

**CITY COUNCIL MINUTES  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
JULY 21, 2015, 5:30 PM**

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**

None

**CITY COUNCIL CLOSED SESSION:**

A. Closed Session Pursuant to:

1 - 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.

2 - Government Code Section 54956.95 – Liability Claim: Claimant: Hisham Mutaetaher. Agency Claimed Against: City Of Porterville.

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

4 - Government Code Section 54956.9(D)(4) – Conference With Legal Counsel – Anticipated Litigation – Initiation Of Litigation: Five Cases.

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

City Attorney Lew reported action pertaining to A-2, as follows:

A-2. On a MOTION made by Council Member Gurrola, and SECONDED by Vice Mayor Hamilton the City Council unanimously rejected the claim filed by Hisham MutaeTaher.

Documentation: M.O. 01-072115

Disposition: Claim Rejected.

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

**AB 1234 REPORTS**

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

- Angie Guzman spoke of her experience being without water and stated that she did not want to be put in that position again; and complained about the water trucks.
- Nick Contreras, Magnolia Street, inquired about the depth of the wells at Village Garden.
- Sylvia Mendoza expressed concern regarding the potential loss of water in the area of Village Garden where her parents resided.
- Brock Neeley Porterville, stated that people need to have compassion for those without water who were being serviced by the water trucks.

**CONSENT CALENDAR**

There were no items pulled from the Consent Calendar for discussion. Council Member Gurrola noted she would be abstaining from Item No. 4. Council Member Reyes noted that he would be abstaining from Item No. 3.

**COUNCIL ACTION:**      MOVED by Council Member Brian Ward, SECONDED by Vice Mayor Cameron Hamilton that the City Council approve Items Nos. 1-8, with noted abstentions. The motion carried unanimously.

1.      CITY COUNCIL MINUTES OF DECEMBER 2, 2014

Recommendation:      That the City Council approve the Minutes of December 2, 2014.

Documentation:      M.O. 02-072115

Disposition:      Approved.

2.      AUTHORIZATION TO ADVERTISE FOR PROPOSALS - OFF-HIGHWAY VEHICLE PARK MANAGEMENT SERVICES

Recommendation:      That the City Council authorize staff to distribute Requests for Proposals for Off-Highway Vehicle Management Services.

Documentation:      M.O. 03-072115

Disposition:      Approved.

3.      ASPHALT OVERLAY PROGRAM FOR 2015/2016

Recommendation:      That the City Council:

1. Approve the 2015/2016 Asphalt Overlay Program authorizing the expenditure of \$319,753; and
2. Direct the Finance Director to appropriate \$179,000 from Surface Transportation Program funds, for a total project cost of \$498,204.

AYES:      Ward, Gurrola, Hamilton, Stowe

NOES:      None

ABSTAIN:      Reyes

ABSENT:      None

Documentation: M.O. 07-072115

Disposition: Approved.

8. AUTHORIZATION TO ROLL WEED ABATEMENT BALANCES, DELINQUENT DEVELOPMENT FEE PAYMENT PLAN AGREEMENTS, AND UNPAID UTILITY ACCOUNTS TO THE PROPERTY TAX ROLLS

Recommendation: That the City Council adopt the resolution authorizing the County Auditor to place the weed abatement balances, delinquent development fee payment plan agreements, and unpaid utility accounts on the 2015-2016 property tax rolls for collection.

Documentation: Resolution No. 82-2015

Disposition: Approved.

**PUBLIC HEARINGS**

9. LANDSCAPE AND LIGHTING DISTRICT ANNUAL ASSESSMENTS

Recommendation: That the City Council:

1. Conduct a public hearing on the 2015-2016 assessments for the Landscape and Lighting Maintenance District to take comments or receive protests on the proposed assessments; and
2. Adopt the Resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2015-2016 Fiscal Year.

City Manager Lollis and Parks and Leisure Director Donnie Moore excused themselves from Council Chambers stating they owned property in the jurisdiction. Community Development Manager Julie Phillips introduced the item, and presented the staff report.

The Public Hearing opened at 7:14 p.m. Seeing no one, the Mayor closed the Public Hearing at 7:15 p.m.

There was a brief discussion regarding the use of water for street medians, and staff reported that options to replace all grass with artificial grass had been researched and implemented on some medians.

**COUNCIL ACTION:** MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council adopt the resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2015-2016 Fiscal Year. The motion carried unanimously.

Documentation: Resolution No. 83-2015

Disposition: Approved.

12. POTENTIAL ANNEXATION APPLICATIONS AND ASSOCIATED REQUESTS FOR WATER CONNECTIONS

Recommendation: That the City Council consider the information provided and provide direction to staff on how to proceed.

City Manager Lollis introduced the item, and Community Development Manager Julie Phillips presented the staff report. Ms. Phillips then addressed questions from the Council regarding the boundaries of the annexation and the City's capacity to support the annexation.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve proceeding with proposed annexation 475D, scheduling a Public Hearing for August 4, 2016; and authorize processing Chelsea Rose annexation and Urban Development Boundary amendment at the City's cost. The motion carried unanimously.

Documentation: M.O. 08-072115

Disposition: Approved.

13. STATUS AND REVIEW OF DECLARATION OF LOCAL DROUGHT EMERGENCY

Recommendation: That the City Council:

1. Receive the report of status and review of the Declaration of Local Emergency and, determine the need exists to continue said Declaration; and
2. Review any modifications to the draft Agreement between the City and County of Tulare.

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

Following the staff report, staff addressed questions from the Council regarding the remaining PACC tanks in East Porterville, servicing of tanks in the Vandalia area, and of the recent water shortage in the Cobb Street area and its potential impact to the City. The Council expressed the need for the County and City to work together in order to carry out the drought assistance programs.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve the continued Declaration of Local Drought Emergency. The motion carried unanimously.

Documentation: M.O. 09-072115

Disposition: Approved.

ORAL COMMUNICATIONS