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

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

Roll Call: Agency Member McCracken, Agency Member Shelton (arrived during Closed Session),
Agency Member Gurrola, Vice Chair Ward, Chair Hamilton

ORAL COMMUNICATIONS
None

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing
      Litigation: County of Tulare v. All Persons Interested in the Matter of the Addition of the 2010
      Amendment to Redevelopment Plan for the Redevelopment Project Area No. 1, as Adopted by
      Ordinance 1765 on June 15, 2010, by the City of Porterville, et al., Tulare County Superior
      Court Case No. 249877.
   2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property:
      Negotiating Parties: Successor Agency to the Porterville Redevelopment Agency and Porterville

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

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   1 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing
      Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No.
      249043.
   2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property:
      APN 253-192-003. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and
   3- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property:
      APN 261-020-010. Agency Negotiators: John Lollis and Baldo Rodriguez. Negotiating Parties:

5 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville City Employees Association; Management and Confidential Series; Porterville Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; Public Safety Support Unit; and all Unrepresented Management Employees.

6 - Government Code Section 54956.9(d)(a) – Conference with Legal Counsel – Existing Litigation: John Duran v. City of Porterville, et al., United States District Court, Eastern District of California, Case No. 12:-CV-01239-LJO-BAM.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported the following action:


COUNCIL ACTION: On a MOTION made by Agency Member Gurrola, and SECONDED by Agency Vice Chair Ward the Successor Agency authorized acquisition of APN 261-122-007, and approved resolution accepting the Purchase and Sale Agreement and Joint Escrow instructions.

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

Documentation: Successor Agency Resolution No. 2014-04
Disposition: Approved.

Pledge of Allegiance Led by Council Member Virginia Gurrola
Invocation – a moment of silence was observed.

PRESENTATIONS
Employee of the Month – Irene Anaya

PROCLAMATIONS
Child Abuse Prevention Month – April 2014
National Volunteer Week – April 13 – 19, 2014
National Library Week – April 13 – 19, 2014
Iris Festival Day – April 26, 2014

AB 1234 REPORTS
This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Consolidated Waste Management Authority (CWMA) – Council Member McCracken reported that there had not been a meeting of the CWMA.
2. Tulare County Economic Development Corporation – March 26, 2014 – City Manager Lollis spoke of upcoming accreditation and process for identifying sites that are ready for development.

REPORTS
This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

I. City Commission and Committee Meetings:
   1. Parks & Leisure Services Commission
   2. Library & Literacy Commission
   3. Arts Commission
   4. Youth Commission – Commissioner Fernandez of Strathmore High spoke of recent Movie Night event at Centennial Park and her participation in Youth Commission.

II. Staff Informational Reports
   1. Chase Avenue Park Name Selection – no verbal report.

ORAL COMMUNICATIONS
None

CONSENT CALENDAR
Item Nos. 5, 7, and 8 were removed for further discussion. Council Member Shelton indicated that he would be abstaining from Item Nos. 4, 16 and 17; and Vice Mayor Ward noted his abstention from Item Nos. 7 and 9.

1. CITY COUNCIL MINUTES OF MARCH 18, 2014
Recommendation: That the City Council approve the Minutes of March 18, 2014.
Documentation: M.O. 01-040114
Disposition: Approved.

2. REQUEST FOR APPROVAL TO PURCHASE VETERANS PARK SHADE STRUCTURE
Recommendation: That the City Council approve the purchase and installation of the Veterans Park shade structure from GT Shade.
Documentation: M.O. 02-040114
Disposition: Approved.

3. AUTHORIZATION TO PURCHASE SIGNAL PREEMPTION EQUIPMENT
Recommendation: That the City Council authorize staff to purchase signal preemption equipment from Advanced Traffic Products, at a cost of $66,389, and authorize payment for said equipment upon satisfactory delivery.

Documentation: M.O. 03-040114
Disposition: Approved.

4. AUTHORIZATION TO ADVERTISE FOR BIDS – FIBER OPTIC INSTALLATION

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.

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

Documentation: M.O. 04-040114
Disposition: Approved.

6. AWARD OF CONTRACT – FIRE RESCUE VEHICLE

Recommendation: That the City Council authorize staff to award the fire rescue vehicle contract to Rosenbauer America LLC, for an amount not to exceed $155,665.00.

Documentation: M.O. 05-040114
Disposition: Approved.

9. ACCEPTANCE OF PROJECT – VETERAN’S PARK BOOSTER PUMPS PROJECT

Recommendation: That the City Council:
1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release if the 5% retention upon recordation of completed project, provided no stop notices have been filed.

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

Documentation: M.O. 06-040114
Disposition: Approved.

11. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 35
Recommendation: That the City Council approve the Lease Agreement between the City of Porterville and Mrs. Chantal Stewart and Ms. Paula M. Jackson for Lot 35 at the Porterville Municipal Airport.

Documentation: M.O. 07-040114
Disposition: Approved.

12. ASSIGNMENT AND NEW LEASE AGREEMENT – AIRPORT LOT 36

Recommendation: That the City Council:
1. Approve the assignment of the Lease Agreement for Lot 36 between the City of Porterville and Mr. Robert L. Nichols Mr. Matthew A. Quatacker; and
2. Approve the new Lease Agreement between the City of Porterville and Mr. Matthew A. Quatacker for Lot 36 at the Porterville Municipal Airport.

Documentation: M.O. 08-040114
Disposition: Approved.


Recommendation: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Porterville Unified School District, Porterville Rotary Club and Burton School District, subject to the stated requirements contained in the Application, Agreement and Exhibit A and Exhibit B.

Documentation: M.O. 09-040114
Disposition: Approved.

14. REQUEST TO ADVERTISE VACANCY ON TRANSACTIONS AND USE TAX (MEASURE H) OVERSIGHT COMMITTEE

Recommendation: That the City Council direct staff to publicize notice of the vacancy on the Transactions and Use Tax (Measure H) Oversight Committee with a term to expire in May 2016.

Documentation: M.O. 10-040114
Disposition: Approved.


Recommendation: That the City Council consider approval of the request to proclaim April 13-19, 2014, as Public Safety Telecommunications Week.
16. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 26, 2013

Recommendation: That the City Council receive the status report and review of the designated local emergency.

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

17. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 21, 2010

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.

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

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member McCracken that the City Council approve Item Nos. 1 through 4, 6, 9, and 11 through 17, noting the aforementioned abstentions. The motion carried unanimously.

SCHEDULED MATTERS
18. PORTERVILLE HOTEL PROJECT – REPAYMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT LOAN

Recommendation: That the City Council forgive payment of the accrued interest, accepting the principal amount of $470,000 and to release and reconvey the deed of trust and regulatory agreement recorded against the Porterville Hotel property.
City Manager Lollis introduced the item, and Council Member Shelton recused himself due to a perceived conflict of interest and exited the chambers. The staff report was presented by Community Development Director Brad Dunlap.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council forgive payment of the accrued interest, accepting the principal amount of $470,000 and to release and reconvey the deed of trust and regulatory agreement recorded against the Porterville Hotel property.

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

Documentation: Resolution No. 20-2014
Disposition: Approved.

19. POOL DRAINING PERMIT

Recommendation: That the City Council consider the adoption of a pool draining permit, and provide direction ad necessary.

City Manager Lollis introduced the item, and the staff report was presented by Public Works Director Baldo Rodriguez.

The Council discussed the common practice of draining into gutters, pool maintenance, the need to conserve water, permits and difficulties with enforcement. It was suggested that restrictions relative to draining of pools, including draining into sewer clean-outs only, be incorporated into the City’s Water Conservation Plan since it was of most concern during times of water shortage.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member McCracken that the City Council postpone consideration of a pool draining permit until such time that the City’s Water Conservation Plan is considered by the Council. The motion carried unanimously.

Documentation: M.O. 14-040114
Disposition: Approved.

The Council took a ten minutes recess at 7:39 p.m.

20. REQUEST FOR ACTION BY PORTERVILLE UNIFIED SCHOOL DISTRICT – N. PORTER ROAD

Recommendation: That the City Council:
1. Direct the Public Works Director to act in whatever manner is appropriate to eliminate truck parking along N. Porter Road; and
2. Direct City Manager to schedule a meeting with Porterville Unified
School District and appropriate City staff to discuss the future use of N. Porter Road.

City Manager Lollis introduced the item, and the staff report was presented by Public Works Director Rodriguez. Following the staff report, Ken Gibbs Ed.D., on behalf of Porterville Unified School District, spoke of their concerns.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Ward that the City Council direct the Public Works Director to act in whatever manner is appropriate to eliminate truck parking along N. Porter Road; and direct City Manager to schedule a meeting with Porterville Unified School District and appropriate City staff to discuss the future use of N. Porter Road. The motion carried unanimously.

Documentation: M.O. 15-040114
Disposition: Approved.

CONSENT CALENDAR

5. PIONEER WATER COMPANY – WATER SHARES LEASE

Recommendation: That the City Council:
1. Authorize advertisement for bidders to lease 400 shares of the City’s Pioneer Water Company holdings for 2014; and
2. Authorize the Public Works Director, or his designee, to negotiate the purchase of water shares up to a total of $50,000.00

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request. Public Works Director Rodriguez then addressed questions regarding the bidding process.

Council Member Shelton expressed concern regarding the lease of the 400 shares to one party, and suggested that the shares be broken up into smaller numbers to accommodate those that may not have the need or funds to purchase all 400 shares. In response to Council inquiries, staff indicated that a share represented approximately one acre foot of water.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Gurrola that the City Council approve dividing the 400 shares into eight lots of 50 shares each for bidding, at a minimum $250 per share. The motion carried unanimously.

Documentation: M.O. 16-040114
Disposition: Approved.

7. ACCEPTANCE OF PROJECT – INFLUENT PUMP STATION EQUIPMENT REPLACEMENT PROJECT

Recommendation: That the City Council:
1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 5% retention upon recordation of the project, provided no stop notices have been filed.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request. Council Member Shelton, who pulled the item, lauded staff for coming in under budget.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola that the City Council accept the project as complete; authorize the filing of the Notice of Completion; and authorize the release of the 5% retention upon recordation of the project, provided no stop notices have been filed.

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

Documentation: M.O. 17-040114
Disposition: Approved.

8. ACCEPTANCE OF PROJECT – WELL NO. 32 PROJECT (MUNICIPAL WELL DRILLING PHASE)

Recommendation: That the City Council:
4. Accept the project as complete;
5. Authorize the filing of the Notice of Completion; and
6. Authorize the release of the 5% retention upon recordation of the project, provided no stop notices have been filed.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request. Council Member Shelton, who pulled the item, inquired about the amount of water to be pumped by the new well. City Engineer Mike Reed responded that it had been designed to pump 500 gallons/minute.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola that the City Council accept the project as complete; authorize the filing of the Notice of Completion; and authorize the release of the 5% retention upon recordation of the project, provided no stop notices have been filed. The motion carried unanimously.

Documentation: M.O. 18-040114
Disposition: Approved.

10. AKIN WATER COMPANY AND CITY OF PORTERVILLE WATER SERVICE AGREEMENT

Recommendation: That the City Council:
1. Authorize the Mayor to execute the Akin Water Company and City of Porterville Water Service Agreement; and
2. Direct the City Clerk to notarize and transmit the Water Service Agreement to the California Department of Public Health.

Documentation: None.
Disposition: Pulled at the request of City Staff.

**ORAL COMMUNICATIONS**
None

**OTHER MATTERS**
- Council Member Gurrola, praised Parks and Leisure Services Director Donnie Moore for the great work he and his staff did with this year’s Kid Fest.
- Council Member Shelton spoke of his attendance at Kids Fest, and upcoming Porterville High School Wall of Fame and Wagonmaster’s Dance.
- Council Member McCracken, spoke of upcoming Spring Ball on April 12th, from 5:30pm-11:00pm.
- Vice Mayor Ward, suggested that additional activities be provided for children at this year’s Freedom Fest; and commented on the number of community events in April.
- Mayor Hamilton, lauded Parks and Leisure Services Director Moore for a successful Kid’s Fest.
- City Manager Lollis thanked Parks and Leisure Services Director Moore for a great Wall of Fame ceremony.

**ADJOURNMENT**
The Council adjourned at 8:16 p.m. to the meeting of April 15, 2014.

______________________________________________________________
Luisa M. Zavala, Deputy City Clerk

SEAL

______________________________________________________________
Cameron J. Hamilton, Mayor