

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

Called to Order at 5:31 p.m.

Roll Call: Council Member McCracken, Council Member Shelton (arrived at 5:40 p.m.),
Council Member Gurrola, 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 at 5:40 p.m.),
Agency Member Gurrola, 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)(1) – Conference with Legal Counsel – Existing Litigation: County of Tulare v. All Persons Interested in the Matter of the Addition of the 2010 Amendment to Redevelopment Plan for the Redevelopment Project Area No. 1, as Adopted by Ordinance 1765 on June 15, 2010, by the City of Porterville, et al., Tulare County Superior Court Case No. 249877.
 - 2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs 261-122-007 and 261-122-008. Agency Negotiators: John Lollis and Brad Dunlap. Negotiating Parties: Successor Agency to the Porterville Redevelopment Agency and Porterville Hotel Investors. Under Negotiation: Terms and Price.

During Closed Session, the Joint Council/Successor Agency Meeting adjourned to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:

- B. Closed Session Pursuant to:
- 1 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No. 249043.
 - 2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 30.57 mile line of railroad between Strathmore, CA milepost 268.60 and Jovista, CA milepost 299.17 in Tulare County, particularly that portion of the railroad line within the limits of the City of Porterville. Agency Negotiator: John Lollis. Negotiating

Parties: City of Porterville and Union Pacific Railroad. Under Negotiation: Terms and Price.
3- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: A Portion of APN 197-090-005. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and City of Lindsay. Under Negotiation: Terms and Price.

4- Government Code Section 54956.95 – Liability Claim: Claimant: Jorge Carvajal, Jr. Agency claimed against: City of Porterville.

5- Government Code Section 54956.95 – Liability Claim: Claimant: Rico Residential Facility, LLC. Agency claimed against: City of Porterville.

6 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Andrea Gould v. City of Porterville, Tulare County Superior Court Case No. PCL 159739.

7- Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two cases concerning facts not known to potential plaintiffs.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

City Attorney Lew stated that there had been no reportable action taken.

Pledge of Allegiance Led by Vice Mayor Brian Ward

Invocation – a moment of silence was observed.

PRESENTATIONS

Wall of Fame Honorees – Bill Horst, Guy Huffaker, Marlene Marquez and Monte Moore were in attendance and introduced.

The Council briefly recessed for five minutes at 6:45 p.m.

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): February 5, 2014
Mayor Hamilton spoke of a report regarding sunset date for island annexations.
2. Tulare County Association of Governments (TCAG): February 18, 2014
Council Member Gurrola spoke of CMAQ and Measure R projects under review; and City Manager indicated that staff would continue to be prepared with projects in the event other cities are not.

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: February 6, 2014
Commissioner Moore reported on the following activities: youth girl's soft ball sign-

ups, youth baseball, adult volleyball, tree trimming, Santa Fe Depot maintenance, Invest from the Ground Up Tree Planting Project, Mill Avenue parking lot beautification by local students, and future tree donations.

2. Library & Literacy Commission: February 11, 2014
Vice Chair Bailey reported on the following: Read to Succeed Adult Literacy Program, ESL and Thunderbolt Programs, the need for tutors, acceptance of invitation to attend the California Public Library Advocates workshop, annual kinder registration outreach, and January highlights; and encouraged participation in Read Across America activities scheduled for March 2nd and 3rd.
3. Arts Commission - no report given.
4. Youth Commission: February 10, 2014 – no report given.

ORAL COMMUNICATIONS

- Dr. Raheel Mann, introduced himself as a new chiropractor in town working with Dr. Missakian; and spoke of his pleasure in seeing one of his childhood heroes, Mr. Monte Moore.
- Russell Fletcher, reported there would be a meeting of the Transactions and Use Tax Oversight Committee on March 13th, 6:00 p.m. at the library.
- Deborah Sierra, Chamber of Commerce, provided the Council with copies of the Sequoia Tourism Guide; spoke of efforts to support tourism and promote Porterville; and extended an invitation to the Chamber Mixer on February 27th at the Sequoia National Forest Headquarters.

CONSENT CALENDAR

Item Nos. 2, 3 and 4 were pulled for further discussion.

1. CITY COUNCIL MINUTES OF FEBRUARY 4, 2014

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

Documentation: M.O. 01-021814

Disposition: Approved.

5. LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS CONSOLIDATION

Recommendation: That the City Council:

1. Authorize Staff to take steps to consolidate North Creek, Creekview and Porter Creek;
2. Authorize Staff to prepare an Engineer's Report reflecting the consolidation;
3. Set a Public Hearing for April 15, 2014; and
4. Adopt a Resolution ordering the proceedings for the consolidation.

Documentation: Resolution No. 12-2014

Disposition: Approved.

6. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 26, 2013

Recommendation: That the Council receive the status report and review of the designated local emergency.

Documentation: M.O. 02-021814

Disposition: Approved.

7. 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 Act, determine that a need exists to continue said local emergency designation.

Documentation: M.O. 03-021814

Disposition: Approved.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member McCracken that the City Council approve Item Nos. 1, and 5 through 7. The motion carried unanimously.

2. REQUEST TO TRANSFER OWNERSHIP OF SURPLUS FIRE ENGINE

Recommendation: That the City Council:

1. Make a finding of mutual benefit; and
2. Authorize staff to transfer ownership of one (1) surplus 1989 FMC fire apparatus, VIN: 1S9AT6L03JC185792, to the Tule River Tribe.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Council Member Shelton briefly spoke in support of the item before making a motion.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member McCracken that the City Council make a finding of mutual benefit; and authorize staff to transfer ownership of one (1) surplus 1989 FMC fire apparatus, VIN: 1S9AT6L03JC185792, to the Tule River Tribe. The motion carried unanimously.

Documentation: M.O. 04-021814

Disposition: Approved.

3. MONSTER ENERGY DRINK MOTOCROSS RACE PROPOSAL

Recommendation: That the City Council:

1. Approve the Motocross Race Proposal for March 15-16, 2014, with 2x Promotions at the OHV Park; and
2. Approve overnight camping for this event.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Council Member Shelton commented on the success of last year's event, and spoke in favor of approval.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola that the City Council approve the Motocross Race Proposal for March 15-16, 2014, with 2x Promotions at the OHV Park; and approve overnight camping for the event. The motion carried unanimously.

Documentation: M.O. 05-021814

Disposition: Approved.

4. NATIONAL MOTOCROSS CHAMPIONSHIP QUALIFIER RACE PROPOSAL

Recommendation: That the City Council:

1. Approve the National Motocross Championship Qualifier Race Proposal for April 25-27, 2014, with 2x Promotions at the OHV Park; and
2. Approve overnight camping for this event.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request. Council Member Shelton commended Parks and Leisure Services Director Donnie Moore for the proposed event.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member McCracken that the City Council approve the National Motocross Championship Qualifier Race Proposal for April 25-27, 2014, with 2x Promotions at the OHV Park; and approve overnight camping for this event. The motion carried unanimously.

Documentation: M.O. 06-021814

Disposition: Approved.

The Council adjourned at 7:20 p.m. to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

**SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 NORTH MAIN STREET, PORTERVILLE, CA 93257**

FEBRUARY 18, 2014

Roll Call: Agency Member McCracken, Agency Member Shelton, Agency Member Gurrola, Vice Chair Ward, Chair Hamilton

Agency Member Shelton recused himself due to a conflict of interest and exited the chambers.

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

None

SUCCESSOR AGENCY SCHEDULED MATTERS

SA-1. SUCCESSOR AGENCY REVIEW AND APPROVAL OF PROPOSED ADMINISTRATIVE BUDGET

Recommendation: That the Successor Agency adopt a Resolution approving the Administrative Budget for the period of July 1, 2014, through December 31, 2014 and direct Successor Agency staff to submit the Administrative Budget to the Oversight Board.

City Manager Lollis introduced the item, and the staff report was presented by Project Manager Jenni Byers.

AGENCY ACTION: MOVED by Agency Member McCracken, SECONDED by Agency Member Gurrola that the Successor Agency adopt a Resolution approving the Administrative Budget for the period of July 1, 2014, through December 31, 2014 and direct Successor Agency staff to submit the Administrative Budget to the Oversight Board.

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

Documentation: Agency Resolution No. 2014-02

Disposition: Approved.

SA-2. REVIEW AND APPROVAL OF DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

Recommendation: That the Successor Agency adopt a Resolution approving the Recognized Obligation Payment Schedule 14-15A for the period of July 1, 2014, through December 31, 2014, provided that should any modification be required to the ROPS 14-15 A by the DOF, the Executive Director and/or the Finance

Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 14-15A to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 14-15A to the Oversight Board.

City Manager Lollis introduced the item, and the staff report was presented by Project Manager Jenni Byers.

AGENCY ACTION: MOVED by Agency Member McCracken, SECONDED by Agency Member Gurrola that the Successor Agency adopt a Resolution approving the Recognized Obligation Payment Schedule 14-15A for the period of July 1, 2014, through December 31, 2014, provided that should any modification be required to the ROPS 14-15 A by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 14-15A to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 14-15A to the Oversight Board.

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

Documentation: Agency Resolution No. 2014-03
Disposition: Approved.

At 7:28 p.m., the Successor Agency to the Porterville Redevelopment Agency Meeting adjourned to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS

None

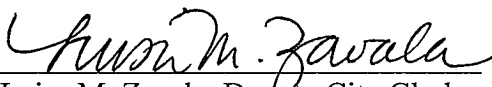
OTHER MATTERS

- Council Member Gurrola, requested an update regarding water facilities; and reported her attendance at the South San Joaquin Valley Division Meeting of League of California Cities.
- Council Member Shelton, lauded tree planting event at the Tule River Indian Reservation and the food provided; spoke of upcoming events, such as District Attorney Candidate Forum, Ag Luncheon, Local Law Enforcement Dinner, and Read Across America; and commended staff for their recent response to a homeless issue.
- Vice Mayor Ward, spoke of public concern regarding water supply; and reported that the new Lego Movie had a good message.
- Mayor Hamilton stated that the City would need to have more trees for its next tree planting event.
- City Manager Lollis, spoke of vacancy on the Indian Gaming Local Benefit Committee and

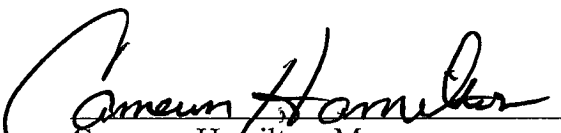
indicated that forms were available; announced staff's upcoming budget retreat; those to be honored at Crime Prevention Dinner; and reported on the recent passing of Officer Sokoloff's brother in a car accident.

ADJOURNMENT

The Council adjourned at 7:39 p.m. to the meeting of March 4, 2014.


Luisa M. Zavala, Deputy City Clerk

SEAL


Cameron Hamilton, Mayor