

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 15, 2014, 5:30 P.M.**

Called to Order at 5:30 p.m.

Roll Call: Council Member McCracken, Council Member Shelton (arrived during Closed Session),
Council Member Gurrola (arrived at 5:32 p.m.), Vice Mayor Ward, Mayor Hamilton

Adjourn 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 (arrived at 5:32 p.m.), 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)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case.

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 54956.8 – Conference with Real Property Negotiators/Property: APN 253-192-003. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Johnnie Barber. 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 54956.95 – Liability Claim: Claimant: Margarete Bachman. Agency claimed against: City of Porterville.
4- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Donald Sipple, et al. v. City of Alameda, California, et al., Los Angeles Superior Court-CCW Case No. BC462270.
5- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case.

6:37 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported the following action:

- B-3: Government Code Section 54956.95 – Liability Claim: Claimant: Margarete Bachman.
Agency claimed against: City of Porterville.

COUNCIL ACTION: On a MOTION made by Council Member McCracken, SECONDED by Vice Mayor Ward, the Council unanimously approved rejection of claim filed by Margaret Bachman.

Documentation: M.O. 01-041514

Disposition: Approved.

Pledge of Allegiance Led by Vice Mayor Ward
Invocation – one individual participated.

PRESENTATIONS

myPorterville Application
Porterville Development Ordinance Committee Recognition
Regional Transportation Plan (TCAG)

PROCLAMATIONS

Public Safety Telecommunications Week – April 13-19, 2014

AB 1234 REPORTS

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

1. Tulare County Local Agency Formation Commission (LAFCO) – April 2, 2014
Mayor Hamilton reported on the presentation of the Regional Transportation Plan, the selection of LAFCO’s public member, and review of preliminary budget.

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 – April 3, 2014
Commissioner Moore reported on the following Parks and Leisure Services Department activities: ball field preparation, tree maintenance, tree planting, track meet, Corporate Games, Music on Main Street, Egg Hunt, Youth Center attendance, OHV Park event; and spoke of the commission’s recommendations for naming of new park.
 2. Library & Literacy Commission – April 8, 2014
Commissioner Biagio reported on presentation by library staff regarding computer programs, preparation for mixer at library, March highlights; and extended an invitation to upcoming library activities for National Library Week and Children’s Day.
 3. Arts Commission – no report.
 4. Youth Commission – no report.

II. Staff Informational Reports

1. Update on New Animal Shelter Modified Design and Draft Animal Control Ordinances

ORAL COMMUNICATIONS

- Ellen Nichols, spoke of name selection for new park and advocating for use of trails; and shared her question for County Supervisor candidates regarding roads.
- Esmeralda Espinoza, stated that she had received a warning, then subsequently a ticket regarding the frequency of her yard sales; spoke of yard sales as a means of supplementing her income; and requested that Council consider permitting more than one every six months.
- Pablo Espinoza, expressed concerns regarding operational requirements for taco trucks and his opinion that they were being run out of town; and requested that Council increase the number of yard sales permitted per year.
- Brock Neeley, reported on his use of the myPorterville app.
- Ron Hulsey, provided an update regarding the hazardous condition of Golden Hills Mobile Estates; extended an invitation to attend May 5th meeting at the mobile home park; and requested an update on the marijuana ordinance.
- Teri Irish, thanked the Council for the proclamation recognizing Public Safety Telecommunications Week; lauded the City's dispatch personnel; spoke of the many activities the Parks and Leisure Services Department provides for youth; and expressed concerns regarding Item Nos. 15 and 26.
- Eric Santos, spoke in support of naming the new park in memory of AJ Pardo.
- Pierre Mena, spoke in support of AJ Pardo Park.
- Gustavo Carranza, spoke in favor of naming park in memory of AJ Pardo.
- Lauren (last name inaudible), also voiced support for naming park in memory of AJ Pardo.
- Richard Sanchez, indicated that he was hosting the Frisbee Gold Event (Item No. 15), and that funds raised would go to remaining Boys & Girls Clubs in Porterville.
- Olivia Carrillo, requested the City's assistance to continue Boys & Girls Club on the east side of town; and spoke of the services provided.
- Gerry Quinn, requested that the Council provide closed captioning at meetings for the hearing impaired; spoke of the Boys & Girls Club closing its doors; and requested help for the children.
- Jesus Avalos, spoke of his participation in the Boys & Girls Club, and of the need on the east side of town; requested that Council consider its yard sale policy; and expressed concerns regarding special day kids at Porterville High School working outside.
- Name inaudible, spoke in favor of naming park after AJ Pardo.
- Barry Caplan, stated that it was great to hear from the city's youth; extended an invitation to all for a six mile bike ride; claimed that the language in the proclamation for Bike Month was inaccurate and requested that the Council pull the proclamation to allow him the opportunity to amend.
- Matthew Green, spoke in support of naming the new park in memory of AJ Pardo; and asked Council to consider the situation with the Boys & Girls Club located on the east side of Porterville.

CONSENT CALENDAR

Item Nos. 4-7, 15, 16, 18, 25, and 26 were removed for further discussion. Council Member Shelton noted conflicts for Item Nos. 7, 14, 17, 23 and 24; and Vice Mayor Ward indicated that he had conflicts relative to Item Nos. 16 and 17.

1. CITY COUNCIL MINUTES OF APRIL 1, 2014

Recommendation: That the City Council approve the Minutes of April 1, 2014.

Documentation: M.O. 02-041514

Disposition: Approved.

2. REQUEST FOR APPROVAL TO PURCHASE A SKID STEER LOADER WITH BACKHOE ATTACHMENT

Recommendation: That the City Council approve the purchase of the Caterpillar skid steer loader from Quinn Company.

Documentation; M.O. 03-041514

Disposition: Approved.

3. THIS ITEM HAS BEEN REMOVED.

8. APPLICATION FOR BYRNE CRIMINAL JUSTICE INNOVATION PROGRAM PLANNING GRANT

Recommendation: That the City Council approve the submission of an application of the Byrne Criminal Justice Innovation Program Planning Grant, with the City of Porterville serving as the designated administration and fiscal agent.

Documentation: M.O. 04-041514

Disposition: Approved.

9. LICENSE AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND DONALD'S CHILDREN'S AMUSEMENT FOR THE OPERATION OF A TRACKLESS TRAIN

Recommendation: That the City Council approve the License Agreement between the City of Porterville and Donald's Children's Amusement.

Documentation: M.O. 05-041514

Disposition: Approved.

10. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 34A

Recommendation: That the City Council approve the Lease Agreement between the City of Porterville and Mr. Sam Lessley for Lot 34A at the Porterville Municipal Airport.

Documentation: M.O. 06-041514
Disposition: Approved.

11. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 34C

Recommendation: That the City Council approve the Lease Agreement between the City of Porterville and Mr. Gary Mussen for Lot 34C at the Porterville Municipal Airport.

Documentation: M.O. 07-041514
Disposition: Approved.

12. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 34D

Recommendation: That the City Council approve the Lease Agreement between the City of Porterville and Ms. Joyce Moody-Flores for Lot 34D at the Porterville Municipal Airport.

Documentation: M.O. 08-041514
Disposition: Approved.

13. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 34E

Recommendation: That the City Council approve the Lease Agreement between the City of Porterville and Mr. Glenn Ricketson for Lot 34E at the Porterville Municipal Airport.

Documentation: M.O. 09-041514
Disposition: Approved.

14. APPROVAL FOR COMMUNITY CIVIC EVENT – COMISION HONORIFICA MEXICANA AMERICANA – GRIMALDI CIRCUS – MAY 16-19, 2014

Recommendation: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Comision Honorifica Mexicana Americana and Grimaldi Circus, Inc., subject to the stated requirements contained in the Application, Agreement, Exhibit A and Exhibit B.

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

Documentation; M.O. 10-041514
Disposition: Approved.

17. APPROVAL FOR COMMUNITY CIVIC EVENT – COMISION HONORIFICA MEXICANA AMERICANA, INC. – CINCO DE MAYO PARADE AND FIESTA – MAY 3-4, 2014

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc. subject to the restrictions contained in the Application and Agreement, Exhibit A and Exhibit B.

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

Documentation: M.O. 11-041514
Disposition: Approved.

19. REQUEST FOR PROCLAMATION – ARBOR DAY – APRIL 25, 2014

Recommendation: That the City Council consider approval of the request to proclaim April 25, 2014, as Arbor Day.

Documentation: M.O. 12-041514
Disposition: Approved.

20. REQUEST FOR PROCLAMATION – MDA & FIREFIGHTER MONTH – MAY 2014

Recommendation: That the City Council consider approval of the request to proclaim May 2014 as MDA & Firefighter Month in the City of Porterville.

Documentation: M.O. 13-041514
Disposition: Approved.

21. REQUEST FOR PROCLAMATION – PORTERVILLE BIKE MONTH – MAY 2014

Recommendation: That the City Council consider approval of the request to proclaim May 2014 as Porterville Bike Month in the City of Porterville.

Documentation: M.O. 14-041514
Disposition: Approved.

22. REQUEST FOR PROCLAMATION – FREEDOM DAYS – JUNE 14 – JULY 4, 2014

Recommendation: That the City Council consider approval of the request to proclaim June 14, 2014 through July 4, 2014 as Freedom Days in Porterville.

Documentation: M.O. 15-041514
Disposition: Approved.

23. 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

Documentation: M.O. 16-041514
Disposition: Approved.

24. 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 requirement 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

Documentation: M.O. 17-041514
Disposition: Approved.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Vice Mayor Ward that the City Council approve Item Nos. 1, 2, 8 through 14, 17, and 19 through 24, noting the aforementioned abstentions by Vice Mayor Ward and Council Member Shelton. The motion carried unanimously.

At 8:08 p.m. the Council took a ten minute recess.

PUBLIC HEARINGS

27. LANDSCAPE LIGHTING MAINTENANCE DISTRICTS CONSOLIDATION

Recommendation: That the City Council:
1. Open the public hearing to hear public comment on the proposed consolidation of Landscape and Lighting Maintenance Districts North Creek (D2), Creekview (D6), and Porter Creek (A3);

2. Announce the last call for ballot submission, receive written ballots from affected property owners, and close the public hearing;
3. Authorize the City Clerk's Office to commence tabulation of the ballots; and
4. Adopt the resolution approving the Engineer's Report, diagram, and assessment method, pending ballot tabulation results of affirmative approval.

City Manager Lollis introduced the item, then indicated that both he and Parks and Leisure Services Director Moore had a conflict of interest. Both exited the chambers and Public Works Director Rodriguez presented the staff report.

The Public Hearing was opened at 8:28 p.m. Seeing no one, the Mayor closed the Public Hearing at 8:29 p.m. The Mayor announced the last call for ballots. He notified those in attendance that the Deputy City Clerk would be tabulating the ballots in the Hamamatsu Conference Room should anyone wish to observe and would return to report the tabulation results.

City Attorney Lew added that in the meantime, Council could continue the meeting and return to the item for action pending the tabulation results.

City Manager Lollis and Parks and Leisure Services Director Moore returned to the Council chambers.

SCHEDULED MATTERS

28. BID RESULTS FOR TRANSIT FIBER OPTIC CONDUIT INSTALLATION PROJECT

- Recommendation: That the City Council direct staff to:
1. Reject all bids and authorize the City Engineer to re-advertise the project for new bids per policy; or
 - 2.A. Award Option 2 of the Transit Fiber Optic Conduit Installation Project to Bill Nelson General Engineering Construction, Inc. in the amount of \$102,605.50;
 - B. Authorize a 10% contingency to cover unforeseen construction costs;
 - C. Authorize 5% for construction management, quality control and inspection; and
 - D. Direct the Finance Director to re-appropriate \$30,000 of Transit Division Proposition 1B funds to this project.

City Manager Lollis introduced the item, and the staff report was presented by Public Works Director Rodriguez. Prior to the staff report, Council Member Shelton recused himself due to a conflict of interest and exited the chambers.

A discussion following during which Staff addressed question regarding: a trend of increased bids, the risk to funding, and the efforts of Transit Manager Tree relative to acquisition of grant funding.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member McCracken that the City Council award Option 2 of the Transit Fiber Optic

Conduit Installation Project to Bill Nelson General Engineering Construction, Inc. in the amount of \$102,605.50; authorize a 10% contingency to cover unforeseen construction costs; authorize 5% for construction management, quality control and inspection; and direct the Finance Director to re-appropriate \$30,000 of Transit Division Proposition 1B funds to this project.

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

Documentation: M.O. 18-041514
Disposition: Approved.

Council Member Shelton returned to the dais.

29. CHASE AVENUE PARK NAME SELECTION

Recommendation: That the City Council select a name for the new park on Chase Avenue

City Manager Lollis introduced the item, and the staff report was presented by Parks and Leisure Services Director Moore.

Council Member McCracken spoke in support of a name representing the park's geographical location, such as "Tule River Park" or "Chase Park"; while Council Member Shelton spoke in favor of the proposed "Fallen Heroes Park."

Vice Mayor Ward spoke of the patriotism in the community and voiced support of a name reflective of the patriotic theme. Both Council Member Gurrola and Mayor Hamilton spoke of the youth in attendance who voiced their support for "A.J. Pardo Park," thanked them for their participation, and spoke in favor of the inclusive "Fall Heroes Park."

Following Council Member Shelton's motion to select "Fallen Heroes Park" as the name, which was seconded by Council Member Gurrola, she requested an amendment to add the placement of a plaque in honor of A.J. Pardo and Brett Land. The Council discussed the various ways individuals could be honored within the park, such as placement of plaques or naming of park features. Council Member Gurrola withdrew her amendment.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola that the City Council approve the name "Fallen Heroes Park" for the new park on Chase Avenue. The motion carried unanimously.

Documentation: M.O. 19-041514
Disposition: Approved.

30. APPOINTMENT TO TRANSACTION AND USE TAX (MEASURE H) OVERSIGHT COMMITTEE

Recommendation: That the City Council appoint one individual to the Transaction and Use Tax (Measure H) Oversight Committee to fill the vacancy with a term to expire in May 2016.

City Manager Lollis introduced the item and presented the staff report. The Council discussed the two candidates, and spoke favorably of both.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Shelton that the City Council appoint Mr. Jim Grayson to the Transactions and Use Tax (Measure H) Oversight Committee to fill the vacancy with a term to expire in May of 2016. The motion carried unanimously.

Documentation: M.O. 20-041514

Disposition: Approved.

The Deputy City Clerk returned to the meeting to report the ballot results for Item No. 27.

27. LANDSCAPE LIGHTING MAINTENANCE DISTRICTS CONSOLIDATION

Deputy City Clerk Luisa Zavala reported that of the 79 valid ballots received, 61 were in favor and 18 were in opposition, and announced that the consolidation passed 77% to 23%.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Ward that the City Council adopt the resolution approving the Engineer's Report, diagram, and assessment method. The motion carried unanimously.

Documentation: Resolution No. 21-2014

Disposition: Approved.

31. ONE YEAR EXCEPTION TO THE LICENSE AND DEVELOPMENT AGREEMENT FOR THE PORTERVILLE JUNIOR LIVESTOCK FAIR

Recommendation: That the City Council consider the Fair Board's request, and if agreeable:

1. Authorize the Police Chief to work directly with the Fair for a one-year exception to the provisions of the Agreement for the sale and consumption during the Fair; and
2. Request staff to bring forth an Addendum to the License and Development Agreement to include sale of alcohol during events and related to the annual fair and potentially modify alcohol sales and consumption areas beyond the Adult Refreshment Area during the fair and other events.

City Manager Lollis introduced the item, and the staff report was presented by Community Development Director Dunlap.

Council Member Shelton expressed concern regarding the open consumption of alcohol at a family event, but stated that he appreciated the Fair Board looking for ways to generate additional revenue.

The Council took a ten minute recess at 9:06 p.m.

Vice Mayor Ward expressed his reservations, and spoke in support of containing the consumption of alcohol to limited areas. Council Member McCracken indicated that he too had reservations, but was inclined to grant the request for a one-year pilot program and authorize re-examination of the License Agreement.

Police Chief McMillan addressed questions regarding public safety and alcohol consumption at other fairs; and spoke of the Police Department's presence at the fair each year.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council authorize the Police Chief to work directly with the Fair for a one-year exception to the provisions of the Agreement for the sale and consumption during the Fair, as amended to grant Police Chief the authority to re-implement the beer garden if necessary; and direct staff to bring forth an Addendum to the License and Development Agreement to include sale of alcohol during events and related to the annual fair and potentially modify alcohol sales and consumption areas beyond the Adult Refreshment Area during the fair and other events.

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

Documentation: M.O. 21-041514
Disposition: Approved.

CONSENT CALENDAR (Items Removed for Further Discussion)

4. AUTHORIZATION TO DISTRIBUTE REQUEST FOR QUALIFICATIONS (RFQ) FOR ON-CALL CONSULTING SERVICES

Recommendation: That the City Council authorize staff to distribute a Request for Qualifications for On-Call Consulting Services for right-of-way and surveying services.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Council Member Shelton, who had pulled the item, requested clarification regarding outsourcing.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola that the City Council authorize staff to distribute a Request for Qualifications for On-Call Consulting Services for right-of-way and surveying services. The motion carried unanimously.

Documentation: M.O. 22-041514
Disposition: Approved.

5. AWARD LANDSCAPE MAINTENANCE DISTRICT CONTRACT

- Recommendation: That the City Council:
1. Authorize the award of contract to Clean Cut Landscape with the same terms as the original contract with Perfect Care for LMD Groups 31 7 #4; and
 2. Approve the cancellation of the contract with Perfect Care Landscape Maintenance effective March 31, 2014.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Council Member Shelton questioned staff regarding the bid amount.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola that the City Council authorize the award of contract to Clean Cut Landscape with the same terms as the original contract with Perfect Care for LMD Groups 31 7 #4; and approve the cancellation of the contract with Perfect Care Landscape Maintenance effective March 31, 2014. The motion carried unanimously.

Documentation: M.O. 23-041514
Disposition: Approved.

6. ACCEPTANCE OF PROJECT – W. NORTH GRAND AVENUE RECONSTRUCTION PROJECT (PROSPECT STREET TO STATE ROUTE 65)

- 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 thirty-five (35) days after recordation, 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 inquired about a ribbon cutting or press release to notify the public.

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 the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed. The motion carried unanimously.

Documentation: M.O. 23-041514
Disposition: Approved.

7. PIONEER WATER COMPANY REQUEST FOR EASEMENT

Recommendation: That the City Council:

1. Grant the easements requested by PWC for the project to install pipeline, power and pumping facilities into the Muller Field Reservoir; and
2. Authorize the Public Works Director to prepare the necessary documents and record the easements.

City Manager introduced the item, and the staff report was waived at the Council's request. Council Member Shelton recused himself due to a conflict of interest relative to property ownership. Council Member Gurrola, who pulled the item, requested clarification from staff regarding the project's effect on the City's recharge.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member McCracken that the City Council grant the easements requested by PWC for the project to install pipeline, power and pumping facilities into the Muller Field Reservoir; and authorize the Public Works Director to prepare the necessary documents and record the easements.

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

Documentation: M.O. 25-041514

Disposition: Approved.

15. APPROVAL FOR COMMUNITY CIVIC EVENT – BOYS AND GIRLS CLUB OF PORTERVILLE AND NICOS CONCESSIONS – NINE HOLE FRISBEE GOLF TOURNAMENT – MAY 31, 2014

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Boys and Girls Club of Porterville and Nico's Concessions, subject to the Restrictions and Requirements contained in Application, Agreement, and Exhibit A.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Mr. Sanchez, event organizer, addressed questions from the Council and confirmed that the funds generated from the event would go to the Porterville Boys & Girls Club.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Ward that the City Council approve the Community Civic Event Application and Agreement from Boys and Girls Club of Porterville and Nico's Concessions, subject to the Restrictions and Requirements contained in Application, Agreement, and Exhibit A. The motion carried unanimously.

Documentation: M.O. 26-041514
Disposition: Approved.

16. APPROVAL FOR COMMUNITY CIVIC EVENT – GREATER PORTERVILLE SENIOR COUNCIL AND ROLLIN’ RELICS CAR CLUB – ROLLIN’ RELICS CAR SHOW – MAY 3, 2014

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Greater Porterville Senior Council and the Rollin’ Relics Car Club, subject to the stated requirements contained in the Application, Agreement and Exhibit A and Exhibit B.

City Manager Lollis introduced the item and the staff report was waived at the Council’s request. Vice Mayor Ward recused himself due to a conflict of interest pertaining to property ownership and exited the chambers.

Council Member Shelton, who pulled the item, thanked Finance Director Maria Bemis and her staff for their efforts to address an issue with the 501(c)(3).

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member McCracken that the City Council approve the Community Civic Event Application and Agreement submitted by the Greater Porterville Senior Council and the Rollin’ Relics Car Club, subject to the stated requirements contained in the Application, Agreement and Exhibit A and Exhibit B.

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

Documentation: M.O. 27-041514
Disposition: Approved.

18. TRAVEL TO WASHINGTON D.C. FOR TULARE COUNTY ASSOCIATION OF GOVERNMENTS (TCAG) “ONE VOICE TRIP”; APRIL 28 – MAY 1, 2014

Recommendation: That the City Council authorize the travel of Mayor Hamilton, Council Member Gurrola and the City Manager to Washington D.C. as part of TCAG “One Voice Trip”, and authorize the expenditure of City monies in support of the trip.

City Manager Lollis introduced the item and the staff report was waived at the Council’s request. Council Member Shelton, who pulled the item, spoke in opposition to Council Member Gurrola’s proposed travel.

Mayor Hamilton clarified that Council Member Gurrola was the Council's representative on TCAG and he was the alternate; and added that TCAG was paying for their hotel and airfare. Vice Mayor Ward spoke in support of City representation in Washington D.C. and lobbying for funding for bridge projects.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Ward that the City Council authorize the travel of Mayor Hamilton, Council Member Gurrola and the City Manager to Washington D.C. as part of TCAG "One Voice Trip", and authorize the expenditure of City monies in support of the trip.

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

Documentation: M.O. 28-041514

Disposition: Approved.

25. COUNCIL MEMBER REQUESTED AGENDA ITEM – REQUEST FOR THE CITY COUNCIL TO CONSIDER THE COUNTY OF TULARE ELECTIONS OFFICE SELECTION CRITERIA FOR BALLOT MEASURE ARGUMENTS

Recommendation: Council Member Shelton makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider the County of Tulare Elections Office selection criteria for ballot measure arguments.

City Manager Lollis introduced the item and the staff report was waived at the Council's request. Council Member McCracken, who pulled the item, made a motion to deny the request.

Council Member Shelton indicated that the County Election's Office had not followed Elections Code in the selection of ballot measure arguments, and suggested the Council adopt its own procedures. City Attorney Lew advised that adoption of election procedures would have to be done by Charter amendment.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council deny the request to schedule on the next Agenda the consideration of Tulare Elections Office selection criteria for ballot measure arguments.

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

Documentation: M.O. 29-041514

Disposition: Request denied.

26. COUNCIL MEMBER REQUESTED AGENDA ITEM – REQUEST FOR THE CITY COUNCIL TO CONSIDER FUNDING ALTERNATIVES TO MAINTAIN THE BOYS & GIRLS CLUB IN PORTERVILLE

Recommendation: Council Member Shelton makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider funding alternatives to maintain the Boys & Girls Club in Porterville.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Council Member McCracken made a motion to postpone until the Boys & Girls Club Board makes a determination regarding the Morton facility.

Council Member Shelton spoke in favor of putting it on the agenda to allow Council the opportunity to act. Mayor Hamilton and Council Member Gurrola spoke in support of postponing the item and looking into the circumstances that led up to the facility's closing.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Mayor Hamilton that the City Council postpone the item to the next meeting pending information received from the Boys & Girls Club Board. The motion carried unanimously.

Documentation: M.O. 30-041514

Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley, spoke regarding Item No. 18, specifically the benefit of having local representation in Washington.

OTHER MATTERS

- Council Member Gurrola, spoke of success of this year's CCYS (Youth Summit); and proposed that the Council review the City's ordinance regarding yard sales.

COUNCIL ACTION: On a MOTION made by Council Member Gurrola, and SECONDED by Vice Mayor Ward the Council unanimously approved Council consideration of the yard sale ordinance at its next meeting.

Documentation: M.O. 31-041514

Disposition: Approved.

- Council Member Shelton spoke of recent anti-bullying event and the number of community events.
- Vice Mayor Ward, spoke of myPorterville app; suggested that an additional contact group be added to Constant Contact to notify the public of Public Works projects; and wished everyone a Happy Easter.
- Mayor Hamilton reported his attendance at the anti-bullying event and the Youth Summit; lauded the Youth Summit for its speaker and breakout sessions.

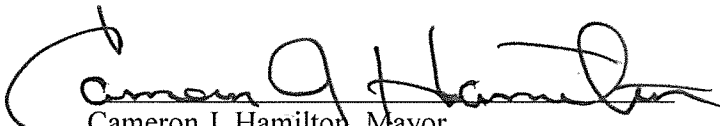
- City Manager Lollis, spoke of the upcoming Iris Festival of April 26th; and announced that Community Development Director Dunlap was attending his final meeting as a City of Porterville employee. He thanked Mr. Dunlap for his work over the years and wished him well.
- Mayor Hamilton and Council Member Gurrola thanked Mr. Dunlap for his years of service and expertise.

ADJOURNMENT

The City Council adjourned at 10:32 p.m. to the meeting of April 22, 2014.


Luisa M. Zavala, Deputy City Clerk

SEAL


Cameron J. Hamilton, Mayor

