



**CITY COUNCIL AGENDA  
CITY HALL, 291 N. MAIN STREET, PORTERVILLE, CA 93257  
AND 1960 BRYOR COURT, MERCED, CA 95340  
MAY 7, 2019, 5:30 PM**

Call to Order

Roll Call

**ORAL COMMUNICATIONS**

This is the opportunity to address the City Council on any matter scheduled for Closed Session. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

**CITY COUNCIL CLOSED SESSION:**

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 240-070-018. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Alan P. Changala and Elizabeth J. Changala. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 253-131-001, 253-131-002, 302-110-076, 302-110-057, and 302-110-079. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and U.S. Forest Service. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Patrice Hildreth, and Che Johnson. Employee Organizations: Porterville City Employees Association; Public Safety Support Unit; Porterville City Firefighters Association; and Fire Officer Series.
- 4** - Government Code Section 54956.95 – Liability Claim: Claimant: Caprina Lange. Agency claimed against: City of Porterville.
- 5** - Government Code Section 54956.95 – Liability Claim: Claimant: Mid-Century Insurance ASP Rayani. Agency claimed against: City of Porterville.
- 6** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: John Duran v. John Lollis et al., U.S. District Court, Eastern District, Case No. 1:18-cv-01580-SAB.
- 7** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two (2) cases in which facts are not yet known to potential plaintiff.
- 8** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two (2) cases.

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

Pledge of Allegiance Led by Council Member Peñaloza

Invocation

**PRESENTATIONS**

Outstanding Business

Employee of the Month - Briana Spry

Environmental Sciences Pathway Students

**AB 1234 REPORTS**

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

1. Tulare County Taskforce on Homelessness - April 17, 2019
2. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - April 18, 2019
3. Tulare County Economic Development Corp. (TCEDC) - April 24, 2019
4. Joint City/School Committee - April 29, 2019
5. Eastern Tule Groundwater Sustainability Agency - May 2, 2019

**REPORTS**

This is the time for all staff informational items.

- I. Staff Informational Reports
  1. OHV Park 3rd Quarter Report - Fiscal Year 2018/19
  2. Golf Course 3rd Quarter Report - Fiscal Year 2018/19
  3. Street Performance Measure 3rd Quarter Report - Fiscal Year 2018/19
  4. Building Permit Activity 3rd Quarter Report - Fiscal Year 2018/19
  5. City Commissions and Committee Attendance 3rd Quarter Report - FY 2018/19
  6. Code Enforcement 3rd Quarter Report - Fiscal Year 2018/19
  7. Charitable Car Washes Report - Year to Date

**ORAL COMMUNICATIONS**

This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

## **CONSENT CALENDAR**

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar. All items removed from the Consent Calendar for further discussion will be heard at the end of Scheduled Matters.

- 1. Purchase of Police Radios for DUI Trailer/Command Post**  
Re: Considering approval of the purchase of one (1) APX 4500 VHF radio system, and two (2) APX 4500 UHF R2 radio systems and accompanying installation equipment from J's Communications for \$7,563.76.
- 2. Purchase of Sixteen (16) Portable Motorola APX6000 Handheld Radios**  
Re: Considering approval to purchase sixteen (16) Motorola APX6000 handheld radios from J's Communications for \$49,207.95.
- 3. Purchase of Real Property Assessor Parcel Numbers 253-050-093 and 253-050-089**  
Re: Consideration of a Resolution approving the purchase of APN 253-050-093 and 253-050-089 from Mr. James Gregory Shelton for the accepted amount of \$380,325.
- 4. Authorization to Award Freedom Fest Fireworks Contract**  
Re: Considering approval of the expenditure of \$19,750 to Fireworks & Stage FX America, Inc. for the fireworks show portion of the 2019 Freedom Fest.
- 5. Henry House Property Improvements Budget Appropriation**  
RE: Considering approval of the appropriation of funds in the amount of \$24,900 from insurance proceeds to fund work performed by QK, Inc., for design services pertaining to the Henry House Property Improvements Project.
- 6. Authorization to Distribute Request for Proposals for Consulting Services for the Five-Year Consolidated Plan**  
Re: Considering approval to distribute a Request for Proposals for Consulting Services to update the City of Porterville's CDBG Consolidated Plan.
- 7. Authorization of Street Closure for "Great Day" Broadcast**  
Re: Considering approval of the street closure of Cleveland Avenue between Main Street and Second Street on May 8, 2019, from 3:00 AM to 11:00 AM.
- 8. Authorization to Partner with the Tule River Tribe to Provide Tribal Transit Services on the Tule River Reservation**  
Re: Consideration of a partnership with the Tule River Tribe for the development and implementation of a Tribal Transit Program on the Tule River Reservation.

9. **Authorization to File Applications with the Federal Transit Administration (FTA) for Federal Financial Assistance**  
Re: Considering approval of a Resolution authorizing the filing of applications with the Federal Transit Administration (FTA).
10. **Assignment of Airport Lease - Lot 32C**  
Re: Considering approval of the Assignment of the Airport Lease for Lot 32C between the City of Porterville and Ms. Pamela D. Hughes, Trustee of the William E. Parham Irrevocable Trust u/t/d July 29, 2013, to Mr. Mike Quatacker.
11. **Quarterly Portfolio Summary**  
Re: Considering acceptance of the quarterly Portfolio Summary report reflecting the investment portfolio of the City as of March 31, 2019.
12. **Financial Status Reports**  
Re: Acceptance of the financial status reports for the quarter ending March 31, 2019, are submitted.
13. **Request for Proclamation - Letter Carriers' Food Drive Day - May 11, 2019**  
Re: Consideration of a request to proclaim May 11, 2019, as "Letter Carriers' Food Drive Day."
14. **Approval for Community Civic Event - Porterville Chamber of Commerce - 2019 KJUG Concert Series - May 16, 2019, July 9, 2019, August TBD, 2019**  
Re: Considering approval of events to take place at Centennial Park on Thursday, May 16, 2019, Tuesday, July 9, 2019 and another date to be determined in August, 2019, and use of the park and street closures for said events.
15. **Approval for Community Civic Event - Tulare County Junior Livestock Show and Community Fair - Porterville Fair - May 15 - 19, 2019**  
Re: Considering approval of an event to take place at the ten acre site next to the fair grounds during the annual fair, from Wednesday, May 15, 2019, to Sunday, May 19, 2019.
16. **Status and Review of Declaration of Local Emergency**  
Re: Considering approval of the continuance of the Declaration of Local Emergency.
17. **Request for Proclamation - Harvey Milk Day - May 22, 2019**  
Re: Consideration of a request to proclaim May 22, 2019, as "Harvey Milk Day."

## **SECOND READINGS**

**18. Second Reading - Ordinance 1853 - Cannabis Business Regulations**

Re: Second Reading of Ordinance No. 1853, which permits and regulates legal cannabis businesses in the City of Porterville, was given first reading on April 16, 2019, and has been printed.

**19. Second Reading - Ordinance 1854 - Cannabis Land Uses and Commercial Cannabis Activities**

Re: Second Reading of Ordinance No. 1854, which amends cannabis regulations to permit the limited development and establishment of commercial cannabis dispensaries, was given first reading on April 16, 2019, and has been printed.

**20. Second Reading - Ordinance 1855 - Personal Cannabis Activities**

Re: Second Reading of Ordinance No. 1855, which restricts personal cannabis activities including drying, harvesting, processing, smoking, and use, consistent with permitted local regulation under State law, was given first reading on April 16, 2019, and has been printed.

**SCHEDULED MATTERS**

**21. Consideration of Subordination and Amendment to Loan Agreement with Cornerstone Main Partners, L.P.**

Re: Consideration of an Amendment to Loan Agreement Between the City of Porterville and Cornerstone Main Partners, L.P., Amendment to the Promissory Note Secured By Deed of Trust, and the Amended and Restated Deed of Trust, Security Agreement, and Fixture Filing with Assignment of Rents; and consideration of a Subordination and Intercreditor Agreement with Cornerstone Main Partners, L.P., and the primary lender Wells Fargo Trust Company, N.A.

**22. Consideration to Apply for Funding from the Federal Transit Administration's (FTA's) Low or No Emission Grant Program, Appropriation of Local Financial Commitment, and Transit Fleet Management Plan**

Re: Consideration of resolutions authorizing staff to apply for funding and appropriating a local financial commitment, not to exceed \$600,000, for the FY 2019 Low or No Emission Grant Program; and consideration of approval of the Transit Fleet Management Plan.

**23. Consider a Resolution of Support for the State's Safe and Affordable Drinking Water Fund Proposal**

Re: Considering a Resolution of Support for the State's Safe and Affordable Drinking Water Fund Proposal.

**24. Consider a Resolution of Support for H.R. 6: American Dream and Promise Act of 2019**

Re: Considering a Resolution of Support for H.R. 6, "American Dream and Promise Act of 2019."

**25. Consider a Resolution of Support for Assembly Bill 274 (Mathis); Water Treatment Facility: State Water Resources Control Board: Grant**

Re: Considering a Resolution of Support for Assembly Bill 274 (Mathis); Water Treatment Facility: State Water Resources Control Board: Grant.

**26. Consider a Resolution of Support for Senate Bill 559 (Hurtado); Department of Water Resources: Grant: Friant-Kern Canal**

Re: Considering a Resolution of Support for SB 559 (Hurtado); Department of Water Resources: Grant: Friant-Kern Canal.

**27. Consider a Resolution of Support for the 2020 Census**

Re: Considering a Resolution of Support for the 2020 Census.

**28. Receipt of Letter of Resignation from Vice Mayor Ward and Consideration of Options to Fill Vacancy**

Re: Resignation from the City Council submitted by Vice Mayor Ward effective July 17, 2019, and consideration of the process to fill the vacant City Council seat.

**ORAL COMMUNICATIONS**

**OTHER MATTERS**

**CLOSED SESSION**

Any Closed Session Items not completed prior to 6:30 p.m. will be considered at this time.

**ADJOURNMENT** - to the meeting of May 21, 2019

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Office of City Clerk at (559) 782-7464. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection during normal business hours at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, and on the City's website at [www.ci.porterville.ca.us](http://www.ci.porterville.ca.us).