

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 7, 2014, 5:30 P.M.**

Call to Order at 5:30 p.m.

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

ORAL COMMUNICATIONS

- John Coffee, spoke of his 50 year high school reunion and acceptance; Panther Pride; and read quotes regarding the unsupported proclamation of “Coming Out Day” and suspected violation of the Brown Act
- Brock Neeley, spoke on behalf of Elliot Trueblood, requesting removal of item #19 from the consent calendar because it was submitted in his name without his permission and the LGBTQ community did not support the proclamation.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: City of Porterville Water Rights. Agency Negotiators: John Lollis and Baldo Rodriguez. Negotiating Parties: City of Porterville and Pioneer Water Company. 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: Josephine Acevedo v. City of Porterville, Tulare County Superior Court Case No. 254083.

4- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated litigation – Significant Exposure to Litigation: Three cases with facts not yet known to potential plaintiffs.

6:30 P.M. RECONVENE OPEN SESSION

AND REPORT ON REPORTABLE ACTION TAKEN DURING CLOSED SESSION

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

Pledge of Allegiance Led by Council Member Gurrola

Invocation – two individuals participated.

PRESENTATIONS

Employee of the Month – Terry Mendez

PROCLAMATIONS

Domestic Violence Awareness Month – October 2014

AB 1234 REPORTS

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

1. Consolidated Waste Management Authority (CWMA): Sept. 18, 2014 – Member Reyes provided an update of the discussion from the recent meeting, spoke of a drug take back event conducted on September 27th, and efforts to set aside funds for future projects.
2. Tulare County Association of Governments (TCAG): Sept. 15, 2014; Oct. 1-3, 2014 – Member Gurrola spoke of the review of the Title 6 discrimination law and recent census data, approval of a Master Fund Transfer Agreement for Federal funding through Caltrans, and reported on her attendance at the TCAG conference.
3. Tulare County Economic Development Corporation (TCEDC): Sept. 24, 2014 – no report.
4. Local Agency Formation Committee (LAFCO): Oct. 1, 2014 – Vice Mayor Hamilton reported on the approval of the City's Sphere of Influence and Urban Development Boundaries.

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: Monte Moore presented the report and spoke of maintenance staff repairing restrooms at the OHV park, two new pieces of play equipment from the First5 grant awards, lauded staff for their efforts in writing that has led to the winning of competitive grants, work being done at the golf course, community outreach events including health fairs, visit a park day, health and safety day and the upcoming Step-Up event, and the Pioneer Days and Rib Cook-Off, announced the new foot-golf course and invited all to attend.
 2. Library & Literacy Commission: No report given.
 3. Animal Control Commission: Shawn Schwartzenberger gave the report of the review of ordinance 1812, orientation on the procedures, a request for two additional members of the Animal Control Commission, choices of Chair and Vice Chair, decided to meet on the first and third Monday of each month at 6:00 p.m., discussed their mission statement and goals, and announced they will be visiting the current facility and new proposed facility.
 4. Arts Commission: No report given.
 5. Youth Commission: No report given.
 6. Transactions and Use Tax Oversight Committee (TUTOC): Russell Fletcher announced the next meeting October 22 at 6:30 p.m. and encouraged the public to attend, and spoke of the new safety facility currently being built.

II. Staff Informational Reports

1. Vacancies on City Commissions – no verbal report.
2. Building Permit Activity – July and August 2014 – no verbal report.

ORAL COMMUNICATIONS

- Dr. John Chapman spoke of the statistics of suicide by members of the LGBTQ community and encouraged the community and parents to support the LGBTQ community, sons and daughters, to help discourage suicide and encourage acceptance.
- John Coffee, Porterville, quoted Vice Mayor Hamilton from the Sept. 27, 2014 Porterville Recorder and questioned Member Ward's position on the LGBTQ community, requested removal of item #19.
- Anne Marie Wagstaff, address on record, explained what coming out day means to the LGBTQ community, suggested the proclamation is similar to an American's view of Independence Day.
- Elliot Trueblood, address on record, spoke of the LGBTQ community being victims of systemic discrimination, and expressed his disappointment in the Council's actions and comments pertaining to proclamation requests.
- Myra Ramirez, Porterville, read the requested "Coming out Day" proclamation that was not sponsored by the City Council.
- Matthew (last name inaudible), Porterville resident, urged the Council to be fiscally responsible.
- Michelle Ragsdale, Parents against Bullying, extended an invitation to the 3rd Annual Anti-Bullying Rally on Saturday, October 18th.
- Brock Neeley, Porterville, provided reports and studies regarding homosexuality identity development and the coming out process.
- Fred Beltran, Porterville Area Coordinating Council, thanked the City for their efforts pertaining to the drought and provision of water to East Porterville residents, provided an update regarding State and County activity, and spoke of upcoming Toys for Tots and food basket events.
- Elva Beltran, recognized donors and spoke of media coverage regarding the drought.
- Patricia Young, Porterville, thanked the City for refurbishing a well down her street, and spoke of water waste during the installation of wells and water testing.
- Mark Pitcher, Porterville, thanked the Council for their work meeting specific needs in the community, and voiced appreciation for their decisions concerning proclamations and other areas.
- Holly (last name inaudible), Happy Hearts Children's Center, spoke of marijuana odors and expressed concern for the children.
- Richard Freeman, Porterville, spoke of a marijuana grove near his home, in proximity to Sequoia Middle School and a children's dance studio, water being wasted growing marijuana, and abuse of medical marijuana cards.
- Dawn Jobe, thanked the City Council for their consideration of a medical marijuana ordinance; stated that there were more important issues than offensive marijuana odors; and expressed concerns regarding alleged violations of State law.
- Deborah Arthur, Porterville, stated that she was denied a permit for a mobile dog

- training/groom business, spoke of the benefits of the services she would like to provide, and requested that the Council reconsider its business license policy.
- Lisa Sparks, Porterville, thanked the Council for their consideration of the medical marijuana ordinance.
 - Shelly Hatley, stated that she was the proud parent of two gay children.
 - Name inaudible, spoke in favor of equal treatment for gay, lesbian, bi-sexual and transgender individuals.
 - Barry Caplan, indicated he did not see the proclamation procedure within the Council Member Handbook (Item No. 29), spoke about proclamation requests submitted by the LGBT community, and encouraged the Council to work with the LGBT towards understanding.
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- Joe Sparks, Porterville, thanked the Council for their work on the marijuana ordinance, and spoke in support of a dispensary for those who cannot grow their own medicine.
 - Name inaudible, requested that the Council remove Item No. 19 and schedule the matter for public hearing; spoke of his tolerance of others, but requested that the Council refrain from approving proclamations regarding sexual orientation.
 - Michael Green, Fresno Cannabis Association, thanked the City for taking on the task of a medical marijuana ordinance; and spoke of his concerns regarding the definition of a “collective” and the permitting process.
 - Ron Hulsey, Porterville, applauded the Council’s consideration of the ordinance, and spoke in support of its approval.
 - Tony Mauck, stated that medical marijuana was a rouse; encouraged the Council to award the reclamation area lease to the bidder who was making the City money; and requested that the Council pull Item No. 19 and deny the request for proclamation.
 - Tammy May, Porterville, thanked staff and the Council for allowing 20 medical marijuana plants, and spoke in favor of a dispensary.
 - Jesus Garcia, Porterville, spoke of his own coming out experience; compared the level of acceptance while at college to that of the Porterville community; and asked that the Council recognize him and other LGBT members of the community with a proclamation.
 - Name not given, stated that LGBT community members shouldn’t have to be afraid and requested approval of the proclamation request.

Mayor Stowe thanked those who spoke for being respectful, and the Council recessed for ten minutes at 7:05 p.m.

CONSENT CALENDAR

Item No. 19 was removed for further discussion, and Item No. 2 was removed from the agenda at the request of staff.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Ward that the City Council approve Item Nos. 1, 3 through 18, and 20 through 23. The motion carried unanimously.

1. AUTHORIZATION TO INCREASE DEPARTMENTAL CONTRIBUTIONS FOR HEALTHCARE AND APPROVAL OF BUDGET ADJUSTMENTS

Recommendation: That the City Council approve the increase in City-paid medical benefits effective October 1, 2014 and authorize the necessary budget

Documentation: M.O. 01-100714

Disposition: Approved.

3. AUTHORIZATION TO EXECUTE CONSULTANT SERVICE AGREEMENTS - SURVEYING SERVICES

Recommendation: That the City Council:

1. Authorize the Mayor to execute the Consultant Service Agreements with each firm at the presented fee schedules;
2. Authorize progress payments up to 100% of the agreed upon fee amounts; and
3. Authorize a 10% contingency to cover unforeseen costs.

Documentation: M.O. 02-100714

Disposition: Approved.

4. AUTHORIZATION TO ADVERTISE FOR BIDS - NEWCOMB STREET SHOULDER STABILIZATION

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 City Engineer to negotiate a Construction Surveying Service Agreement with one of the local firms.

Documentation: M.O. 03-100714

Disposition: Approved.

5. AUTHORIZATION TO ADVERTISE FOR BIDS - OAK AVE TRANSPORTATION ENHANCEMENT (TE) PROJECT

Recommendation: That City Council:

1. Approve Staff's recommended Plans and Projects Manual;
2. Authorize Staff to advertise for bids on the project;
3. Authorize the City Engineer to sign the SCE application and issue a \$67,136.71 payment; and
4. Authorize the City Engineer to negotiate a Construction Surveying Service Agreement with one of the local firms.

Documentation: M.O. 04-100714

Disposition: Approved.

6. AWARD OF CONTRACT - MISCELLANEOUS CONCRETE AND STREET REPAIR PROJECT (PUTNAM ALLEY BETWEEN D STREET AND HOCKETT STREET, AND SECOND STREET BETWEEN MILL AVENUE AND OAK AVENUE)

Recommendation: That the City Council

1. Award the Miscellaneous Concrete and Street Repair project to JT2 dba Todd Companies, in the amount of \$35,751.00;
2. Authorize progress payment up to 95% of the contract amount; and
3. Authorize a 10% contingency to cover unforeseen construction costs.

Documentation: M.O. 05-100714

Disposition: Approved.

7. RATIFICATION OF EMERGENCY EXPENDITURES – REPAIR OF WELL #6 AND REPAIR OF THE WASTEWATER TREATMENT FACILITY BLOWER #4

Recommendation: That the City Council

1. Ratify that the repair of Well #6 and the repair of Blower #4 were necessary and met emergency criteria as promulgated in Article VII, Section 2-38 of the City Council;
2. Direct the Finance Director to initiate a Purchase Order to Valley Power and Abacus IMT in the amounts not to exceed \$24,500 and \$25,000 respectively; and
3. Direct the Finance Director to make payment to Valley Power and Abacus IMT upon receipt of invoices approved by the Public Works Director.

Documentation: M.O. 06-100714

Disposition: Approved.

8. REQUEST FOR SPECIALIZED SERVICES WITH TESCO CONTROLS

Recommendation: That City Council approve the request for Specialized Service for the upgrade of the WWTF SCADA system with TESCO Controls, Incorporated, at a cost not to exceed \$194,295.

Documentation: M.O. 07-100714

Disposition: Approved.

9. PUBLIC SAFETY BUILDING – CITY EASEMENT CONVEYANCE TO SOUTHERN CALIFORNIA EDISON COMPANY

Recommendation: That the City Council:

1. Accept Southern California Edison Company's request to have the City convey an easement for the installation and maintenance of an underground electrical conduit and related facilities;
2. Authorize the Mayor to sign the Grant of Easement; and
3. Authorize the City Clerk to mail the signed Grant of Easement to Southern California Edison Company for recordation.

Documentation: Resolution No. 66-2014

Disposition: Approved.

10. CONSIDERATION OF TEMPORARY CARGO CONTAINER REQUEST

Recommendation: That the City Council approve the request for a temporary structure permit as outlined above and subject to the site plan and conditions of approval.

Documentation: M.O. 08-100714

Disposition: Approved.

11. ANNUAL LIBRARY FOOD FOR FINES CAMPAIGN

Recommendation: That the City Council authorize the eighth Annual Food for Fines Campaign to run October 20 through December 20, 2014.

Documentation: M.O. 09-100714

Disposition: Approved.

12. RENEWAL OF PUBLICSTUFF CONTRACT

Recommendation: That the City Council authorize a three (3)-year contract renewal with PublicStuff for the myPorterville mobile application.

Documentation: M.O. 10-100714

Disposition: Approved.

13. AN AGREEMENT TO PROVIDE EXTRATERRITORIAL SERVICES TO AKIN WATER COMPANY AND INITIATING AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS ON THE AGREEMENT

Recommendation: That the City Council authorize staff to initiate an application to the Local Agency Formation Commission to take proceedings for the approval of the extraterritorial service agreement.

Documentation: Resolution No. 67-2014
Disposition: Approved.

14. VANDALIA MOBILE HOME PARK – RESOLUTION OF SUPPORT

Recommendation: That the City Council:

1. Adopt and approve the Resolution of Support for the Vandalia Mobile Home park Water Connection Project; and
2. Designate and authorize the City Manager to sign:
 - a) Claims for reimbursement;
 - b) Budget & Expenditure Summary Report;
 - c) ~~Certify that project is complete; and~~
 - d) Sign the Final Release form.

Documentation: Resolution No. 68-2014
Disposition: Approved.

15. AUTHORIZATION TO EXECUTE A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE UPDATE OF THE AIRPORT MASTER PLAN STUDY

Recommendation: That the City Council adopt the resolution authorizing the execution of a grant agreement with Federal Aviation Administration for the update of the Airport Master Plan Study or alternatively, the Airport Layout Plan.

Documentation: Resolution No. 69-2014
Disposition: Approved.

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

Recommendation: That the City Council approve the draft resolution amending the Employee Pay and Benefit Plan

Documentation: Resolution No. 70-2014
Disposition: Approved.

17. REQUEST FOR PROCLAMATION – NATIONAL FRIENDS OF THE LIBRARY WEEK – OCTOBER 19 – 25, 2014

Recommendation: That the City Council consider approval of the request to proclaim October 19-25, 2014, as Friends of the Library Week.

Documentation: M.O. 11-100714
Disposition: Approved.

18. REQUEST FOR PROCLAMATION – PORTERVILLE COLLEGE VETERANS RESOURCE CENTER DAY – NOVEMBER 7, 2014

Recommendation: That the City Council consider approval of the request to proclaim November 7, 2014, as Porterville College Veterans Resource Center Day

Documentation: M.O. 12-100714

Disposition: Approved.

20. APPROVAL OF COMMUNITY CIVIC EVENT – OPTIMIST CLUB OF PORTERVILLE – PARENTS AGAINST BULLYING – ANTI BULLYING RALLY – OCTOBER 18, 2014

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Optimist Club of Porterville and Parents Against Bullying, subject to the Restrictions and Requirements contained in the Application, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 13-100714

Disposition: Approved.

21. APPROVAL OF COMMUNITY CIVIC EVENT – VETERANS HOMECOMING COMMITTEE – VETERANS DAY PARADE – NOVEMBER 11, 2014

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Veterans Homecoming Committee, subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 14-100714

Disposition: Approved.

22. APPROVAL OF COMMUNITY CIVIC EVENT – U.S. MARINES TOYS FOR TOTS – A CHRISTMAS TO REMEMBER CAR SHOW AND TOY DRIVE – NOVEMBER 15, 2014

Recommendation: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the U.S. Marines Toys for Tots subject to the stated requirements contained in the Application, Agreement and Exhibit A and Exhibits B.

Documentation: M.O. 15-100714

Disposition: Approved.

23. 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 requirements of Article 14, Section 8630 of the California Emergency Services said local emergency designation.

Documentation: M.O. 16-100714

Disposition: Approved.

PUBLIC HEARINGS

24. REQUEST FOR CONDITIONAL USE PERMIT (PRC 2014-009-C) TO ALLOW FOR THE SALE OF ALCOHOL UNDER A TYPE 41 BEER AND WINE LICENSE IN CONJUNCTION WITH A RESTAURANT FOR TONY'S PIZZA PARLOR LOCATED AT 1304 W. OLIVE AVENUE

- Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit (PRC2014-009C) subject to conditions of approval.

City Manager Lollis introduced the item, and Associate Planner Fernando Rios presented the staff report.

The public hearing was opened at 8:29 p.m. Seeing no one, the Mayor closed the public hearing at 8:29 p.m.

- COUNCIL ACTION:** MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council adopt the draft resolution approving Conditional Use Permit (PRC2014-009C) subject to conditions of approval. The motion carried unanimously.

Documentation: Resolution 71-2014

Disposition: Approved.

25. TEXT AMENDMENT TO THE DEVELOPMENT ORDINANCE TO AMEND THE DEFINITION OF COMMERCIAL ENTERTAINMENT USES AND ADJUST THE ZONE DISTRICTS WITHIN WHICH COMMERCIAL ENTERTAINMENT AND TRADE SCHOOLS ARE ALLOWED

- Recommendation: That the City Council:
1. Approve the proposed ordinance for the Development Code and Give first reading to the draft ordinance; and
 2. Waive further reading and order the Ordinance to print.

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

The public hearing was opened at 8:33 p.m. Seeing no one, the Mayor closed the public hearing at 8:34 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve the proposed ordinance for the Development Code and give first reading to the draft ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE DEVELOPMENT ORDINANCE TO AMEND THE DEFINITION OF COMMERCIAL ENTERTAINMENT USES AND ADJUST THE ZONE DISTRICTS WITHIN WHICH COMMERCIAL ENTERTAINMENT AND TRADE SCHOOLS ARE ALLOWED, waive further reading and order the Ordinance to print. The motion carried unanimously.

Documentation: Ordinance No. 1818

Disposition: Approved for first reading.

SECOND READINGS

26. SECOND READING - ORDINANCE 1817, CONCERNING MEDICAL MARIJUANA CULTIVATION

Recommendation: That the City Council give Second Reading to Ordinance No. 1817, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council give Second Reading to Ordinance No. 1817, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING ARTICLE I, SECTION 15-5.1 OF THE PORTERVILLE MUNICIPAL CODE, CONCERNING REFUSAL TO ISSUE LICENSES, REPEALING ARTICLE VII, SECTIONS 15-85 THROUGH 15-105, OF CHAPTER 15, AND ADDING SECTION 301.23 OF THE PORTERVILLE MUNICIPAL CODE, CONCERNING MEDICAL MARIJUANA CULTIVATION, waive further reading, and adopt said Ordinance. The motion carried unanimously.

The City Manager read the ordinance by title only.

Documentation: Ordinance No. 1817

Disposition: Approved.

SCHEDULED MATTERS

27. AWARD OF CONTRACT - RECLAMATION AREA LEASE

Recommendation: That the City Council:

1. Consider the lack of a signed addendum as non-responsive and accept Rick Perigo Roadsiding's proposal of \$165 per acre, for an annual amount of \$112,596 for 682.4 acres as the top proposal;
2. Approve the lease agreement between the City of Porterville and Rick Perigo Roadsiding; and
3. Authorize the Mayor to sign a five (5) year lease agreement with Rick Perigo Roadsiding and stipulate that the lease agreement start date shall be November 1, 2014, and the lease agreement end date shall be October 30, 2019.

OR

1. Waive the lack of a signed addendum and accept Nuckols Farming proposal of \$239 per acre, \$163,094 for 682.4 acres as the top proposal;
2. Approve the lease agreement between the City of Porterville and Nuckols Farming; and
3. Authorize the Mayor to sign a five (5) year lease agreement with Nuckols Farming and stipulate that 2014, and lease agreement end date shall be October 30, 2019.

City Manager Lollis introduced the item, and the staff report was presented by Public Works Director Baldo Rodriguez.

Vice Mayor Hamilton and Council Member Gurrola both indicated that they had gone over the numbers and could not ignore the difference in proposed revenue for the City. Council Member Ward spoke of the City's previous experience with Mr. Nuckols and the importance of trust.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council consider the lack of a signed addendum as non-responsive and accept Rick Perigo Roadsiding's proposal of \$165 per acre, for an annual amount of \$112,596 for 682.4 acres as the top proposal; approve the lease agreement between the City of Porterville and Rick Perigo Roadsiding; and authorize the Mayor to sign a five (5) year lease agreement with Rick Perigo Roadsiding and stipulate that the lease agreement start date shall be November 1, 2014, and the lease agreement end date shall be October 30, 2019.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council waive the lack of a signed addendum and accept Nuckols Farming proposal of \$239 per acre, \$163,094 for 682.4 acres as the top proposal; approve the lease agreement between the City of Porterville and Nuckols Farming; and authorize the Mayor to sign a five (5) year lease agreement with Nuckols Farming and stipulate that 2014, and lease agreement end date shall be October 30, 2019.

Documentation: M.O. 17-100714

Disposition: Approved award of contract to Nuckols.

28. GOVERNOR'S EXECUTIVE ORDER FOR CALIFORNIA DISASTER ASSISTANCE ACT FUNDING, AND THE PROVISION OF WATER AND SERVICE DELIVERY TO EAST PORTERVILLE RESIDENTS

Recommendation: That the City Council consider the provision and delivery of water service to East Porterville county residents in reference to the Governor's Executive Order, as well as PACC's request for support of Fire Department Reserve Firefighters, and provide direction and authorization to staff as deemed appropriate.

City Manager Lollis introduced the item and presented the staff report. Following the presentation of the staff report, Mr. Lollis addressed questions regarding available funding, recent meetings, and the Porterville Area Coordinating Council's request for support. Public Works Director Rodriguez expressed concern regarding the provision of water, regardless of whether the City was reimbursed, without another water source.

City Manager Lollis indicated that a meeting of the Porterville Community Healthcare Taskforce would be scheduled, and an update provided at the next meeting.

Disposition: No action.

29. CONSIDERATION OF CITY COUNCIL PROCEDURAL HANDBOOK

Recommendation: That the City Council consider the City Council Procedural Handbook, and adopt changes to the Handbook and/or provide direction to staff as deemed appropriate.

City Manager Lollis introduced the item.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Ward that the City Council continue the item to the next meeting. The motion carried unanimously.

Documentation: M.O. 18-100714
Disposition: Item continued to October 21, 2014.

CONSENT CALENDAR (Items Removed for Further Discussion)

2. PURCHASE OF USED TRACTOR

Recommendation: That the City Council authorize the Police Department to purchase a used Kubota tractor from Farmer's Tractor Supply per provided quote.

Disposition: No action. The item was removed from the agenda by staff.

~~19. REQUEST FOR PROCLAMATION – CELEBRATION OF EQUALITY, FAIRNESS AND RESPECT FOR RIGHTS FOR ALL WEEK – NOVEMBER 2 – 8, 2014~~

Recommendation: That the City Council consider approval of the request to proclaim November 2-8, 2014, as Celebration of Equality, Fairness and Respect for Rights for all Week.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. During discussion it was noted that one of the individuals named on the request was not in support of it, and Council Member Ward commended efforts to bring the two sides together. Council Member Gurrola spoke of the need for recognition, but stated that she did not feel this proclamation was the recognition needed; and Vice Mayor Hamilton expressed sympathy for individuals in need of a proclamation to feel whole.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council deny the request to proclaim November 2-8, 2014, as Celebration of Equality, Fairness and Respect for Rights for all Week. The motion carried unanimously.

Documentation: M.O. 20-100714
Disposition: Denied.

ORAL COMMUNICATIONS

- John Coffee, Porterville, expressed concern regarding the condition of Veterans Park and its memorial; and challenged the Council to look into the condition of the trees and grounds.
- Barry Caplan, addressed the Council's comments regarding those named on the Proclamation Request form; stated that he had requested staff to amend the request prior to its distribution to the Council; and expressed his disappointment in the Council's denial of his proclamation request.
- Tony Mauck, Porterville, stated that he was glad Baldo Rodriguez worked for the City; spoke regarding the water issue and urged the Council to set a finish line; expressed his support of Mr. Coffee's comments regarding Veterans Park; and spoke in support of the Council denying the request for a proclamation.

OTHER MATTERS


- Council Member Gurrola, stated that she attended the Fil-Amer Event and judged the pageant in the absence of the Mayor.
- Vice Mayor Hamilton, requested that staff look into Mr. Coffee's concerns; spoke of his attendance at the Relay for Life event; and encouraged the Council to participate in the race at Rocky Hill.
- Council Member Reyes, encouraged attendance at Pioneer Days and Rib Cook-Off; and spoke of an exhibit at the Zalud House featuring Royal Porter Putnam's personal belongings.
- Mayor Stowe, addressed Mr. Coffee's concerns and stated that he had communicated his own similar concerns to staff.
- Council Member Ward, encouraged attendance at the Parents Against Bullying rally; requested that the odd-even watering schedule be pushed on the City's app and website; and stated that he was enjoying using the roundabout on Jaye Street.
- City Manager Lollis, spoke of outreach efforts regarding the CDBG 5-Year Consolidated Plan and advised of upcoming stakeholder and community meetings.

ADJOURNMENT

The meeting adjourned at 9:31 p.m. to the meeting of October 21, 2014.


Luisa M. Zavala, Deputy City Clerk

SEAL


Milt Stowe, Mayor

