



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 15, 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: 247-250-074 and 247-260-003. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Jose M. Gonzalez Bedolla, Andrea Saravia Gonzalez, James Cemo and Carol Cemo. Under Negotiation: Terms and Price.
- 2** -- Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 302--110--054 and 302--110--074. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Tule River Economic Development Corporation. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 140 S. C Street. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 256 East Orange Avenue, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.
- 5** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 645 N. Prospect Street. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.
- 6** - Government Code Section 54956.95 – Liability Claim - Application to Present Late Claims: Claimants: Paula Carrasco Orosco and Henry Orosco. Agency claimed against: City of Porterville.
- 7** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Maria Ventura v. Jennifer Rutledge, et al., United States District Court, Eastern Dist., Case No. 1:18-cv-01580-DAD-SAB.
- 8** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel –

Existing Litigation: Cramer v. Hwang et al., Tulare County Superior Court Case No. 280499.

9 - 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 plaintiffs.

10 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One (1) case.

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

Pledge of Allegiance Led by Council Member Gurrola.

Invocation

PROCLAMATIONS

National Friends of Libraries Week - October 15-21, 2019

Zonta International Centennial Anniversary Recognition Week - October 20-26, 2019

PRESENTATIONS

Employee of The Month - Kevin Kennedy

Chamber of Commerce Quarterly Report

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
 2. Library & Literacy Commission
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update
 2. Fall Community Clean-Up Event
 3. Vietnam Veterans Memorial at Veterans Park

AB 1234 REPORTS

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

1. Local Agency Formation Commission (LAFCO) - October 2, 2019
2. Porterville Complete Count 2020 Census Committee Meeting - October 3, 2019
3. Eastern Tule Groundwater Sustainability Agency - October 3, 2019

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. **Authorization to Purchase Replacement Rotating Pump Assembly for Veterans Park Booster Pump Station**
Re: Consideration to authorize the purchase of a replacement rotating pump assembly from Munique LLC, in an amount not to exceed \$14,763.
2. **Authorization to Purchase Replacement Pump and Motor for City Well No. 27**
Re: Considering approval to purchase repair parts for City Well No. 27, initiation of a Purchase Order and payment to Valley Pump & Dairy in an amount not to exceed \$14,057.
3. **Authorization to Purchase Netgear Prosafe M4300 24X24F Fiber Switches**
Re: Consideration to approve the purchase of two (2) Netgear ProSafe M4300 24X24F switches from SCW for \$9,297.71.
4. **Authorization to Purchase GIS Monitor for Police Department Communications Center**
Re: Considering approval of the purchase of a GIS Dell Touch Interactive Monitor from Dell for \$6,956.99 plus applicable sales tax and shipping costs.
5. **Authorization to Renew Agreement with CSET for Senior Services at the Santa Fe Depot**
Re: Consideration to authorize the renewal of the Agreement with CSET for an additional five (5) years.
6. **Authorization to Renew Contract with CivicPlus for Recreation Management System**
Re: Consideration to approve a contract renewal with CivicPlus for the web-based recreation management system at an annual rate of \$6,425.27, with a 5% annual increase beginning in the third year.
7. **Authorization to Negotiate Consultant Agreement - Engineering Services for Pavement Management Update Implementation & Asset Management Development**
Re: Consideration to authorize the Engineering and Project Manager Director to negotiate with IMS consultant for the development of a Pavement Management Program and Right of Way Asset Database; and authorize to negotiate with Dynatest firm, if necessary.
8. **Amendment No.1 to the Porterville Chamber of Commerce Agreement**
Re: Consideration of approval of Amendment No.1 to the Porterville Chamber of Commerce Agreement to allow quarterly reports and payments, minor clarifications and updates, and indemnification and insurance requirements.

9. **Award of Contract - On-Call Right-of-Way and Appraisal Consulting Services**
Re: Considering authorization to negotiate on-call contracts with Hamner Jewell & Associates, Overland Pacific & Cutler, and Hopper Company for right-of-way and appraisal services, respectively.
10. **2018 Assistance to Firefighters Grant Award**
Re: Consideration to accept the grant for the self-contained breathing apparatus and face masks.
11. **Resolution Authorizing Application For and Receipt of SB2 Planning Grant Program Funds**
Re: Consideration to adopt draft Resolution in support of the City of Porterville's SB2 Grant Application.
12. **Approval of a Notice of Determination for the Akin Well Project**
Re: Consideration to approve staff to file a Notice of Determination with the State Clearinghouse and with the Tulare County Clerk.
13. **Approval for Community Civic Event - Dia De Los Muertos Car Show Toy Drive - U.S. Marines Reserves Toys for Tots Foundation - October 26, 2019**
Re: Considering approval of an event to take place on Saturday, October 26, 2019, from 8:00 a.m. to 3:00 p.m., at downtown Main Street, between Morton Avenue and Olive Avenue.
14. **Request for Proclamation - America Recycles Week - November 10-16, 2019**
Re: Considering approval of a request to proclaim November 10-16, 2019, as "America Recycles Week" in the city of Porterville.
15. **Request for Proclamation - National Coming Out Day- October 11, 2019**
Re: Considering approval of a request to proclaim October 11, 2019, as "National Coming Out Day."
16. **City Council Member Requested Agenda Item - Consider Allowing Members of Council to Contribute Funds from Member Budgets to the United States Marine Corps Reserve "Toys for Tots" Program**
Re: Consideration of a request to consider allowing City Council Members to contribute funds from Member budgets to the "Toys for Tots" Program.
17. **Status and Review of Declaration of Local Emergency**
Re: Considering approval of the continuance of the Declaration of Local Emergency.

A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible

PUBLIC HEARINGS

18. **Consideration of a Conditional Use Permit for Randy's Restaurant (PRC 2019-032-C)**
Re: Consideration of a draft Resolution to allow the sale of beer and wine under a Type 41 on-sale license in conjunction with the serving of meals at 1549 West Olive Avenue; and authorizing execution of a Letter of Public Convenience or Necessity.
19. **Consideration of Approval of the Aria Subdivision Project**

Re: Consideration to approve draft Resolution approving the Negative Declaration for the Aria Subdivision; and adopt draft Resolution approving the Aria Tentative Subdivision Map (PRC 2017-055-S)

20. Consideration of an Annexation for Burton School District (PRC 2013-020)

Re: Accepting public comment for the proposed annexation of the property bounded generally by Redwood Street to the west, Olive Avenue to the south, Westwood Street to the east, and Thurman Avenue to the north.

21. Adoption of the 2019 California Building Codes

Re: Consideration of Ordinances adopting the 2019 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Historical Buildings, Existing Buildings, and Referenced Standards Codes.

22. Budget Adjustment/Citizens' Option for Public Safety (COPS) Funding

Re: Considering acceptance of grant funds in the amount of \$100,000 to offset costs for personnel assigned to the Police Department's Patrol Division, including necessary training, equipment, and overtime costs.

23. Consideration of Various Fees Related to Application to Open and Operate Cannabis Dispensaries, and Consideration of Request for Proposals Process and Draft Development Agreement Template

Re: Consideration of a Resolution establishing the Phase I and II Application Fees and the Initial Permit and Annual Renewal fees.

SECOND READINGS

24. Second Reading - Ordinance No. 1859 - Approving Zone Change (PRC 2018-022-Z) from RM-3 (High Density Residential) to CR (Retail Centers)

Re: Giving second reading of Ordinance 1859 approving a zone change of approximately 1.82 acres from high density residential to retail centers, just north of Henderson Avenue, east of Prospect Street in Phase II of Porter's Crossing Commercial Center.

SCHEDULED MATTERS

25. Continued Deliberation of a Conditional Use Permit for Alcohol Sales at The Vault No.2

Re: Consideration of a Resolution approving a Conditional Use Permit at 917C West North Grand Avenue; and authorizing execution of a Letter of Public Convenience or Necessity.

26. Appointment to the Arts Commission

Re: Considering the appointment of an individual to serve on the City's Arts Commission for a term to expire in July 2022.

27. Appointment of Council Member to a Grievance Appeals Board

Re: Appoint a Member and Alternate from the City Council to serve on an appeals board for an employee grievance.

28. Consideration of City Council's Procedural Handbook

Re: Consideration of the City Council's Procedural Handbook as adopted by the Council on August 20, 2019.

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 November 5th, 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.