m. Seeing no one, the Mayor closed the public hearing at 6:18 p.m.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Hernandez that the City Council authorize the City Clerk to execute the vacation of said easement. The motion carried unanimously.

Disposition: Approved

City Manager Longley returned to the Chambers.

SCHEDULED MATTERS

4. RESOLUTION APPROVING ARTICLES OF INCORPORATION AND BYLAWS – PORTERVILLE AIRPORT AREA DEVELOPMENT CORPORATION

Recommendation: That the City Council review and consider the proposed Articles and Bylaws, and adopt the draft resolution.

City Manager Longley introduced the item. Mayor Pro Tem Felipe Martinez recused himself due to a conflict of interest. The City Manager then presented the staff report.

Council Member Pedro Martinez indicated that he had previously recused himself from consideration of matters involving the Tribe due to having had worked with them. He stated that it had been over a year since he had received income from them, but that he had received campaign contributions. Deputy City Attorney Steve Kabot advised that he was able to participate.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Pedro Martinez that the City Council adopt the draft resolution approving the proposed Articles and Bylaws, as amended to require 4/5ths vote to amend Bylaws.

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

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Pedro Martinez that the City Council grant the City Attorney authority to make non-substantive changes if so required by the Secretary of State when Articles are filed.
AYES: McCracken, P. Martinez, Hamilton, Hernandez
NOES: None
ABSTAIN: F. Martinez
ABSENT: None

Disposition: Approved

Mayor Pro Tem Felipe Martinez returned to the Council Chambers.

COUNCIL REORGANIZATION
5. ACCEPTANCE OF CANVASS OF VOTES - ELECTION OF JUNE 3, 2008

Recommendation: That the City Council accept the Canvass of Votes submitted by the Tulare County Registrar of Voters for the Election of June 3, 2008.

Mayor Hamilton introduced the item.

COUNCIL ACTION: Resolution 56-2008
MOVED by Council Member McCracken, SECONDED by Council Member Hernandez that the City Council accept the Canvass of Votes submitted by the Tulare County Registrar of Voters for the Election of June 3, 2008. The motion carried unanimously.

Disposition: Approved

6. COMMENTS BY MAYOR AND MEMBERS OF THE CITY COUNCIL

Mayor Hamilton introduced the item, and invited the Council Members to make comments.

Council Member Pedro Martinez spoke of Council Member Hernandez’s service to the community.

Mayor Pro Tem Felipe Martinez thanked Council Member Hernandez and his family for his service.

Council Member McCracken thanked Council Member Hernandez for his service, noting his focus on youth.

Mayor Hamilton thanked Council Member Hernandez for his service, and commended him for his contributions while serving on the Council.

7. PRESENTATION OF SERVICE AWARD TO RETIRING COUNCIL MEMBER BY THE MAYOR

Mayor Hamilton presented a service award to Council Member Eddie Hernandez.
Mr. Hernandez spoke of his experience serving on the Council, thanked the City and the citizens for the opportunity to serve and represent the city, and thanked his family for their love and support.

The Council recessed for ten minutes at 6:36 p.m.

8. ADMINISTRATION OF OATH TO NEW COUNCIL MEMBERS; PRESENTATION OF CERTIFICATE OF ELECTION BY JUDGE GLADE ROPER; SEATING OF NEW CITY COUNCIL

City Manager Longley introduced the item, and Tulare County Superior Court Judge Glade Roper who requested that Council Members-Elect Cameron Hamilton, Pedro Martinez, and Brian Ward come forward to be sworn in.

Judge Roper spoke of the importance of honesty and integrity in serving one’s community, and commented that he believed that Mr. Hamilton, Mr. Martinez, and Mr. Ward possessed those attributes. Judge Roper then administered the Oath of Office to the new Council Members, and presented them with their Certificates of Election.

Council Members Hamilton, Martinez, and Ward took their seats on the dais.

9. SELECTION OF MAYOR

City Manager Longley advised that it was time for the new Council to select a mayor.

Council Member Ward nominated Council Member McCracken for Mayor. Council Member Pedro Martinez nominated all members of the Council for discussion.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Ward that the Council close nominations for mayor. The motion carried unanimously.

Council Member Pedro Martinez shared his reservations about appointing Council Member McCracken, Mayor Pro Tem Felipe Martinez, and Council Member Ward as mayor.

Mayor Pro Tem Felipe Martinez spoke about his active participation on the Council, his love for the community, and his dedication as a Council Member.

Mayor Hamilton indicated that he shared the concerns of Council Member Pedro Martinez, and thanked the Council for the open discussion.

The Deputy City Attorney advised that the Council, by some random method, select an order by which each nominee would be voted, and vote until one was appointed by a majority.

Council Member Ward withdrew his name from consideration, and former Council Member Eddie Hernandez came forward to draw a name to be considered. The first name drawn was that of Council Member Pedro Martinez.
COUNCIL ACTION: Council Member Pedro Martinez NOMINATED Council Member Pedro Martinez for mayor.

M.O. 05-062408

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

Mr. Hernandez drew Mayor Hamilton’s name for consideration.

COUNCIL ACTION: Council Member Pedro Martinez NOMINATED Mayor Hamilton for mayor.

M.O. 06-062408

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

Council Member McCracken requested permission to change his vote, which resulted in the following vote:

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

Disposition: Council Member Hamilton appointed as Mayor.

10. SELECTION OF MAYOR PRO TEM

Mayor Hamilton invited nominations for mayor pro tem.

Council Member Pedro Martinez nominated Mayor Pro Tem Felipe Martinez for the position of mayor pro tem.

Council Member Ward nominated Council Member McCracken for the position of mayor pro tem.

COUNCIL ACTION: MOVED by Mayor Pro Tem Felipe Martinez, SECONDED by Council Member Pedro Martinez that nominations for mayor pro tem be closed. The motion carried unanimously.

Mr. Eddie Hernandez came forward a second time to draw a nominee for Council consideration, and drew Council Member McCracken.
COUNCIL ACTION: Council Member Ward NOMINATED Council Member McCracken for mayor pro tem.

M.O. 08-062408

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

Disposition: Council Member McCracken appointed as Mayor Pro Tem.

11. COMMENTS BY THE MAYOR, MAYOR PRO TEM, AND MEMBERS OF THE CITY COUNCIL

Mayor Hamilton invited the Council to make comments if they so desired.

Council Member Pedro Martinez commended the Council for their honesty during the selection process, and expressed his appreciation for the absence of lobbying by his fellow members of the Council.

Council Member Ward indicated that he was looking forward to working with the Council. He then thanked his wife for her support throughout the election, his parents for his upbringing, and the community for the opportunity to serve.

Council Member Felipe Martinez indicated that he looked forward to the future.

Mayor Pro Tem McCracken addressed comments regarding his participation as a Council Member, and spoke about the Council’s opportunity to improve the community.

Mayor Hamilton thanked Council Member Felipe Martinez for his efforts as a member of the Council.

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

None

ADJOURNMENT

The Council adjourned at 7:11 p.m. to the meeting of July 1, 2008 at 6:00 p.m.

Luisa Herrera, Deputy City Clerk

SEAL

Cameron Hamilton, Mayor