

**MINUTES
EMERGENCY MEETING OF THE
PORTERVILLE CITY COUNCIL
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 26, 2013, 10:00 A.M.**

Called to Order at 10:02 a.m.

Roll Call: Council Member McCracken, Council Member Shelton (arrived at 10:07 a.m.), Council Member Gurrola, Vice Mayor Ward, Mayor Hamilton

ORAL COMMUNICATIONS

None

SCHEDULED MATTERS

1. DECLARATION OF LOCAL EMERGENCY

Administrative Services Director Hildreth introduced the item and presented a brief report regarding a fire at the Porterville Hotel which occurred early Thursday morning.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council approve the draft resolution declaring the existence of a local emergency.

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

Documentation: Resolution 85-2013

Disposition: Approved.

2. AUTHORIZING EMERGENCY MITIGATION/DEMOLITION OF BURNED STRUCTURE, THE PORTERVILLE HOTEL DUE TO PUBLIC SAFETY THREAT

Administrative Services Director Hildreth introduced the item, and Public Works Director Baldo Rodriguez gave a report regarding the structural integrity of the building and potential safety hazards. He advised that demolition of the remaining walls and installation of fencing to secure the property were of the upmost importance, due to their proximity to public right-of-way at a major City intersection; but added that asbestos mitigation was an additional concern. Mr. Rodriguez added that he had spoken with Bowen Engineering who was ready to move pending Council action.

Community Development Director Brad Dunlap participated via telephone and updated the Council on recent conversations with owner Cyrus Youssefi, who had indicated that he was already in contact with his insurance.

Council Member Shelton arrived at 10:07 a.m. Staff noted Council Member Shelton’s history of abstaining from participation in matters pertaining to the Porterville Hotel. He indicated that while he had abstained in the past, he did not feel a conflict of interest existed and requested that staff verify that he did not own property within 500 feet of the hotel.

Mr. Dunlap reported that Successor Agency legal counsel Vanessa Locklin wished to speak with him. The Council recessed at 10:18 a.m. to allow Community Development Director Dunlap time to speak with legal counsel, and to allow staff the opportunity to verify that Council Member Shelton did not have a conflict with regard to property ownership.

After the break, Mr. Dunlap advised of language Ms. Locklin had recommended be included in the resolution, and of the subsequent need for a Successor Agency Oversight Board meeting to approve the contract with Bowen. Staff confirmed that Council Member Shelton did not own property within 500 feet.

Council Member Shelton then recommended that the City only mitigate those hazards which were absolutely necessary to ensure that there would be no challenges from the property owner’s insurance company when reimbursement was sought; and suggested means of mitigating asbestos and hot spots.

Administrative Services Director Hildreth then read language to be added to the draft resolution based on the recommendations of Ms. Locklin.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council approve reconsideration of Item No. 1.

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

Documentation: M.O. 01-122613
Disposition: Approved reconsideration of Item No.1.

1. DECLARATION OF LOCAL EMERGENCY

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council approve the draft resolution, as amended to include additional detail with regard to the hazardous condition as advised by legal counsel.

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

Documentation: Resolution No. 85-2013
Disposition: Approved resolution, as amended.

2. **AUTHORIZING EMERGENCY MITIGATION/DEMOLITION OF BURNED STRUCTURE,
THE PORTERVILLE HOTEL DUE TO PUBLIC SAFETY THREAT**

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Gurrola that the City Council approve immediate safety mitigation of the structure by Bowen Engineering, which includes demolition of the remaining standing structure, potential removal of asbestos, and fencing of site to secure the property.

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

Documentation: M.O. 02-122613
Disposition: Approved.

ORAL COMMUNICATIONS

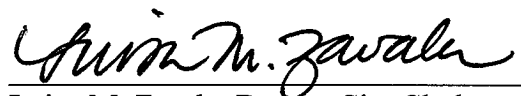
None

OTHER MATTERS

- Mayor Hamilton spoke of the fire investigation, which would be difficult due to the extent of the damage.
- Vice Mayor Ward commended staff for their swift action.
- Council Member Shelton commended the Council for making it to the meeting on such short notice.

ADJOURNMENT

The Council adjourned at 10:45 a.m. to the meeting of January 7, 2014.



Luisa M. Zavala, Deputy City Clerk

SEAL



Cameron Hamilton, Mayor

