Called to Order at 5:30 p.m.

Roll Call: Council Member Shelton (arrived at 5:50 p.m.), Council Member Gurrola, Vice Mayor Ward, Mayor Hamilton

Absent: Council Member McCracken

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 Shelton (arrived at 5:50 p.m.), Agency Member Gurrola, Vice Chair Ward, Chair Hamilton

Absent: Agency Member McCracken

ORAL COMMUNICATIONS
None

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case.

During Closed Session, the Joint 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 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.
   4- Government Code Section 54956.95 – Liability Claims: Claimants: Kimberly Wyatt and
William Wyatt. Agency claimed against: City of Porterville.
7- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Champeheuang v. Porterville Police Department, et al., Tulare County Superior Court Case No.: 255956.
8- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case concerning correspondence from the ACLU dated April 30, 2014 pertaining to the City’s Ordinance concerning sex offenders.
9- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported the following action:

B-4. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIMS: CLAIMANTS: KIMBERLY WYATT AND WILLIAM WYATT. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Mayor Hamilton, SECONDED by Council Member Gurrola, the Council rejected the claim filed by Kimberly and William Wyatt. The motion carried 3/0.

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

Documentation: M.O. 01-052014
Disposition: Claim rejected.

B-5. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: PROJECT RESOURCES GROUP FOR CHARTER COMMUNICATIONS. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Mayor Hamilton, SECONDED by Vice Mayor Ward, the Council rejected the claim filed by Project Resources Group for Charter Communications. The motion carried 3/0.

AYES: Ward, Hamilton, Gurrola
NOES: None
ABSTAIN: None
ABSENT: McCracken, Shelton
B-6. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: DAWNA MCGOWAN. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Vice Mayor Ward, SECONDED by Council Member Gurrola, the Council rejected the claim filed by Dawna McGowan. The motion carried 3/0.

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

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

PROCLAMATIONS
Community Action Month – May 2014

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

2. Tulare County Association of Governments (TCAG) – May 19, 2014: Council Member Gurrola reported on the adoption of the 2014-2015 TCAG Overall Work Program, and noted the conclusion of TCAG’s 2013-2014 projects.

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

I. City Commission and Committee Meetings:
2. Library & Literacy Commission – May 13, 2014: Chairman Bailey reported on the Commission’s hosting of the July Chamber of Commerce mixer event; noted the relocation of the Commission meetings to the La Barca Conference Room in City Hall; described the amount of patron traffic in the Library during the month of April; and invited community members to the Summer Reading Program Kick-Off Event.
3. Arts Commission – no report.
4. Transactions and Use Tax Oversight Committee (TUTOC): Member Fletcher
extended an invitation to the next TUTOC meeting on August 7, 2014, 6:00 p.m. at City Hall.

II. Staff Informational Reports
   1. Porterville Community Youth Center – no verbal report.

**ORAL COMMUNICATIONS**

- Vanessa Mesa, 689 N. Jaye St., expressed concern about speeding cars on Jaye Street between Henderson and Grand Avenues, and requested that speed limit signs be posted.
- Pastor Steve Marchbanks, of Life Tabernacle Church in Porterville, noted that Councilman Shelton had asked him to speak, and described the community activities and events hosted by the church.
- Don Scott, 1350 N. Lotus Way, voiced his support for an ordinance that would allow residents to raise and keep chickens.
- Mariah Reeder, thanked Mayor Hamilton and Councilman Shelton for inviting her to the meeting; spoke about her personal experiences with bullying; and voiced support for the Safe Zones program.
- Michelle Ragsdale, 1050 N. Maple Dr., representing Parents Against Bullying, and Sheryl (last name inaudible), stated their belief that the Council lost sight of the original purpose of the proposed Safe Zones Program, and spoke of the role of adults in protecting children from bullying.
- (Name inaudible), 878 N. Setton St., spoke of her experience with bullying as an elementary afterschool instructor; urged the Council to support the Safe Zones Program.
- Carly Wagner, a student at Porterville High School, and another student (name not given), explained their personal experiences of being bullied at the school, and stated that teachers, administrators, and school board members have ignored the issue.
- (First name inaudible) Akin, 1931 Pioneer Ave., spoke of poor representation of the City in national media; proposed that residents consider the comments and stories that have been publicized when they vote for City Council Members.
- (Name not given), urged parents to monitor the music, television shows, and books that their children are exposed to, arguing that these media instill a disrespect for authority that leads to bullying.
- Teresa Carpenter, alleged that she witnessed a City Council Member attack a resident outside of City Hall in front of her children, and claimed that this event caused her eight-year-old daughter to attempt suicide; cited her reputation as a good mother; and admonished the Council Members about their duty to be professional.

Mayor Hamilton stated that he would be exiting the Council Chambers to attend an interview with the media, and announced that Mayor Pro Tempore Ward would assume the role of Chairman of the meeting until the Mayor’s return.

- Dawn Jobe, requested that the Council recess as many in attendance wished to address the Mayor.
A disruption in the audience occurred, and Mayor Pro Tempore Ward called for a recess.

At the conclusion of the recess, Mayor Pro Tempore Ward announced that the three-minute rule for each speaker from the audience would be enforced for the remainder of Oral Communications.

When no one came forward, Oral Communications was closed at 7:30 p.m.

**CONSENT CALENDAR**

Items 4, 10, 11 and 19 were removed for further discussion. Council Member Shelton noted a conflict of interest relative to Items 17 and 18; Council Member Gurrola noted a conflict with Item No. 15; and City Attorney Lew advised Mayor Pro Tempore Ward regarding his conflict relative to Item No. 14. The three Council Members indicated their abstentions on the respective items.

1. **CITY COUNCIL MINUTES OF FEBRUARY 10, 2014, AND MAY 14, 2014**


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

   Documentation: M.O. 04-052014  
   Disposition: Approved.

2. **AUTHORIZATION TO PURCHASE LIBRARY FURNITURE**

   Recommendation: That the City Council authorize staff to move forward with negotiations for acquisition and installation of materials with CalBennetts for the Literacy Office areas.

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

   Documentation: M.O. 05-052014  
   Disposition: Approved.

3. **AUTHORIZATION TO PURCHASE GOLF CARTS**

   Recommendation: That the Council authorize the City's Purchasing Agent to negotiate the purchase of eleven (11) golf carts from All Carts.
5. AUTHORIZATION TO DISTRIBUTE REQUEST FOR PROPOSALS (RFP) FOR MAINTENANCE OF THE VALLEY ELDERBERRY LONGHORN BEETLE MITIGATION SITE

Recommendation: That City Council authorize staff to distribute a Request for Proposals to maintain the VELB Mitigation Site.

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

Documentation: M.O. 07-052014
Disposition: Approved.

6. CONSIDERATION OF STREET CLOSURE FOR PORTERVILLE LIBRARY SUMMER READING PROGRAM KICK-OFF EVENT

Recommendation: That the City Council authorize the temporary closure of Cleveland Street between the alley just east of Centennial Park and Main Street on June 2, 2014, in support of the planned Library Summer Reading Program Kick-Off Event.

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

Documentation: M.O. 08-052014
Disposition: Approved.

7. STATE HOMELAND SECURITY GRANT PROGRAM, 2013

Recommendation: That the City Council:
1) Pre-authorize acceptance of any or all State Homeland Security Grant Program disencumbered funds from fiscal years 2010, 2011 and 2012;
2) In the event of award, authorize the use of local funds from the Fire Department's equipment replacement account for initial equipment purchase in an amount not to exceed the grant award; and
3) Authorize a budget adjustment to reflect the addition of any grant award to the Fire Department budget.

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

Documentation: M.O. 09-052014
Disposition: Approved.

8. ASSISTANCE TO FIREFIGHTERS GRANT AWARD

Recommendation: That the City Council:
1) Accept the Assistance to Firefighters Grant award from the Federal Emergency Management Agency and the Department of Homeland Security for a project cost of $20,548;
2) Authorize the use of the local 10% share ($2,058) from the Fire Department's radio and pager equipment replacement account; and
3) Authorize a budget adjustment to reflect the addition of $18,526 to the Fire Department budget.

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

Documentation: M.O. 10-052014
Disposition: Approved.

9. AUTHORIZATION TO APPLY FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5311 FUNDING

Recommendation: That the City Council:
1. Approve the attached Resolution authorizing staff to act on behalf of the City to apply for financial assistance; and
2. Authorize the Mayor to execute the Resolution.

AYES: Ward, Gurrola, Shelton
NOES: None
ABSTAIN: None
ABSENT: McCracken, Hamilton
12. STATE DEPARTMENT OF FINANCE – POPULATION ESTIMATES

Recommendation: That the City Council authorize the Mayor to sign a request for State certification for the City of Porterville, January 1, 2014, at a population of 55,697.

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

Documentation: Resolution No. 27-2014
Disposition: Approved.

13. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 34F

Recommendation: That City Council approve the Lease Agreement between the City of Porterville and Messrs. Steven Huth and Michael Quatacker for Lot 34F at the Porterville Municipal Airport.

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

Documentation: M.O. 11-052014
Disposition: Approved.


Recommendation: That the Council approve the Community Civic Event Application and Agreement from The Elemental Awareness Foundation, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application.

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

Documentation: M.O. 13-052014
15. APPROVAL FOR COMMUNITY CIVIC EVENT – CENTRAL VALLEY FAMILY CRISIS CENTER – MUD RUN – JUNE 7, 2014

Recommendation: That the Council approve the attached Community Civic Event Application and Agreement submitted by the Central Valley Family Crisis Center, subject to the stated requirements contained in Exhibit A.

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

Documentation: M.O. 14-052014  
Disposition: Approved.

16. AMENDMENT TO EMPLOYEE PAY & BENEFIT PLAN – PORTERVILLE CITY EMPLOYEES ASSOCIATION

Recommendation: That the City Council approve the attached draft resolution amending the Employee Pay and Benefit Plan for all PCEA employees.

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

Documentation: Resolution No. 28-2014  
Disposition: Approved.

17. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 26, 2013

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

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

Documentation: M.O. 15-052014  
Disposition: Approved.

18. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 21, 2010
Recommendation: That the 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: Ward, Gurrola
NOES: None
ABSTAIN: Shelton
ABSENT: McCracken, Hamilton

Documentation: M.O. 16-052014
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Pro Tempore Ward, that the City Council approve Items 1 through 3, 5 through 9, and 12 through 18. The motion carried unanimously, with the aforementioned abstentions.

SCHEDULED MATTERS

20. PROPOSED DRAFT REVISIONS TO CITY ANIMAL CONTROL ORDINANCE

Recommendation: That the City Council consider the proposed draft revisions to the City's Animal Control Ordinance, and provide direction to staff as appropriate.

City Manager Lollis introduced the item.

The Council discussed, at length: the proposed restrictions on chicken ownership; dog licensing, vaccination requirements, and fees; compliance, enforcement, and penalties; oversight of dog park rules; and provisions regarding animal neglect.

The Council directed staff to address zoning specifications regarding urban farming, licensing, neglect, and dog park rules; and bring back for Council consideration.

Disposition: Direction given.

Mayor Hamilton re-entered the Council Chambers and assumed the chair.

21. ADOPTION OF ORDINANCE ESTABLISHING AN ANIMAL CONTROL COMMISSION

Recommendation: That the City Council adopt the draft ordinance adding Article VII - Animal Control Commission to Chapter 5 of the Porterville Municipal Code; give first reading of said ordinance by title only; and order the ordinance to print.
City Manager Lollis introduced the item and presented the staff report.

**COUNCIL ACTION:** MOVED by Vice Mayor Ward, SECONDED by Council Member Gurrola, that the City Council adopt Ordinance No. 1812; give first reading of said ordinance by title only; and order the ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADDING ARTICLE VII - ANIMAL CONTROL COMMISSION TO CHAPTER 5 OF THE PORTERVILLE MUNICIPAL CODE. The motion carried 4/0.

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

City Attorney Lew read the ordinance by title only.

Documentation: Ordinance 1812-2014
Disposition: Approved.

**22. CONSIDERATION OF SPONSORING THE ESTABLISHMENT OF A COMMUNITY YOUTH SAFE ZONE PROGRAM**

Recommendation: That the City Council provide direction, as appropriate.

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

Council Member Gurrola read a statement regarding the motivation behind the consideration of a community youth safe zone program, stating that she was merely presenting the requests of a group of local students.

Council Member Shelton expressed disappointment in community members who accused the Council of being unsupportive of bullied youth.

Vice Mayor Ward read a statement and expressed his opinion that this matter should be addressed by the Joint City/School Committee.

Mayor Hamilton stated that he would have preferred to see this item introduced in a different format, such as a presentation or oral communication, rather than an action item.

Disposition: No action taken.

**CONSENT CALENDAR (ITEMS REMOVED FOR FURTHER DISCUSSION)**

4. AUTHORIZATION TO PURCHASE CITY COUNCIL MEETING VIDEOS
Recommendation: That the City Council authorize continuing the purchase of unedited video from Mr. Will Lloyd until such time as an alternate video/live-streaming solution is implemented.

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

Council Member Gurrola inquired about price quotes for alternative video solutions in the near future.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Shelton, that the City Council authorize continuing the purchase of unedited video from Mr. Will Lloyd until such time as an alternate video/live-streaming solution is implemented. The motion carried 4/0.

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

Documentation: M.O. 17-052014
Disposition: Approved.

10. PARKS AND LEISURE SERVICES COMMISSION MEETINGS

Recommendation: That the City Council approve the Parks and Leisure Services Commission not meet June and July 2014, with the Commission being available to meet if necessary.

City Manager Lollis introduced the item.

Council Member Shelton expressed his satisfaction with how well the meeting cancellations worked last year.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council approve the Parks and Leisure Services Commission not meet June and July 2014, with the Commission being available to meet if necessary. The motion carried 4/0.

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

Documentation: M.O. 18-052014
Disposition: Approved.
11. SUPPORT FOR REQUEST BY TULE RIVER TRIBE TO PROVIDE TRAINING AND WORK EXPERIENCE SUPPORT FOR WASTEWATER TREATMENT FACILITY OPERATORS

Recommendation: That the City Council support the request of the Tule River Tribe to provide training and work experience support for their Wastewater Treatment Facility Operators.

City Manager Lollis introduced the item.

Council Member Shelton commended Public Works Director Rodriguez for working with the Tule River Tribe on this matter.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council support the request of the Tule River Tribe to provide training and work experience support for their Wastewater Treatment Facility Operators. The motion carried 4/0.

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

Documentation: M.O. 19-052014
Disposition: Approved.

19. COUNCIL MEMBER REQUESTED AGENDA ITEM – REQUEST FOR THE CITY COUNCIL TO CONSIDER ESTABLISHING DOMESTIC WATER FILLING STATIONS

Recommendation: Council Member Shelton makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider establishing domestic water filling stations in the community.

City Manager Lollis introduced the item.

Council Member Shelton explained the dire nature of water availability in East Porterville and proposed that the Council consider implementing water filling stations at a price of ten cents per gallon.

Vice Mayor Ward stated that many residents cannot afford to connect their homes to City water, and staff provided information about current programs that exist to assist residents in times of hardship.

City Manager Lollis explained that there is already an agenda item that will be presented to
the Council at the next meeting regarding the provision of water services.

Disposition: No action taken.

**ORAL COMMUNICATIONS**

- Vanessa Mesa, asked the City to assist in addressing the issue of children’s safety at school.
- Olivia Carrillo, spoke of a need for the community to come together to address bullying in schools.
- Mariah Reader, suggested that speakers were bullying the Mayor and credited him for listening to the public’s comments.
- Name not given, spoke in support of anti-bullying efforts both in schools and in the community.
- Jessica Mahoney, spoke of inappropriate comments made at the last meeting regarding the Safe Zones item, the Council’s use of Google to research agenda items, and the issue of bullying.
- Barry Caplan, spoke of unresponsive City officials and staff, and advised against basing one’s actions on the hope that everyone will always do the right thing.
- Russell Fletcher, stated that citizens questioning the motives and actions of their elected officials was not bullying.
- Melissa McMurrey, spoke of the importance of anti-bullying efforts and of her negative experience as a citizen of Porterville; and encouraged members of the Council to change their attitudes and educate themselves.
- Tony Mauck, thanked the Council for taking the heat being thrown their way, and spoke in opposition to funding of any new programs.
- Anne Marie Wagstaff, spoke of the Council’s consideration of a Safe Zone Program two weeks ago and of assumptions made regarding LGBT association.
- Kayla Padilla, stated that the LGBT community’s support of anti-bullying efforts was most likely indicative of their own experiences and understanding.
- Michelle Acquino, Ventura County, stated that she was embarrassed to be from Porterville.
- Carlos Gomez, commented that it takes a village to raise a child; stated that it was sad the proposed program will not be moving forward; and spoke of willful neglect.

- Kristen Ingless, spoke of the community’s potential; indicated that protecting the bullied is only one part of the solution and identified stopping the bullying behavior as the other; and stressed the importance of commitment to education and the cause.

**OTHER MATTERS**

- Council Member Shelton stated that he had been approached by many constituents who were having difficulties understanding the proposed ballot measures.
- Council Member Gurrola thanked Kristen Ingless for her comments.
- Vice Mayor Ward, wished his mother a Happy 76th Birthday; and assured that he would take concerns to the Joint City/School Committee when they met again in July.
- Mayor Hamilton stated that it was very easy to point fingers.
- City Manager Lollis reported that the City’s OES engine had returned from Carlsbad, and
that Transit Manager Richard Tree was in San Diego receiving an award.

**ADJOURNMENT**

The Council adjourned at 9:44 p.m. to the meeting of May 27, 2014.

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Luisa M. Zavala, Deputy City Clerk

SEAL

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Milt Stowe, Mayor

Page 15 of 15