



**CITY COUNCIL AGENDA  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
MAY 5, 2020, 5:30 PM**

Pursuant to Executive Order N-29-20, signed by Governor Newsom on March 17, 2020, and in an effort to protect public health and slow the rate of transmission of COVID-19, the City of Porterville is allowing for and encouraging electronic public participation at City Council Meetings. Until further notice, Porterville City Council Meetings will be livestreamed on YouTube at <https://www.youtube.com/channel/UC5KuhSrNMNL9nwHJVtnJvvA>. Public comments may be submitted to [CouncilMeetingComments@ci.porterville.ca.us](mailto:CouncilMeetingComments@ci.porterville.ca.us) and will be read aloud for Council consideration during Oral Communications or during any public hearings as applicable. Members of the public are encouraged to submit comments prior to 6:30 p.m., Tuesday, May 5, 2020, to participate in said meeting. Staff will periodically check for any emails that may have been submitted after 6:30 p.m., however it is not guaranteed that those emails will be read prior to Council action. Please direct any questions to the Office of City Clerk, 559-782-7464.

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:261-190-006. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and William and Pamela Gnekow. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property  
Negotiators/Property: 885 W. Henderson Avenue, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Kram Construction Co. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 -- Conference with Real Property  
Negotiators/Property: APN: 50 West Olive, Suite B. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and 50 West Olive LLC. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel –  
Existing Litigation: City of Porterville v. Keo Malavone et al., Tulare County Superior Court Case No. 282164.
- 5** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel –

Anticipated Litigation – Significant Exposure to Litigation: One (1) case concerning a Cease & Desist Demand dated April 27, 2020, regarding E Cig Smoke Shop; and three (3) cases in which facts are not yet known to potential plaintiffs.

6 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Four (4) cases.

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

Pledge of Allegiance Led by Mayor Flores

Invocation

### **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.

### **AB 1234 REPORTS**

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

1. Tulare County Economic Development Corp. (TCEDC) - April 22, 2020
2. Tulare County Economic Development Corporation - Economic Summit - April 24, 2020
3. City Council Essential Business Ad Hoc Committee - April 27 and April 29, 2020
4. SJVAPCD Special City Selection Committee - April 29, 2020
5. Mayors Meeting Re: COVID-19 - April 30, 2020
6. City Council Essential Business Ad Hoc Committee - May 1, 2020

### **REPORTS**

This is the time for all staff informational items.

### **Staff Informational Reports**

Zoning Administrator Determinations Annual Report  
Report on Charitable Car Washes - 2020 Calendar Year  
OHV Park 3rd Quarter Report Fiscal Year 2019/20  
Golf Course 3rd Quarter Report Fiscal Year 2019/2020  
Porterville Transit and TransPort April 2020 Report  
Street Performance Measure 3rd Quarter Report - Fiscal Year 2019/20  
Building Permit Activity Quarterly Report - Fiscal Year 2019/20 Quarter 3  
Porterville Rescue Mission Update

### **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 Three Rapid Intervention Team Rescue Bags**  
Re: Consideration to authorize the purchase of three (3) rapid intervention team rescue bags from All Star Equipment in the amount of \$13,082.40.
2. **Purchase of "Jaws of Life" Extrication Unit**  
Re: Consideration to authorize the purchase of an E-draulic system from L.N. Curtis in the amount of \$36,175.13.
3. **Purchase 25 Self-Contained Breathing Apparatus (SCBA) and Associated Equipment with an Assistance to Firefighter Grant (AFG)**  
Re: Consideration to authorize the purchase of SCBA equipment from All Star Equipment.
4. **Purchase of the Quickest Route Module for the Spillman Dispatch System**  
Re: Consideration to authorize the purchase of a Quickest Route addendum to the existing contract with Spillman.
5. **Authorization to Advertise for Bids - Various Water Projects**  
Re: Consideration to approve staff's recommended Plans and Project Manual; authorize staff to advertise for bids on the project; authorize the City Engineer to negotiate construction surveying services with one of the firms; and authorize the Finance Director to appropriate \$567,110 from the Water Replacement Fund.
6. **Amendment No. 3 to Carollo Engineers, Inc. Professional Services Agreement for Master Plan Updates and Recycled Water Feasibility Study**  
Re: Considering authorizing the Mayor to execute Addendum No. 3 to Carollo Engineers Services Agreement at an agreed upon fee of \$56,582.
7. **Authorization of Supplemental Maintenance Work - Prospect Street from Morton Avenue to Henderson Avenue**  
Re: Considering to initiate a purchase order to Roy Allan Slurry Seal, Inc. in an amount not to exceed \$50,465.71 for micro-surfacing work on Prospect Street between Morton Avenue and Henderson Avenue.
8. **Intent to Set a Public Hearing to Consider Annual Adjustment of Fees by Application of the Engineering News-Record (ENR) Cost Index**  
Re: Considering approval to schedule a Public Hearing for June 16, 2020, for consideration to implement the City of Porterville's Impact Fee ENR Cost Index auto escalator.
9. **Quarterly Portfolio Summary**

Re: Consideration to accept the quarterly investment Portfolio Summary Report.

**10. Financial Status Reports**

Re: Consideration to accept the Financial Status Reports.

**11. Status and Review of Local Emergency: Drought**

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**

**12. Consideration of Amendment to Citizen Participation Plan, Consolidated Plan and Annual Action Plan**

Re: Consideration of amendment to Citizen Participation Plan, Consolidated Plan and Annual Action Plan.

**SCHEDULED MATTERS**

**13. Bid Results - Henderson Avenue Reconstruction Project from Indiana Street to Jaye Street and from Plano Street to Second Street**

Re: Considering awarding a contract in the amount of \$7,624,230.00 to Cal Valley Construction for the project consisting of various improvements to be done on Henderson Avenue between Indiana Street and Jaye Street and between Second Street and Plano Street.

**14. Consideration of Amendment to Community Development Block Grant (CDBG) Business Assistance Loan Program Guidelines**

Re: Considering the adoption of the draft CDBG-CV Guidelines Addendum; and provide direction on the use of real property as security and adopt proposed amendments to the CDBG BAP Revolving Loan Program Guidelines.

**15. Consideration of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding to Support Public Transportation**

Re: Consideration to provide direction on the program of projects for the Federal Transit Administration (FTA) CARES Act funding.

**16. Status and Review of Proclamation of Local Emergency: COVID-19**

Re: Considering approval of the continuation of the Proclamation of Local Emergency due to COVID-19.

**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 19, 2020

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).