CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JULY 3, 2012, 6:00 P.M.

Called to Order at 6:00 p.m.
Roll Call: Council Member Ward, Council Member McCracken, Council Member Shelton, Vice Mayor Hamilton, Mayor Irish

Pledge of Allegiance Led by Vice Mayor Cameron Hamilton
Invocation – one individual participated.

ORAL COMMUNICATIONS
• An unidentified individual spoke against Municipal Code Section 17-3.8A which grants authority to the police department to remove a vehicle parked on a street for more than 72 hours, commented that this was too short of time, and requested that the Code be amended.
• Brock Neeley, requested that the Council Members indicate whether they had received any complimentary tickets to the Freedom Fest event.

CONSENT CALENDAR
1. AWARD OF CONTRACT – 2012/2013 FISCAL YEAR MICRO-SURFACING PROJECT

Recommendation: That the City Council:
1. Award the 2012/2013 Fiscal Year Micro-Surfacing Project Base Bid to Bowman Asphalt, Inc. in the amount of $669,776.79;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 5% contingency to cover unforeseen construction costs and 5% for construction management, quality control and inspection.

Documentation: M.O. 01-070312
Disposition: Approved.

2. MOU AGREEMENT FOR THE EQUAL ACCESS OF PORTERVILLE UNIFIED SCHOOL DISTRICT MATERIALS AT THE MARGARET J. SLATTERY LIBRARY

Recommendation: That the City Council:
1. Approve the agreement with the Porterville Unified School District; and
2. Authorize the Mayor to sign the agreement.

Documentation: M.O. 02-070312
Disposition: Approved.

3. REQUEST FOR SPECIAL MEETING TO CONSIDER A COMPREHENSIVE TEXT AMENDMENT PERTAINING TO THE PORTERVILLE DEVELOPMENT ORDINANCE

Page 1 of 7
Recommendation: That the City Council schedule a special meeting on July 31, 2012 to consider text amendments to the Porterville Development Code.

Documentation: M.O. 03-070312
Disposition: Approved.

4. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN – PUBLIC SAFETY SUPPORT UNIT

Recommendation: That the City Council approve the draft resolution amending the Employee Pay and Benefit Plan.

Documentation: Resolution 67-2012
Disposition: Approved.

5. 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.

Documentation: M.O. 04-070312
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the Council approve Item Nos. 1 through 5. The motion carried unanimously.

PUBLIC HEARINGS

6. LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS ANNUAL ASSESSMENTS

Recommendation: That the City Council open the public hearing and continue it to the meeting of July 17, 2012.

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

The public hearing was opened at 6:09 p.m. and continued to the meeting of July 17, 2012, when nobody came forward.

Disposition: Public hearing continued to July 17, 2012.
SCHEDULED MATTERS

7. ACCEPTANCE OF OFFICIAL CANVASS OF VOTES – ELECTION OF JUNE 5, 2012

Recommendation: That the Council approve the draft resolution accepting the official canvass.

City Manager John Lollis presented the item, and Administrative Services Manager Patrice Hildreth presented the staff report.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton, that the Council approve the draft resolution accepting the official canvass. The motion carried unanimously.

Disposition: Approved.

8. PRESENTATION OF SERVICE AWARD TO DEPARTING COUNCIL MEMBER

City Manager John Lollis presented the item.

Vice Mayor Hamilton, on behalf of the City Council, presented Mayor Irish with a shadow box containing the gavel Mayor Irish used during his service as Mayor, and thanked him for his service and dedication to the Porterville community.

Stephania Amaral, Field Representative for State Assemblywoman Connie Conway, then came forward and presented Mayor Irish with a Proclamation on behalf of Assemblywoman Conway honoring Mayor Irish for his service to the community.

Johnny Amaral, Chief of Staff for U.S. Congressman Devin Nunes, came forward next and presented Mayor Irish with a Proclamation on behalf of Congressman Nunes, lauded the Mayor’s professional advocacy on behalf of Porterville, and thanked him for his service.

Mayor Irish voiced his appreciation for the acknowledgements, thanked everyone, and exited the dais.

9. ADMINISTRATION OF OATH AND PRESENTATION OF CERTIFICATES OF ELECTION TO NEW COUNCIL MEMBERS BY JUDGE ELISABETH KRANT; AND SEATING OF NEW CITY COUNCIL

City Manager John Lollis presented the item.

Tulare County Superior Court Judge Elisabeth Krant administered the Oath of Office to Council Member Cameron Hamilton, Council Member Brian Ward and Council Member-Elect Virginia Gurrola. The newly sworn-in Council Members then took their seats on the dais.

10. REORGANIZATION OF THE CITY COUNCIL

City Manager John Lollis presented the item.
COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the Council nominate all Council Members for consideration as Mayor, and that the Council utilized the ballot method to appoint the Mayor and Vice Mayor. The motion carried unanimously.

Utilizing a written ballot, the Council Members cast their votes for Mayor which were tallied and read by Administrative Services Manager Hildreth as follows:

Council Member Ward: Ward
Council Member Hamilton: Gurrola
Council Member Gurrola: Gurrola
Council Member Shelton: Ward
Council Member McCracken: McCracken

With no Council Member receiving the required three affirmative votes to become Mayor, the Council Members proceeded to cast their votes again for Mayor. Said votes were tallied and read as follows:

Council Member Ward: Ward
Council Member Hamilton: Gurrola
Council Member Gurrola: Gurrola
Council Member Shelton: Ward
Council Member McCracken: Gurrola

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Shelton that the Council appoint Council Member Virginia Gurrola to serve as Mayor. The motion carried unanimously.

Utilizing a written ballot, the Council Members then cast their votes for Vice Mayor which were tallied and read by Administrative Services Manager Hildreth as follows:

Council Member Ward: McCracken
Council Member Hamilton: McCracken
Council Member Gurrola: McCracken
Council Member Shelton: Ward
Council Member McCracken: Hamilton

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Shelton, that the Council appoint Council Member Pete V. McCracken to serve as Vice Mayor. The motion carried unanimously.

Disposition: Virginia Gurrola appointed as Mayor; Pete V. McCracken appointed as Vice Mayor.

11. COUNCIL MEMBER APPOINTMENTS ON BOARDS AND COMMITTEES

City Manager John Lollis presented the item and staff report.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Ward that the Council appoint Mayor Gurrola to serve as Member, and re-appoint Vice Mayor Hamilton to serve as Alternate, on the Tulare County Association of Governments/Transportation Planning Agency. The motion carried unanimously.

It was noted that the appointment to the Tulare County Local Agency Formation Commission ("LAFCO") was not made by the Council.

M.O. 09-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council appoint Mayor Gurrola to serve as Member on the Tulare County Economic Development Corporation and the Business Incentive Zone Council. The motion carried unanimously.

M.O. 10-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Ward that the Council re-appoint Council Member Hamilton to serve as the Member on the Tule River Improvement Joint Powers Authority. The motion carried unanimously.

After a brief discussion, the Council consensus was to maintain status quo and therefore no formal action was taken on the following committees/boards:

- Consolidated Waste Management Authority:
  Member – Vice Mayor McCracken
- Porterville Airport Area Development Corporation:
  Member – Council Member Hamilton
  Alternate – Council Member Shelton
- Indian Gaming Local Community Benefit Committee
  Member – Council Member Hamilton

M.O. 11-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council appoint Mayor Gurrola, and re-appoint Council Member Ward, to serve as Members on the Joint City/School Committee. The motion carried unanimously.

After a brief discussion, it was determined that no action was required by the Council with regard to appointments to the PDC Advisory Board and the Tulare County City Selection Committee. The Council further elected to maintain the status quo on the Internal City Audit Committee, with Vice Mayor McCracken serving as Member.

M.O. 12-070312 MOVED by Council Member Hamilton, SECONDED by Vice Mayor McCracken, that the Council appoint Mayor Gurrola, and re-appoint Council Member McCracken to serve as Members on the Council of Cities. The motion carried unanimously.
M.O. 13-070312 MOVED by Council Member Ward, SECONDED by Vice Mayor McCracken, that the Council direct staff to remove the Mosquito Abatement Study Group from the list of Committees and Boards. The motion carried unanimously.

A brief discussion ensued with regard to the Public Safety Building Committee, after which the Council decided to maintain the status quo with Council Member Shelton serving as Member.

M.O. 14-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Shelton, that the Council direct staff to remove the Library Facility Planning Committee from the list of Committees and Boards. The motion carried unanimously.

After a brief discussion as to the San Joaquin Valley Air Pollution Control District’s (SJVAPCD) committee meetings, the Council decided to maintain the status quo on the following committees/boards:

SJVAPCD Special City Selection Committee:
Member – Council Member Shelton
Alternate – Council Member Ward

SJVAPCD Citizens Advisory Committee:
Member – Council Member Shelton
Alternate – (City of Industry)

M.O. 15-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council reappoint Council Members Ward and Vice Mayor Hamilton to serve as Members on the Ad Hoc Committee for the Provision of Local Water Services; and direct staff to remove the Ad Hoc Committee for Commercial Truck Parking from the list of Committees and Boards. The motion carried unanimously.

ORAL COMMUNICATIONS
• Former Mayor Ron Irish, congratulated Mayor Gurrola and voiced his appreciation in serving with the Council Members.
• Felipe Martinez, congratulated Mayor Gurrola, and requested that the Council reinstate the City’s membership with the League of California Cities, noting its benefits to the City.
• Russell Fletcher, aka Bones and Buck, thanked the Council for the new seats in the Council Chambers.

OTHER MATTERS
• Mayor Gurrola thanked former Mayor Ron Irish for serving the City so well; thanked her supporters and family, and voiced her commitment and dedication to serving the residents of Porterville.
• Council Member Shelton lauded the Freedom Fest event, noting it was well-attended, and thanked staff for their hard work in making it a success.
• Council Member Hamilton lauded the Freedom Fest event, and thanked staff, the Tule River Indian Tribe, and the Chamber of Commerce for their efforts.
Council Member Ward lauded the Freedom Fest event, noting the City’s patriotism, and thanked those who supported him in his campaign.

City Manager Lollis advised everyone that Caltrans had authorized the construction and funding of the Plano Street Bridge.

**ADJOURNMENT**

The Council meeting adjourned at 6:49 p.m. to the meeting of July 5, 2012.

Patrice Hildreth, Chief Deputy City Clerk

SEAL

Virginia R. Gurrola, Mayor