Called to Order at 5:30 p.m.
Roll Call: Council Member Reyes, Council Member Ward, Council Member Gurrola, Vice Mayor Hamilton, Mayor Stowe

ORAL COMMUNICATIONS
• Bob Sweeney, spoke with regard to Closed Session Item A-2.

CITY COUNCIL CLOSED SESSION:
A. 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 Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; and all Unrepresented Management Employees.
5- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Duran v. City of Porterville, U.S. District Court, Eastern Div., Case No. 12:-CV-01239-LJO-BAM.
6- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Cortez v. City of Porterville, U.S. District Court, Eastern Div., Case No. 1:14-CV-00061-LJO-GSA.
7- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two Cases in which facts are not yet known to potential plaintiffs.
8- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

6:30 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION
The following action was reported:
A-4. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: CAROL MILLS. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Council Member Gurrola, SECONDED by Council Member Ward, the Council rejected the claim filed by Carol Mills. The motion carried unanimously.

Documentation: M.O. 01-020315
Disposition: Claim rejected.

A-8. GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – INITIATION OF LITIGATION: ONE CASE.

COUNCIL ACTION: On a MOTION by Vice Mayor Hamilton, SECONDED by Council Member Ward, the Council deemed documents received from Perrigo to constitute a claim and rejected the claim. The motion carried unanimously.

Documentation: M.O. 02-020315
Disposition: Claim rejected.

Pledge of Allegiance Led by Vice Mayor Cameron Hamilton
Invocation – a moment of silence was observed.

PRESENTATIONS
Employee of the Month – Joe Juarez
Leadership Porterville Project – State Capital Display
Introduction of New Employees

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

1. Tulare County Association of Governments (TCAG): January 29, 2015
   Council Member Gurrola reported on the Local Motion Awards received for the Jaye and Montgomery Roundabout Project and Public Works Director Baldo Rodriguez.

2. Tulare County Economic Development Corp. (TCEDC): January 28, 2015
   Economic Development Associate Jason Ridenour reported on discussion of prospects.

   Vice Mayor Hamilton reported on a presentation regarding water sustainability.

4. Joint City/School Committee: January 26, 2015
   Council Member Ward reported on discussion pertaining to construction projects and crosswalks.

REPORTS
This is the time for all committee/commission/board reports; subcommittee reports; and staff
I. City Commission and Committee Meetings:
2. Library & Literacy Commission – no report.
4. Animal Control Commission: February 2, 2015 – Commission Chair Guinn reported on the review of the animal control ordinance, and indicated that information had been provided to the Council regarding 501(c)3 organizations.
5. Youth Commission – no report.
6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.

II. Staff Informational Reports
1. Street Performance Measure – 2nd Quarter Report
3. Attendance Records for City Commissions and Committees – 2nd Quarter Report – FY 2014/15
4. Report on Charitable Car Washes
5. Quarterly Porterville Golf Course Report
6. CDBG Business Assistance Program Update
7. ‘Wall of Fame’ Honor Designations

ORAL COMMUNICATIONS
- Fred and Elva Beltran, Porterville Area Coordinating Council, indicated that there has been little action from the County with regard to the drought situation; communicated their support of the Council’s action; thanked the Council and City staff for their efforts thus far; and announced that they would be speaking in Sacramento about the drought.

CONSENT CALENDAR

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve Item Nos. 1 through 14. The motion carried unanimously.


Documentation: M.O. 03-020315
Disposition: Approved.

2. AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICE AGREEMENT – PORTERVILLE HOTEL SITE PREPARATION

Recommendation: That City Council authorize the Public Works Director to negotiate a “not to
exceed” $23,500 service agreement covering the preparation of technical specifications, soil borings, surface investigation, final Engineer’s Estimate of Probable Cost, assistance during bidding and daily on site construction management.

Documentation: M.O. 04-020315
Disposition: Approved.

3. AUTHORIZATION TO APPLY FOR PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT AND SERVICE ENHANCEMENT ACCOUNT FUNDING

Recommendation: That City Council:
   Authorize staff to apply for cycle two FY 2014/2015 PTMISEA funding; and
   1. Approve and authorize the Mayor to sign the draft Resolution authorizing Staff to purchase automatic passenger counters.

Documentation: Resolution No. 12-2015
Disposition: Approved.

4. AUTHORIZATION TO APPLY FOR CALIFORNIA ENERGY COMMISSION FUNDING

Recommendation: That City Council:
   1. Authorize staff to apply for FY 2014/2015 ARFVTP funding; and
   2. Approve and authorize the Mayor to execute the draft resolution.

Documentation: Resolution No. 13-2015
Disposition: Approved.

5. AUTHORIZATION TO TRAVEL – OUT OF STATE TRAINING

Recommendation: That City Council approve staff’s travel to Las Vegas, NV and attendance at EduCode International training week.

Documentation: M.O. 05-020315
Disposition: Approved.

6. COMMUNITY CLEAN-UP EVENTS

Recommendation: That City Council:
   1. Declare April 18, 2015, “Spring Clean Up Day” and October 17, 2015, “Fall Clean Up Day”;
   2. Encourage all residents to clean up their properties and take advantage of these special opportunities offered by the City;
3. Authorize the City to accept trash, litter and yard clippings delivered by City residents receiving City residential refuse service to the Spring and Fall Clean up Events for free disposal; and
4. Authorize the cost of both events be funded from the Solid Waste Operating Budget.

Documentation: M.O. 06-020315
Disposition: Approved.

7. FIELD USE AGREEMENT FOR ZALUD PARK BETWEEN THE CITY OF PORTERVILLE AND PORTERVILLE LITTLE LEAGUE

Recommendation: That City Council approve the agreement with Little League and authorize and direct the Mayor to execute the same.

Documentation: M.O. 07-020315
Disposition: Approved.

8. MONSTER ENERGY DRINK MOTOCROSS RACE PROPOSAL

Recommendation: That City Council:
1. Approve the Motocross Race Proposal for March 14 – 15, 2015, with 2x Promotions at the OHV Park; and
2. Approve overnight camping for this event.

Documentation: M.O. 08-020315
Disposition: Approved.

9. NATIONAL MOTOCROSS CHAMPIONSHIP QUALIFIER RACE PROPOSAL

Recommendation: That City Council:
1. Approve the National Motocross Championship Qualifier Race Proposal for February 28 – March 1, 2015, with 2x Promotions at the OHV Park; and
2. Approve overnight camping for this event.

Documentation: M.O. 09-020315
Disposition: Approved.

10. INTERIM FINANCIAL STATUS REPORTS

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

Documentation: M.O. 10-020315
Disposition: Approved.
11. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That City Council accept the quarterly Portfolio Summary.

Documentation: M.O. 11-020315
Disposition: Approved.

12. CONSIDERATION OF PROPOSED BUDGET CALENDAR FOR FISCAL YEAR 2015-2016

Recommendation: That City Council approve the proposed budget calendar for the 2015-2016 fiscal year.

Documentation: M.O. 12-020315
Disposition: Approved.

13. APPROVAL FOR COMMUNITY CIVIC EVENT – GALAXY 9 THEATERS AND SPECIAL OLYMPICS OF TULARE COUNTY – MCFARLAND USA 5K RUN – FEBRUARY 21, 2015

Recommendation: That City Council approve the Community Civic Event Application and Agreement from Galaxy 9 Theatres and Special Olympics of Tulare County, subject to the Restrictions contained in Application, Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 13-020315
Disposition: Approved.

14. MANAGEMENT & CONFIDENTIAL EMPLOYEES’ ELECTION OF STATE DISABILITY INSURANCE

Recommendation: That City Council:
1. Approve the draft resolution; and
2. Authorize the Mayor to sign the Application for Elective Coverage of State Disability Insurance form and any other documents that may be required to implement State Disability Insurance for all Management and Confidential Series employees.

Documentation: Resolution No. 14-2015
Disposition: Approved.

PUBLIC HEARINGS

15. REQUEST FOR A CONDITIONAL USE PERMIT (PRC 2014-021-C) TO ALLOW FOR THE SALE OF ALCOHOL UNDER A TYPE 41 ON-SALE BEER AND WINE FOR BONA-FIDE PUBLIC EATING PLACE FOR WINGSTOP LOCATED AT 1375 W. HENDERSON AVENUE, SUITE #2B
Recommendation: That City Council:
1. Adopt the draft resolution approving Conditional Use Permit (PRC 2014-021-C) subject to conditions of approval; and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

Administrative Services Director Patrice Hildreth presented the item, and Community Development Director Jenni Byers presented the staff report.

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

- Brock Neeley, Porterville, asked how many permits would qualify as an oversaturation, and expressed concerns regarding the sale of alcohol in low-income communities and its effect on the economy.

The public hearing closed at 7:03 p.m.

Council Members Gurrola, Ward, and Mayor Stowe indicated that they were comfortable approving the item because it was a dine-in restaurant as opposed to a bar.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2014-021-C) subject to conditions of approval; and authorize the Mayor to sign the Letter of Public Convenience or Necessity. The motion carried unanimously.

Documentation: Resolution No. 15-2015
Disposition: Approved.

Council Member Gurrola noted a conflict of interest pertaining to property ownership for Item No. 16, and exited the Council Chambers. Vice Mayor Ward inquired about his previous ownership of a property, and was advised by the City Attorney that previous ownership did not qualify as a conflict.

16. FORMATION OF THE SEWER UTILITY DISTRICT AREA 459

Recommendation: That City Council:
1. Open the Public Hearing, take comments and accept any ballots; and
2. Instruct the City Clerk to receive all ballots, and count said votes on February 4, 2015, in the North Conference Room, located in the Community Development and Public Works departments, at 1:30 p.m. and report to the Council the outcome of the voting at the February 17, 2015, Council meeting.
Administrative Services Director Patrice Hildreth presented the item, and Public Works Director Baldo Rodriguez presented the staff report.

Following the staff report, Council Member Ward indicated that he owned a house that appeared to be close to the subject area on the map. Staff took a moment to research the distance of the property, and indicated that it was close enough to qualify as a conflict. He recused himself and exited the Council Chambers.

The public hearing was opened at 7:13 p.m., and closed at 7:14 p.m. when no one came forward.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council instruct the City Clerk to receive all ballots, and count said votes on February 4, 2015, in the North Conference Room, located in the Community Development and Public Works departments, at 1:30 p.m., and report to the Council the outcome of the voting at the February 17, 2015, Council meeting.

AYES: Reyes, Hamilton, Stowe
NOES: None
ABSTAIN: Gurrola, Ward
ABSENT: None

Documentation: M.O. 14-020315
Disposition: Approved.

SCHEDULED MATTERS
17. CONSIDERATION OF APPOINTMENT TO THE PARKS AND LEISURE SERVICES COMMISSION

Recommendation: That City Council appoint one individual to fill the vacancy on the Parks and Leisure Services Commission with a term to expire in October of 2015.

Administrative Services Manager Hildreth introduced the item and presented the staff report. The applicants in attendance were invited to say a few words.

- Derric Salazar, Porterville, spoke of his return from the military and his eagerness to get involved in the community.
- Rachel Lucero, Porterville, expressed her desire to give back to the community.

Staff indicated that ballots had been prepared should the Council wish to utilize the McCracken Method, which required that three votes in favor of a candidate be received for appointment. The ballots were passed out, collected, and read aloud as follows:

- Mayor Stowe – Salazar
- Vice Mayor Hamilton – Salazar
• Council Member Ward – Salazar
• Council Member Reyes – Salazar
• Council Member Gurrola - Salazar

Ms. Lucero was thanked for her interest and encouraged to apply for other vacancies as they become available.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council appoint Derric Salazar to fill the vacancy on the Parks and Leisure Services Commission with a term to expire in October 2015. The motion carried unanimously.

Documentation: M.O. 15-020315
Disposition: Appointment made.

18. CONSIDERATION OF APPOINTMENT TO THE ANIMAL CONTROL COMMISSION

Recommendation: That City Council appoint one individual to fill the vacancy on the Animal Control Commission with a term to expire in September of 2016.

Administrative Services Manager Hildreth introduced the item and presented the staff report. Following the staff report, the applicants in attendance were invited to say a few words.

• Deborah Arthur, Porterville, spoke of her involvement with the Animal Control Commission, her experience as a professional dog trainer and groomer, and working with non-profits and small businesses in the community.

Ballots were again passed out, collected, and read aloud as follows:

• Council Member Reyes – Arthur
• Council Member Ward – Arthur
• Mayor Stowe – Arthur
• Vice Mayor Hamilton – Harris
• Council Member Gurrola – Harris

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council appoint Deborah Arthur to fill the vacancy on the Animal Control Commission with a term to expire in September of 2016. The motion carried unanimously.

Documentation: M.O. 16-020315
Disposition: Appointment made.

19. CONSIDERATION OF PREPAYING 2013 RABOBANK LEASE AGREEMENT
Recommendation: That City Council consider proceeding with the refunding of the Rabobank lease with the issue of new Certificates of Participation.

Administrative Services Manager Hildreth introduced the item and presented the staff report. Following the staff report, members of the Council spoke in favor of approval and of savings to the City.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve the draft resolution authorizing proceeding with the refunding of the Rabobank lease with the issue of new Certificates of Participation. The motion carried unanimously.

- Ben Levine, Wulff, Hansen & Co., spoke of advantageous interest rates, and commended the Council for their approval of the draft resolution.

Documentation: Resolution No. 16-2015
Disposition: Approved.

20. GOVERNOR’S EXECUTIVE ORDER FOR CALIFORNIA DISASTER ASSISTANCE ACT FUNDING, AND THE PROVISION OF WATER TO EAST PORTERVILLE RESIDENTS

Recommendation: That City Council consider:
1. The long-term planning effort toward the provision of water service connections to East Porterville county residents in reference to the Governor’s Executive Order;
2. The request for continuation of water delivery service by Mutual Aide Agreement with the County effective January 10, 2015, for at least 120 days; and
3. The request to purchase potable water by Mutual Aide Agreement with the County effective January 20, 2015, for at least twelve (12) months.

Administrative Services Manager Hildreth introduced the item and presented the staff report. Following the staff report, the Council took a five minute recess at 7:37 p.m.

Staff noted that there were representatives from the County Administrator’s Office, Tulare County Office of Emergency Services (OES) and Cal OES in attendance.

Council Members Ward and Gurrola expressed frustrations regarding efforts made to date, a lack of commitment on the part of the County, and use of City resources. They also spoke of the importance of collaboration and the need to identify a long-term solution.
Council Member Reyes and Mayor Stowe requested clarification regarding varying tank sizes and a water source; and County representatives were invited to address the Council’s questions and comments.

- Andrew Lockman, Tulare County OES Manager, indicated that the County has been advised not to service the tanks placed by the Porterville Area Coordinating Council (PACC) directly due to an issue of liability, but would reimburse the City for continued service to the tanks. He stated that the County did not have another water source within Tulare County; spoke of timelines associated with long-term solutions; and added that the County would be requesting 1.5 to 2 million gallons of City water per month.
- Eric Lamoureux, Regional Administrator for CalOES, explained that rental properties are considered businesses and posing a problem where funding and program participation was concerned.
- Andrew Lockman, responded to Council comments and apologized for a lack of follow through after the meeting in October. He also spoke of challenges, the plan for placement of potable tanks, water conservation, and outreach efforts to citizens.
- Denise England, Tulare County Water Analyst, spoke of discussion at the October meeting, and provided an update regarding permanent solutions.

Public Works Director Baldo Rodriguez reported on discussion at the October meeting and the importance of the City receiving a commitment from the County to provide an additional water source. He cautioned that the City’s system did not have the capacity to continue serving the tanks through the summer without adversely effecting service to City residents.

The Council discussed the use of City resources and costs to date, the request for continued provision of water, and stress to the City system.

- Eric Lamoureux, CalOES, requested that the Council postpone their decision to allow the opportunity to meet and discuss the City’s request for a new water source with City, County and State representatives present.

A discussion followed regarding facilitation of the proposed meeting and the identification of participants.

- Fred and Elva Beltran, PACC, indicated that they would continue to try to help families, but not at the same level; thanked the City for the help they have provided to date; and expressed their support for the Council’s decision, whatever it may be.

The Council requested that the meeting be scheduled to take place before their next meeting on February 17, 2015, and thanked State and County representatives for their attendance.

**COUNCIL ACTION:** MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve a 30-day extension of the current water delivery arrangement; and direct staff to bring back a report of meetings with the County and State representatives. The motion carried unanimously.
The Mayor adjourned the City Council meeting at 9:16 p.m. to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

**SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY MINUTES**

**291 NORTH MAIN STREET, PORTERVILLE, CA 93257**

**FEBRUARY 3, 2015**

Roll Call: Member Reyes, Member Ward, Member Gurrola, Vice Chair Hamilton, Chair Stowe

**WRITTEN COMMUNICATIONS**

**ORAL COMMUNICATIONS**

None

**SUCCESSOR AGENCY SCHEDULED MATTER**

**SA-01. MODIFICATION TO AGREEMENT LANGUAGE FOR VILLA SIENA DEVELOPMENT**

Recommendation: That the Successor Agency approve the proposed addendum to the Easement Maintenance and Use Agreement.

Administrative Services Manager Hildreth introduced the item and the staff report was waived at the Council’s request. Community Development Director Byers addressed questions regarding the need for the proposed amendment.

**AGENCY ACTION:** MOVED by Vice Chair Hamilton, SECONDED by Member Gurrola that the Successor Agency approve the proposed addendum to the Easement Maintenance and Use Agreement. The motion carried unanimously.

Documentation: Successor Agency M.O. 01-020315

Disposition: Approved.

The Mayor adjourned the Successor Agency to the Porterville Redevelopment Agency meeting at 9:19 p.m. to a meeting of the Porterville City Council.

**ORAL COMMUNICATIONS**

* Andy Medina, commented that the discussion regarding the provision of water to County residents reminded him of labor negotiations between management and union representatives; and commended the Council for sticking to their guns.

**OTHER MATTERS**

* Council Member Gurrola thanked Public Works Director Rodriguez for looking after the City’s
interests.

- Mayor Stowe, noted the passing of City Manager Lollis’ grandfather.
- Vice Mayor Hamilton, congratulated the Mayor on his first hole-in-one.

At 9:22 p.m. the Council took a five-minute recess then reconvened in Closed Session.

**CLOSED SESSION**

There was no reportable action.

**ADJOURNMENT**

The Council adjourned at 9:45 p.m. to the meeting of February 17, 2015.

_________________________________
Luisa M. Zavala, Deputy City Clerk

SEAL

_________________________________
Milt Stowe, Mayor