Called to Order at 5:30 p.m.
Roll Call: Council Member Ward (attended only Closed Session), Vice Mayor McCracken, Council Member Shelton, Council Member Hamilton, Mayor Gurrola

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

JOINT CITY COUNCIL / SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA
NOVEMBER 20, 2012

Roll Call: Agency Member Ward (attended only Closed Session), Vice Chairman McCracken, Agency Member Shelton, Agency Member Hamilton, Chairman Gurrola

ORAL COMMUNICATIONS
None

SUCCESSOR 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 concerning Successor Agency dispute with Tulare County regarding project area amendment.

During Closed Session, the Joint City Council/Successor Agency Meeting adjourned to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   3- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Operating Engineer Local Union No. 3 v. City of Porterville, Tulare County Superior Court Case No. 249441.
   4- Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No. 249043.
   5- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case concerning a potential dispute regarding a dry farm lease bid.
6- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Deputy City Attorney Mike Maurer advised that no reportable action took place.

Pledge of Allegiance Led by Council Member McCracken
Invocation – one individual participated

PROCLAMATIONS

National Caregivers Month

Mayor Gurrola advised that Council Member Ward had departed the meeting after Closed Session had concluded due to illness.

AB 1234 REPORTS

1. Tulare County Association of Governments (TCAG): Mayor Gurrola updated everyone on the recent TCAG meeting.

REPORTS

I. City Commission and Committee Meetings:

1. Library and Literacy Commission: Chair Esther Figueroa reported on the seating of new commissioners; thanked the outgoing commissioners for their service; updated the Council of recent commission action relative to the proposed mural at the library; and reported on library activities for the month of October.

2. Arts Commission: No report was provided.

II. Staff Informational Reports

1. Update on Negotiations to Amend Existing Contract with Pena’s Disposal Service

ORAL COMMUNICATIONS

- Holly Oliveira, Happy Hearts Daycare, voiced concern with what appeared to be a marijuana grow site in proximity to her daycare facility and requested Council assistance in resolving the matter. City Manager Lollis advised that staff would provide a report to the Council on the matter.

- Carlos Gomez, Wildplaces, spoke regarding the proposed mural and requested the Council’s approval.

- Nicole Celaya, spoke of the positive impact the Wildplaces’ mural project has had, and requested that the Council approve it.

- Brian De La Cerda, Wildplaces and mural project coordinator, spoke of the project and voiced support for its approval.

- (name inaudible), thanked the City Council and staff for their time, and requested that the Council approve the proposed mural.

- Mary Martinez of Mothers United Against Gang Violence, spoke of the organization’s
interest in a “Tree of Life” memorial in Centennial Park and requested the Council’s consideration/partnership for the project.

- (name inaudible), voiced support for the Council’s approval of the mural at the library.
- Kaitlyn Parker, a Burton Pathways student and Wildplaces participant, spoke in favor of the proposed mural and requested Council’s approval.
- Nicholas Garcia, voiced support for the proposed Wildplaces mural at the library, and spoke of the benefit of youth involvement.
- Carlos Sanbris, a Porterville College student and Wildplaces participant, spoke in favor of the mural.
- Theresa Carpenter, voiced support for the mural.
- Courtney (last name inaudible), spoke in favor of the mural.
- Rhoda Hunter, spoke in favor of the mural and requested the Council’s approval.

**CONSENT CALENDAR**

**COUNCIL ACTION:** MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council approve Item Nos. 1 through 10.

| AYES:    | McCracken, Shelton, Hamilton, Gurrola |
| NOES:    | None                                |
| ABSTAIN: | None                                |
| ABSENT:  | Ward                                |

1. **CITY COUNCIL MINUTES OF OCTOBER 2, 2012**

Recommendation: That the Council approve the draft Minutes of October 2, 2012.

Documentation: M.O. 01-112012

Disposition: Approved.

2. **AUTHORIZATION TO ADVERTISE FOR BIDS – JAYE STREET BUS TURNOUT**

Recommendation: That the City Council:

1. Approve staff’s recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 02-112012

Disposition: Approved.

3. **INTENT TO SET PUBLIC HEARING FOR REIMBURSEMENT AGREEMENTS FOR CONCRETE IMPROVEMENT CONSTRUCTION BY THE CITY – W. NORTH GRAND AVENUE RECONSTRUCTION PROJECT – SR 65 TO RAILROAD**

Recommendation: That the City Council:

1. Set a public hearing for December 4, 2012, according to the Mitigation Fee Act, for the establishment of the concrete improvement fee; and
2. Authorize staff to notify all affected property owners of the public
hearing, via certified mail, including the concrete reimbursement amount.

4. STUDY SESSION FOR STATE ROUTE 190 CORRIDOR IMPROVEMENTS

Recommendation: That the City Council set December 11, 2012, 5:30 p.m., as the date and time for a study session. The proposed location for the study session is the Library Community Room.

Documentation: M.O. 04-112012
Disposition: Approved.

5. RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF A LEISURE SERVICES SPECIALIST POSITION WITHIN THE PARKS AND LEISURE SERVICES DEPARTMENT

Recommendation: That the City Council:
1. Adopt the draft resolution providing for the establishment of a Leisure Services Specialist position; and
2. Amend the Department’s Table of Organization, Position Allocation Schedule, and Position Pay Schedule of the City’s Pay and Benefit Plan.

Documentation: Resolution 111-2012
Disposition: Approved.

6. AIRPORT LEASE RENEWAL – LOT 44B

Recommendation: That the City Council approve the extension of the Lease Agreement between the City of Porterville and Mr. Albert Quatacker of Porterville for Lot 44B at the Porterville Municipal Airport.

Documentation: M.O. 05-112012
Disposition: Approved.


Recommendation: That the City Council approve the draft Community Civic Event Application and Agreement submitted by the Porterville Area Ministerial Association, subject to the stated requirements contained in the Application, Agreement and Exhibit A.

Documentation: M.O. 06-112012
Disposition: Approved.

8. 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 8630 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

Documentation: M.O. 07-112012
Disposition: Approved.

9. COUNCIL MEMBER REQUESTED AGENDA ITEM – REQUEST FOR THE CITY COUNCIL TO CONSIDER CREATING A CITY BANNER PROGRAM TO RECOGNIZE LOCAL MILITARY VETERANS

Recommendation: Council Member Ward makes the motion that the City Council authorize the scheduling on the December 4th Council Agenda the consideration of creating a City banner program to recognize local military veterans.

Documentation: M.O. 08-112012
Disposition: Approved.

10. COUNCIL MEMBER REQUESTED AGENDA ITEM – REQUEST FOR THE CITY COUNCIL TO CONSIDER ELIMINATING THE USE OF CITY FUNDS TO ATTEND LOCAL COMMUNITY EVENTS

Recommendation: Council Member Shelton makes the motion that the City Council authorize the scheduling on the December 4th Council Agenda the consideration of eliminating the use of City funds to attend local community events.

Documentation: M.O. 09-112012
Disposition: Approved.

SCHEDULED MATTERS

11. APPROVAL OF WILDPLACES MURAL ON LIBRARY FACILITY

Recommendation: That the City Council:
1. Approve the mural design;
2. Direct staff to commence the mural project with the WildPlaces organization; and
3. Consider approval of the organizational logos on the mural.

Council Member Shelton recused himself from the discussion and exited the dias due to an undisclosed conflict of interest.

City Manager John Lollis presented the item, and Parks & Leisure Services Director Donnie Moore presented the staff report.
Vice Mayor McCracken moved to approve the mural design and to direct staff to commence the mural project with the WildPlaces organization.

Council Member Hamilton advised that Council Member Ward had requested that he relay Council Member Ward’s concerns with the design, particularly with the fact that it sent more of an environmental message rather than a youth message. A discussion ensued as to the design, and the proposed inclusion of the logos in light of the applicable provisions in the City’s Sign Code. The Council proposed, and WildPlaces agreed, that staff work with WildPlaces on utilizing a plaque dedicating the mural, rather than a logo, as is consistent with other City murals.

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council approve the proposed mural design; direct staff to commence the mural project with the WildPlaces organization; and direct staff to work with WildPlaces on a plaque and dedication rather than allowing logos as a part of the mural design.

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

Documentation: M.O. 10-112012
Disposition: Approved, as amended; direction given to staff.

12. FEDERAL AVIATION ADMINISTRATION RELEASE OF NONAERONAUTICAL LAND

Recommendation: That the City Council:
1. Adopt the draft resolution obligating the City to expend the proceeds of the sale of excess land at the Porterville Municipal Airport upon the airport within a five-year period;
2. Authorize the City Manager and/or the Mayor to execute all necessary documents; and
3. Approve a budget adjustment to allocate an additional $88,656 (for a total of $257,606) to the Airport Development fund.

City Manager John Lollis presented the item, and Community Development Director Brad Dunlap presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council adopt the draft resolution obligating the City to expend the proceeds of the sale of excess land at the Porterville Municipal Airport upon the airport within a five-year period; authorize the City Manager and/or the Mayor to execute all necessary documents; and approve a budget adjustment to allocate an additional $88,656 (for a total of $257,606) to the Airport Development fund.
AYES: McCracken, Hamilton, Gurrola
NOES: Shelton
ABSTAIN: None
ABSENT: Ward

Documentation: Resolution 112-2012
Disposition: Approved.

ORAL COMMUNICATIONS
None

OTHER MATTERS
- Mayor Gurrola, spoke of events in the community that she recently attended, including the Suicide Awareness and Prevention Forum, the Veterans Day Parade, and a Diwali Festival; spoke of the upcoming Tree Lighting ceremony on Friday at 6:00 p.m., noting that canned food and toys would be collected for those in need; and wished everyone a Happy Thanksgiving.
- Council Member Hamilton, lauded the Veterans Day Parade; and spoke of the 104th birthday of a Porterville resident named Mildred.
- Council Member Shelton, lauded the Veterans Day Parade; and spoke of various events he recently attended including the Fishing Derby, the Exchange Club’s bazaar; and a Winter Festival at St. Anne’s.

ADJOURNMENT
The Council adjourned at 7:50 p.m. to the meeting of December 4, 2012.

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Patrice Hildreth, Chief Deputy City Clerk

SEAL

Virginia R. Gurrola, Mayor