Called to Order at 5:30 p.m.

Roll Call: Vice Mayor Hamilton, Council Member McCracken, Mayor Irish
Absent: Council Member Ward, Council Member Shelton

The Council adjourned to a Joint Meeting of the City Council and the Porterville Redevelopment Agency.

JOINT CITYCOUNCIL(PORTERVILLE REDEVELOPMENT AGENCY MINUTES
291 N. MAIN STREET, PORTERVILLE, CA
JULY 19, 2011

Roll Call: Vice Chair Hamilton, Member McCracken, Chair Irish

Absent: Member Ward, Member Shelton

ORAL COMMUNICATIONS
- John Burkey, Barn Theater representative, stated that the Barn Theater was looking forward to working with the City regarding its lease.

REDEVELOPMENT AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   2- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   3- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Donald Sipple v. City of Alameda, et al., Los Angeles Superior Court Case No. BC462270.
6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION
City Attorney Lew stated that no reportable action had taken place.

Pledge of Allegiance Led by Vice Mayor Hamilton
Invocation -- a moment of silence was observed.

PROCLAMATIONS
Steve Tree

PRESENTATIONS
Employee Services Awards
Continuum of Care – Ten Year Plan presented by Michelle Smith

REPORTS
- Council Member McCracken reported on his attendance at a recent Board of Supervisor’s meeting and updated the Council on ordinances adopted relative to impact fees.

ORAL COMMUNICATIONS
- Brock Neeley, a Porterville resident, provided Council Members and staff with copies of a comic book about suicide prevention, and encouraged its distribution.

CONSENT CALENDAR
Item Nos. 11 and 12 were pulled for further discussion.

1. CITY COUNCIL MINUTES OF FEBRUARY 1, 2011 AND JUNE 28, 2011
Recommendation: That the City Council approve the Minutes of February 1, 2011 and June 28, 2011.
Documentation: Minute Order 01-071911
Disposition: Approved

2. REJECT ALL BIDS – SKATE PARK LIGHTING PROJECT
Recommendation: That the City Council reject all bids and direct the City Engineer to re-advertise the project.
Documentation: Minute Order 02-071911
Disposition: Approved

3. AGREEMENT FOR TRANSIT SERVICES BETWEEN THE TULARE COUNTY ASSOCIATION OF GOVERNMENTS AND THE CITY OF PORTERVILLE
Recommendation: That the City Council enter into an agreement for transit services between the
Tulare County Association of Governments and the City of Porterville and authorize the Mayor to sign the agreement.

Documentation: Minute Order 03-071911
Disposition: Approved

4. PLANO BRIDGE WIDENING PROJECT: APPROVAL OF RESOLUTION APPROVING ADDENDUM TO THE NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

Recommendation: That the City Council adopt the draft resolution approving an addendum to the Negative Declaration for the Plano Street Bridge Widening Project.

Documentation: Resolution 34-2011
Disposition: Approved

5. RESOLUTION OPPOSING THE TRANSFER OF THE SEQUOIA NATIONAL MONUMENT TO THE NATIONAL PARK SERVICE

Recommendation: That the City Council approve the draft resolution opposing the transfer of the Giant Sequoia National Monument to the National Park Service.

Documentation: Resolution 35-2011
Disposition: Approved

6. ADOPTION OF THE KINGS/TULARE COUNTY CONTINUUM OF CARE ON HOMELESSNESS "CONNECTING THE DOTS" PLAN FOR ADDRESSING HOMELESSNESS IN KINGS AND TULARE COUNTIES

Recommendation: That the City Council:
1. Approve the draft resolution adopting Connecting the Dots as the guiding local document for addressing homelessness in Kings and Tulare Counties; and
2. Designate the Community Development Director, or his designee, to participate as a member of the Action Committee, to begin implementation of Connecting the Dots.

Documentation: Resolution 36-2011
Disposition: Approved

7. THIS ITEM WAS REMOVED.

8. AIRPORT LEASE RENEWAL – LOT 32C

Recommendation: That the City Council approve the extension of the Lease Agreement between the City of Porterville and William Parham of Porterville, CA, for Lot 32C at
the Porterville Municipal Airport.

9. ASSIGN AIRPORT LEASE – LOT 38

Recommendation: That the City Council approve the assignment of the Lease Agreement for Airport Hangar Lot 38 between the City of Porterville and Mr. & Mrs. Roy Cundiff to Raymond Broad, Manager of the Lighten Up Aviation LLC of Farmersville, CA.

Documentation: Minute Order 05-071911
Disposition: Approved

10. EMERGENCY REPLACEMENT – AIR CONDITIONING UNIT

Recommendation: That the Council ratify the emergency replacement of the air conditioning unite at the City’s “Block House” and authorize payment to Gray’s Air Conditioning in the estimated amount of $6,280.00.

Documentation: Minute Order 06-071911
Disposition: Approved

13. REVIEW OF LOCAL EMERGENCY STATUS

Recommendation: That the City Council:
1. Receive the status report and review the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8690 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

Documentation: Minute Order 07-071911
Disposition: Approved

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council approve Item Nos. 1-10 and 13.

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

11. RATIFICATION OF APPROVAL OF CITY COUNCIL PROCEDURAL HANDBOOK
Recommendation: That the City Council ratify its previous action to adopt the City Council Procedural Handbook.

City Manager Lollis introduced the item, and indicated that the item had been pulled by Council Member McCracken. The staff report was waived at the Council’s request and Council Member McCracken distributed hardcopies of amendments for the Council’s consideration.

Council Member McCracken indicated that the first amendment he had to propose would eliminate potential confusion in the event the Mayor and Vice Mayor were unavailable for a meeting and provided the Council with control over who was to run the meeting.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Mayor Irish that the City Council approve amending Page 8, Section III, Part A, No. 2 to read, “In the absence or incapacity of the Mayor, the Vice Mayor as Mayor Pro Tempore shall serve as Presiding Officer. In the absence of both the Mayor and Vice Mayor, the Council members present shall select one of their number to serve as Presiding Officer for that meeting.”

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

The second recommendation consisted of amending Section IV, C by striking reference to VII-C(1) and inserting X-D(3). City Attorney Lew advised that since the amendment simply corrected a reference that had changed during revisions it did not require Council action. The Council agreed that the correction be made.

The third amendment, Council Member McCracken explained, allowed Council discretion with regards to seating to account for health conditions and establishes priorities for choices.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the City Council approve amending Page 8, Section III, Part A, No. 3 to read, “Seating Arrangement of the Council: Shall be at Council discretion with preference being given to health conditions, seniority, individual Council member preferences, and the Mayor’s preferences, in that order.”

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

The fourth amendment proposed by Council Member McCracken conformed handbook terminology to current practices to eliminate confusion.

COUNCIL ACTION: MOVED by Mayor Irish, SECONDED by Vice Mayor Hamilton that the
City Council approve amending Page 8, Section III, Part A, No. 4 to read, “The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts and other documents which have been adopted by the City Council and require an official signature; except when the City Manager, or his or her designee, has been authorized by the Council action to sign documents. In the event the Mayor is unavailable, the Vice Mayor may sign the required documents.”

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Council Member McCracken explained that his fifth proposed amendment clarified the responsibility for determining when “extensive research” was necessary and clarified what would be provided to other council members.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the City Council approve amending Page 13, Section V, B to read, “All City Council Member requests for information or documents which require extensive research, in the opinion of the City manager, shall be referred through the City Manager to the Council for direction. The City Manager will discuss the matter with the appropriate department and relay the approximate time table for completion to the City Council for discussion and action at the next available meeting of the City Council. If the request is approved by the Council upon completion of the research, the information or documents will be forwarded to the City Council Members by the City Manager.”

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

The sixth and final amendment proposed by Council Member McCracken restored Council control of optional agenda items and minimized the opportunity for a Mayor or other Council member to individually control or influence the selection of agenda items.

COUNCIL ACTION: MOVED by Mayor Irish, SECONDED by Vice Mayor Hamilton that the City Council approve amending Page 13, Section V, C, third paragraph to read, “The City Manager shall place any Council Member request for an agenda item on the next available agenda as a Consent Calendar item for Council approval to be included as a Scheduled Matter on the next available agenda. This does not prevent any Council Member from moving to place an item on the next available agenda during Other Matters of the current agenda.”
AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council ratify its previous action to adopt the City Council Procedural Handbook, as amended.

M.O. 08-071911

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved, as amended.

12. STATE BUDGET IMPACTS TO THE CITY OF PORTERVILLE

Recommendation: None. For information only.

City Manager Lollis introduced the item and indicated that the item had been pulled by Vice Mayor Hamilton, who requested that the staff report be read for the public due to its significance.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council accept the informational report.

M.O. 09-071911

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved

The Council recessed for ten minutes.

PUBLIC HEARINGS
14. BUDGET ADJUSTMENT/CITIZENS’ OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDING

Recommendation: That the City Council:
1. Conduct a public hearing to receive public comment; and
2. Authorize use of these funds to offset costs for personnel assigned to the department’s Patrol Division, including necessary training, equipment, and overtime costs; and
3. Approve a budget adjustment reducing the Police Department’s 2011-2012 General Fund Budget by $100,000 and increasing the Police
City Manager Lollis introduced the item, and Chief of Police Chuck McMillan presented the staff report.

The public hearing was opened at 7:31 p.m. Seeing no one, the Mayor closed the public hearing at 7:32 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council authorize the use of these funds to offset costs for personnel assigned to the department’s Patrol Division, including necessary training, equipment, and overtime costs; and approve a budget adjustment reducing the Police Department’s 2011-2012 General Fund Budget by $100,000 and increasing the Police Department’s Special Safety Grants-Citizens’ Option for Public Safety (COPS) budget by $100,000.

Resolution 37-2011

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved

SCHEDULED MATTERS

15. AUTHORIZATION TO ROLL WEED ABATEMENT BALANCES TO THE PROPERTY TAX ROLLS

Recommendation: That the City Council adopt the draft resolution authorizing the County Auditor to place these items on the property tax rolls for collection, and to authorize staff to file ‘Notice of Lien’ as appropriate.

City Manager Lollis introduced the item, and Finance Director Maria Bemis presented the staff report. In response to an inquiry from the Council Ms. Bemis indicated that the balances were higher than they had been in previous years.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council approve the draft resolution authorizing the County Auditor to place these items on the property tax rolls for collection, and to authorize staff to file ‘Notice of Lien’ as appropriate.

Resolution 38-2011

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton
16. CONSIDERATION TO NEGOTIATE AGREEMENT FOR A GOLF PROFESSIONAL FOR THE MUNICIPAL GOLF COURSE

Recommendation: That the City Council authorize staff to negotiate an Operating Agreement with Mr. Butler for Management of the Municipal Golf Course.

City Manager Lollis introduced the item, and Parks and Leisure Services Director Milt Stowe presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council authorize staff to negotiate an Operating Agreement with Mr. Butler for Management of the Municipal Golf Course.

A\YES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved

17. CONSIDERATION TO MAINTAIN THE PORTERVILLE REDEVELOPMENT AGENCY

Recommendation: That the City Council:
1. Approve Option 1 directing staff to bring back an ordinance maintaining Redevelopment Project Area No. 1 as amended; and
2. Direct staff to make payments subject to ABX1 27.

City Manager Lollis introduced the item, and Community Development Director Brad Dunlap presented the staff report which included a slide presentation.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council approve Item Nos. 1-10 and 13.

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved

18. PRELIMINARY ANNUAL ENGINEER’S REPORT OF ASSESSMENTS FOR LIGHTING & LANDSCAPE MAINTENANCE DISTRICTS AND SETTING A PUBLIC HEARING
Recommendation: That the City Council:

1. Adopt the draft resolutions:
   a. Ordering the preparation of an Engineer’s Report for the Landscape and Lighting Maintenance Districts for the Fiscal Year 2011-2012;
   b. Giving preliminary approval to the Engineer’s Report for the Landscape and Lighting Maintenance Districts for Fiscal Year 2011-2012; and
   c. Declaring the intent to levy and collect assessments for Fiscal Year 2011-2012, and offering a time and place for hearing objections thereto.
2. Further, that the City Council set a public hearing for 6:30 p.m. on August 2, 2011 regarding the Engineer’s Report and proposed assessments for the Landscape and Lighting Maintenance Districts for Fiscal Year 2011-2012.

City Manager Lollis introduced the item. City Attorney Lew advised that all three Council Members in attendance would participate by rule of necessity. Parks and Leisure Services Director Stowe then presented the staff report. Following the report, Mayor Irish lauded staff’s efforts to improve the appearance and condition of the landscape.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the City Council approve the draft resolutions ordering the preparation of an Engineer’s Report for the Landscape and Lighting Maintenance Districts for the Fiscal Year 2011-2012; giving preliminary approval to the Engineer’s Report for the Landscape and Lighting Maintenance Districts for Fiscal Year 2011-2012; and declaring the intent to levy and collect assessments for Fiscal Year 2011-2012, and offering a time and place for hearing objections thereto. Further, that the Council approve the scheduling of a public hearing for 6:30 p.m. on August 2, 2011 regarding the Engineer’s Report and proposed assessments for the Landscape and Lighting Maintenance Districts for Fiscal Year 2011-2012.

Resolution 39-2011
Resolution 40-2011
Resolution 41-2011

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved

ORAL COMMUNICATIONS
- Brock Neeley stated that he noticed an improvement in the mood of the meeting.
OTHER MATTERS

- Council Member McCracken spoke about the solar panel covered parking lot at Setton Pistachio, and stated that he looked forward to seeing a similar project in Porterville.
- Mayor Irish lauded the Leadership Porterville Class of 2011 and their graduation ceremony which took place on the 15th.

ADJOURNMENT

The Council adjourned at 8:00 p.m. to the meeting of August 2, 2011 at 5:30 p.m.

SEAL

Luisa Herrera, Deputy City Clerk

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Ronald L. Irish, Mayor