Call to Order at 5:30 p.m.
Roll Call: Vice Mayor Hamilton, Council Member Shelton, Council Member McCracken, Mayor Irish
Absent: Council Member Ward

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

JOINT CITY COUNCIL/PORTERVILLE REDEVELOPMENT AGENCY MINUTES
291 N. MAIN STREET, PORTERVILLE, CA
NOVEMBER 1, 2011

Roll Call: Vice Chairman Hamilton, Agency Member Shelton, Agency Member McCracken, Chairman Irish
Absent: Agency Member Ward

ORAL COMMUNICATIONS
None

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case in which facts are not yet known to potential plaintiff.

The Council adjourned to a meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: A 30.57 mile line of railroad between Strathmore, CA milepost 268.60 and Jovista, CA milepost 299.17 in Tulare County, particularly that portion of the railroad line within the limits of the City of Porterville. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Union Pacific Railroad Company. Under Negotiation: Terms and Price.
   3- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.
   4- Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiators: John Lollis, Steve Kabot and Patrice Hildreth. Employee Organizations: Porterville City Employees Association, Public Safety Support Unit, Porterville City Firefighters
Association, Management and Confidential Series, Fire Officers Series, and all unrepresented management employees.


6- Government Code Section 54957 - Performance Evaluation - Title: City Manager.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that the Council took the following reportable action:

Item B2: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken, the Council authorized the cancellation of the escrow to purchase the property at 81 Heatherwood Court.

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

Documentation: M.O. 01-110111
Disposition: Approved.

Pledge of Allegiance Led by Vice Mayor Hamilton. In recognition of Veterans’ Day, those with military service were asked to participate with a military salute.
Invocation – one individual participated.

REPORTS
• Council Member McCracken referred everyone to his written report on the action recently taken by the Consolidated Waste Management Authority relative to adopting a new fee structure.
• Council Member Shelton spoke of various events he recently attended, including an event with Congressman Nunes in Tulare; a Joint City/School Committee Meeting during which the new school in the Burton School District was discussed; and Halloween events at the Zalud House and St. Anne’s School.

ORAL COMMUNICATIONS
• John Coffee, spoke against the resolution supporting H.R. 1837 (Nunes) as proposed in Item 16, and cited a recent article in the Fresno Bee on the subject.
• Angela Berra, a Porterville resident, requested that the Council consider placing an item on the agenda to consider the removal of an oak tree at the corner of Morton Avenue and Pearson Street. Mayor Irish requested copies of the Parks & Leisure Services Commission’s Minutes containing the discussion of same.
• Brock Neely, requested that the City not spend any money on a company that harbors and protects perverts and child molesters, and provided the Council with copies of media articles pertaining to allegations of abuse and cover up within the Boy Scouts organization.

CONSENT CALENDAR
Items 4, 7, and 12 were removed for further discussion.


Recommendation: That the City Council approve the draft City Council Minutes of May 17, 2011; August 2, 2011; October 4, 2011; and October 25, 2011.

Documentation: M.O. 02-110111
Disposition: Approved.

2. AUTHORIZATION TO ISSUE A ‘REQUEST FOR PROPOSALS’ FOR PASSENGER INFORMATION SYSTEM

Recommendation: That the City Council authorize staff to issue a Request for Proposals for the Passenger Information System project.

Documentation: M.O. 03-110111
Disposition: Approved.

3. INTERIM FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the interim financial status reports as presented.

Documentation: M.O. 04-110111
Disposition: Approved.

5. STREET PERFORMANCE MEASURE – 1ST QUARTER REPORT

Recommendation: Informational report only.

Documentation: None
Disposition: Report received.

6. CODE ENFORCEMENT UPDATE

Recommendation: Informational report only.

Documentation: None
Disposition: Report received.

8. REPORT ON CHARITABLE CAR WASHES

Recommendation: Informational report only.

Documentation: None
Disposition: Report received.
9. AUTHORIZE PARKS AND LEISURE SERVICES DIRECTOR TO APPLY FOR U.S. SOCCER GRANT

Recommendation: That the City Council authorize the Parks and Leisure Services Director to proceed with the grant process.

Documentation: M.O. 05-110111
Disposition: Approved.

10. AGREEMENT WITH TIME MARCHES ON MURAL COMMITTEE

Recommendation: That the City Council approve the Agreement and authorize the Mayor to execute same.

Documentation: M.O. 06-110111
Disposition: Approved.

11. 2011 MICRO SURFACING PROJECT UPDATE

Recommendation: Informational report only.

Documentation: None
Disposition: Report received.


Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the City of Porterville, subject to the Restrictions and Requirements contained in the Application; Agreement; and Exhibits A and B of the Community Civic Event forms.

Documentation: M.O. 07-110111
Disposition: Approved.

14. REVIEW OF LOCAL EMERGENCY STATUS

Recommendation: That the City Council:
1. Receive the status report and review of 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.
COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the Council approve Item Nos. 1 through 3, 5, 6, 8 through 11, 13 and 14.

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

4. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly Portfolio Summary.

City Manager Lollis presented the item, and indicated that it had been removed from Consent Calendar by Council Member Shelton. In response to Council Member Shelton’s inquiry, Finance Director Maria Bemis elaborated on the City’s investment portfolio.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Vice Mayor Hamilton that the Council accept the quarterly Portfolio Summary.

M.O. 09-110111

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

Disposition: Approved.

7. ATTENDANCE REPORT FOR CITY COMMISSIONS AND COMMITTEES – 1ST QUARTER REPORT

Recommendation: Informational report only.

City Manager Lollis presented the item, and advised it had been removed from Consent Calendar by Council Member Shelton. Council Member Shelton noted absences of one Transactions and Use Tax Oversight Committee member, and one CDBG Advisory Committee member, Mr. Roman, and proposed that said members be contacted by staff to confirm their continued interest and commitment in serving. Direction was provided to staff as proposed.

Disposition: Report received, and direction given to staff.

12. CONSOLIDATED WASTE MANAGEMENT AUTHORITY (CWMA) MEMBERSHIP REPORT

Recommendation: Informational report only.
City Manager Lollis presented the item, and indicated that it had been removed from Consent Calendar at the request of Council Member Shelton. Council Member Shelton lauded the efforts of Council Member McCracken, who elaborated on the action taken by the CWMA. Council Member Shelton then voiced concern with the life span of the local land fill, and suggested that the City should look at hauling to landfills outside of Tulare County.

Disposition: Report received.

PUBLIC HEARINGS

15. CONDITIONAL USE PERMIT/VARIANCE PRC-2011-11-CV TO ALLOW FOR A 100FT HIGH COMMUNICATIONS TOWER TO LOCATE AT 767 PORTER ROAD FOR OLSON COMPUTER SERVICES

Recommendation: That the City Council:

1. Open the public hearing and take testimony regarding the Variance and Conditional Use Permit requests for the subject project;
2. Close the public hearing; and
3. Adopt the draft resolution approving the Variance for PRC-2011-11-V, subject to the conditions for approval.

City Manager Lollis presented the item, and Associate Planner Jose Ortiz presented the staff report.

The public hearing opened at 7:02 p.m.

• Bill Roberts, Roberts Engineering, came forward on behalf of the applicant, requested the Council’s approval of the item, and advised that he was available for any questions that the Council might have.

The public hearing closed at 7:04 p.m.

A discussion ensued during which concern was raised that the tower was not proposed to be camouflaged, particularly in light of its prominent location along Highway 65.

• Bill Roberts came forward and voiced his dislike of camouflaging. He confirmed that the tower could be disguised yet spoke against doing so, and elaborated on the differences between microwave towers and cellular towers.

In response to the Mayor’s concern with ensuring equal treatment of all applicants, staff elaborated on other active applications pertaining to communications towers and the planned camouflaging of same. In consideration of the information provided by staff, the Council directed staff to work with the applicant and bring back to the Council at the next meeting options available relative to camouflaging the proposed tower.

The public hearing was re-opened at 7:16 p.m. and continued to November 15, 2011.
Disposition: Continued to November 15, 2011.

SCHEDULED MATTERS
16. CONSIDERATION OF AUTHORIZING A RESOLUTION OF SUPPORT FOR H.R. 1837 (NUNES), THE “SAN JOAQUIN VALLEY WATER RELIABILITY ACT”

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Mayor Irish that the Council approve the draft resolution of support for H.R. 1837 (Nunes), the “San Joaquin Valley Water Reliability Act.”

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

Disposition: Approved.

ORAL COMMUNICATIONS
None

OTHER MATTERS
• Council Member Shelton thanked Police Department staff for their assistance related to a break-in and theft on his property; and spoke of various upcoming events in the community, including: Comision Honorífica’s Day of the Dead event; a Homeless Outreach event; two mini-Step Up meetings; First Friday Coffee; the Sesquicentennial Committee’s Day of the Dead event; the Porterville/Monache game at Granite Hills; and the Veterans Day Parade.
• Vice Mayor Hamilton spoke of the upcoming Veterans Day Parade and encouraged everyone to watch for a special float.

ADJOURNMENT
The City Council adjourned at 7:27 p.m. to the meeting of November 15, 2011.

Patrice Hildreth, Chief Deputy City Clerk

SEAL

Ronald L. Irish, Mayor