

**CITY COUNCIL MINUTES  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
NOVEMBER 18, 2014, 5:30 P.M.**

Call to Order at 5:32 p.m.

Roll Call: Council Member Reyes, Council Member Ward, Council Member Gurrola, Vice Mayor Hamilton, Mayor Stowe

**ORAL COMMUNICATIONS**

None

**CITY COUNCIL CLOSED SESSION:**

A. Closed Session Pursuant to:

1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN 261-020-010. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Linda Mourton. Under Negotiation: Terms and Price.

2 - 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.

3- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. Corridor Group LLC, Tulare Superior Court No. PCU255344

4- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case in which facts are not known to potential plaintiff.

5- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.

**6:30 P.M. RECONVENE OPEN SESSION AND  
REPORT ON REPORABLE ACTION TAKEN IN CLOSED SESSION**

City Attorney Julia Lew reported that no reportable action took place.

Pledge of Allegiance Led by Mayor Stowe

Invocation – a moment of silence was observed.

**PRESENTATIONS**

Outstanding Business – Golden Touch Limousine

Employee Service Awards – Ryan Smalley, Dominic Barteau, and Sarah Weaver

Rocky Hill Speedway Local Dignitary Race

**AB 1234 REPORTS**

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

- Barry Caplan, spoke of circumstances leading up to a change in the proclamation process and the implementation of said process; and suggested that the current system was discriminatory against the LGBT community.
- Monty Schaffer, expressed an interest in wanting to open a business.
- Mike Boudreaux, Tulare County Sheriff, expressed contentment with the collaborative relationship between the Porterville Police Department and Tulare County Sheriff's Office.

## **CONSENT CALENDAR**

**COUNCIL ACTION:**      MOVED by Council Member Gurrola, SECONDED by Council Member Ward that the City Council approve Item Nos. 1 through 9. The motion carried unanimously.

1.      CITY COUNCIL MINUTES OF NOVEMBER 4, 2014

Recommendation:      That the City Council approve the Minutes of November 4, 2014.

Documentation:      M.O. 01-111814

Disposition:      Approved.

2.      AUTHORIZATION TO ADVERTISE FOR BIDS – TOMAH STORM DRAIN PROJECT

Recommendation:      That City Council:

1. Approve staff's recommended plans and project manual;
2. Authorize staff to advertise for bids on the project; and
3. Authorize the Finance Director to appropriate Developer Impact Fee Funds in the amount of \$30,000.

Documentation:      M.O. 02-111814

Disposition:      Approved.

3.      ACCEPTANCE OF PROJECT – TRANSIT FIBER OPTIC CONDUIT INSTALLATION PROJECT

Recommendation:      That 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 thirty-five (35) days after recordation, provided no stop notices have been filed.

Documentation:      M.O. 03-111814

Disposition:      Approved.

8. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE CHAMBER OF COMMERCE AND ROTARY CLUB OF PORTERVILLE – CHILDREN’S CHRISTMAS PARADE – DECEMBER 4, 2014

Recommendation: That the City Council:

1. Approve the Community Civic Event application from the Porterville Chamber of Commerce and Rotary Club of Porterville subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application;
2. Authorize the temporary suspension of the Fixed Route Transit System from 4:30 p.m. to 7:00 p.m. on December 4, 2014; and
3. Restrict the closure of parking spaces in front of City Hall from 3:00 p.m. to 5:00 p.m. to those at the north end of City Hall along Main Street.

Documentation: M.O. 08-111814

Disposition: Approved.

9. CANCELLING JANUARY 6, 2015 CITY COUNCIL MEETING

Recommendation: That the City Council cancel the January 6, 2015 Council Meeting.

Documentation: M.O. 09-111814

Disposition: Approved.

The Council recessed for ten minutes at 7:23 p.m.

**PUBLIC HEARINGS**

10. REQUEST FOR A CONDITIONAL USE PERMIT (PRC 2014-019-C) TO ALLOW FOR THE SALE OF ALCOHOL UNDER A TYPE 41 BEER AND WINE LICENSE IN CONJUNCTION WITH A RESTAURANT FOR APPLEBEE’S LOCATED AT 892 W. HENDERSON AVENUE

Recommendation: That the City Council:

1. Adopt the draft resolution approving Conditional Use Permit (PRC 2014-019-C) subject to conditions of approval; and
2. Authorize the mayor to sign the Letter of Public Convenience or Necessity.

City Manager John Lollis introduced the item. Community Development Director Jenni Byers indicated that the public hearing notice had incorrectly identified an application for a Type 41 license, and requested that the Council accept public comment with the knowledge that the item would be re-noticed to properly identify a Type 47 license and come back on December 2, 2014.

The public hearing was opened at 7:36 p.m.

opposition to the public having the power to add items to the agenda without a Council sponsor.

Council Member Gurrola then made a motion to return to the previous process which required the Mayor's approval. The motion was seconded by Council Member Reyes, who requested that members of the council be given the option of signing or not signing the proclamation.

Vice Mayor Hamilton stated that he did not subscribe to the opinion that proclamations were purely ceremonial in nature; and Council Member Ward spoke against granting the mayor the power to do something that was not supported by a majority of the council.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Reyes that the City Council proclamation process return to Mayor's approval.

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

Documentation: M.O. 10-111814

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Ward that the City Council approve the identified housecleaning items. The motion carried unanimously.

Documentation: M.O. 11-111814

Council Member Ward spoke in support of removing the requirement for a motion and a second prior to discussion, and extending the deadline for Council Member Requested Agenda Items from noon on Monday to noon on Wednesday.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve the removal of the requirement for a motion and a second prior to discussion.

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

Documentation: M.O. 12-111814

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve extending the Council Member Requested Item deadline from noon on Monday to noon on Wednesday.

- Recommendation: That the Council:
1. Approve the proposed Audio/Visual Chamber Upgrades and authorize staff to engage the services of in-house staff for miscellaneous electrical upgrades not to exceed \$1,000; and ITC in an amount up to \$19,419.97; and
  2. Approve one of the four options presented, or any combination thereof, with regard to live/video/audio streaming of City Council Meetings.

City Manager Lollis introduced the item, and the staff report was presented by Administrative Services Director Patrice Hildreth. During the staff report, a presentation prepared by Doug Shumway of SuiteOne was played for the Council.

At the Council's request, Deputy City Clerk Luisa Zavala and IT Manager Ted Williams addressed questions regarding the implementation of the SuiteView product and the proposed upgrades to chambers. Mr. Williams elaborated on the difficulties with replacing/repairing the dated equipment; the need to scavenge for parts on Ebay; and challenges in interfacing with newer technology. It was proposed by Vice Mayor Hamilton that said equipment should be amortized for replacement.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Reyes that the City Council approve the proposed Audio/Visual Chamber Upgrades and authorize staff to engage the services of in-house staff for miscellaneous electrical upgrades not to exceed \$1,000; and ITC in an amount up to \$19,419.97.

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

Documentation: M.O. 16-111814

A discussion ensued, during which Administrative Services Director Hildreth elaborated on the services proposed to be provided by SuiteOne Media, which she indicated was primarily comprised of unlimited cloud storage and bandwidth for public viewing of the video and/or audio. Director Hildreth then spoke of the benefits of having audio readily available for staff and the public, and the positive impact it would have on staff efficiency. In response to a question posed by Council, Director Hildreth indicated that a free trial period of the SuiteOne Media product was not likely available.

Will Lloyd expressed concerns regarding the production value of the proposed stationary cameras, and spoke of difficulties with his use of Vimeo to host his videos. He applauded staff for looking into live streaming, and suggested that in the event the City discontinued its current arrangement for his services, he would likely continue to video at no charge in order to continue his

Documentation: M.O. PFA 01-111814  
Disposition: Approved.

The Board adjourned at 9:18 p.m. to a meeting of the Porterville City Council.

**ORAL COMMUNICATIONS**

- Brock Neeley, spoke of Roberts Rules of Order, and requested that a formal contract be drafted for video services between the City and Will Lloyd.
- Barry Caplan, congratulated Council Member Reyes and Council Member Gurrola for their stance/comments regarding the proclamation process; spoke of ceremonial duties of the Mayor as written in the Charter; and spoke in support of live streaming of council meeting video.

**OTHER MATTERS**

- Vice Mayor Hamilton, thanked individuals for their participation in the Local Dignitaries Race; announced a memorial for Chief Baca to take place on Sunday, 1:00 p.m. at the Rocky Hill Raceway.
- Council Member Gurrola, spoke of the upcoming dedication of the Elders Building at the Tule River Reservation.
- Council Member Ward, expressed an interested in reaching out to veterans to discuss placement of military banners; wished everyone a Happy Thanksgiving; suggested that the Council consider banning retailers who are open for the holiday.
- Council Member Reyes, spoke of the Dignitaries Race, Turkey Day Shoot Out, Veterans Day Parade and the need to educate the community about Veteran’s Day moment of silence protocol.
- Mayor Stowe, spoke of the Veteran’s Day Parade, Dignitaries Race, and Parnell “Chief” Baca’s memorial service; and congratulated Council Member Reyes for being awarded Volunteer of the Year by the Chamber of Commerce.
- City Manager Lollis thanked Chief Forsyth and the Police Captains for their efforts on Monday; reported on status of showers and indemnification agreements for provision of water.

**CLOSED SESSION**

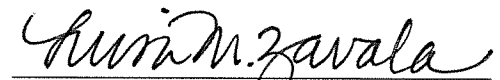
None

**ADJOURNMENT**

The Council adjourned at 9:35 p.m. to the meeting of December 2, 2014.

SEAL

  
Mark Stowe, Mayor

  
Luisa M. Zavala, Deputy City Clerk