



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 19, 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 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 19, 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: 253-177-008. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Bank of the Sierra. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 256 E. Orange Avenue, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APNs 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.
- 4** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case regarding May 3, 2020, correspondence received concerning economic impacts due to COVID-19 restrictions; and one case in which facts are not yet known to potential plaintiff.
- 5** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel –

Anticipated Litigation – Initiation of Litigation: Two 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.

REPORTS

This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

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)

AB 1234 REPORTS

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

1. Eastern Tule Groundwater Sustainability Agency - May 7, 2020
2. City Council Essential Business Ad Hoc Committee - May 11, 2020
3. Tulare County Water Commission - May 11, 2020
4. Tulare County Association of Governments (TCAG) - May 18, 2020

Staff Informational Reports

Water Conservation Phase IV Status 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. **Authorization for Police Vehicle Repairs**
Re: Consideration to authorize repairs by Milinich Body Works to the 2014 Dodge Charger (Unit #3334) and 2019 Dodge Charger (Unit #3385) for an estimated total cost of \$22,000.
2. **Authorization for Refuse Truck Engine Repair**
Re: Considering approval of the refuse truck engine repair by Cummins Pacific at a cost not to exceed \$29,895.98.
3. **Approval of Emergency Testing and Assessment of Potential Combustion By-Products ("CBP") at City Hall and Fire Station One**
Re: Approval of emergency CBP testing and assessment by KCE Matrix at a cost of \$41,600.
4. **Award of Contract - City Restroom Facilities Upgrade Project**
Re: Consideration to award the City Restroom Facilities Upgrade Project to Dayco Construction Inc in the amount of \$204,533.00; authorize a 10% contingency (\$20,453.30) to cover unforeseen construction costs; authorize the 10% for construction management, quality control, and inspection; and authorize an appropriation of \$21,143.20 of Airport Operating Funds.
5. **Award of Contract - Cannabis Business Application Review**
Re: Authorization to negotiate a contract with HdL Companies to provide Cannabis Business Operating Permit Review, at costs/rates not to exceed attached cost schedule.
6. **Consideration of Retail Recruitment Service Agreement with Buxton**
Re: Consideration to authorize staff to negotiate and sign a contract with Buxton for retail recruitment.
7. **Extension of the Cottage Estates Tentative Subdivision Map pursuant to Assembly Bill 2973**
Re: Consideration to adopt the draft Resolution approving a 24-month extension of time for the Cottage Estates Tentative Subdivision Map.
8. **City Easement Conveyance to Southern California Edison**
Re: Consideration to accept Southern California Edison's request to have the City convey the easements for the electric vehicle charging stations; and adopt the draft Resolution granting an easement to Southern California Edison for APN 251-360-001 and 252-200-066.
9. **Department of Finance Population Update**
Re: Authorizing the signing of the request for the State certification for the City of Porterville, January 1, 2020, at a population of 59,655.
10. **Resolution Denying Shryne Group, Inc./Authentic Porterville's Appeal of Zoning Administrator Determination 2020-01 (Cannabis RFP Appeal)**
Re: Considering approval of draft Resolution formalizing City Council action of April 21, 2020, to deny Shryne Group/Authentic Porterville's Appeal of the Zoning Administrator Determination No. 2020-01.
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. Repeal and Replace Series 400 of the Porterville Development Code, Modify Other Applicable Codes and Adopt the Engineering Standards and Specifications.

Re: Consideration to approve draft Ordinance to repeal and replace Series 400 of the Porterville Development Code; approve draft Ordinance amending Section 300.03 of the Porterville Development Code; approve draft Ordinance to repeal Ordinance 1563; approve the draft Ordinance amending Section 700.01 and 700.02 of the Porterville Development Code; and adopt draft Resolution approving the Engineering Standard Plans and Specifications.

SCHEDULED MATTERS

13. Consideration of a Joint Powers Agreement Between the City of Porterville and the Tule River Tribe for Development of Wastewater and Recycled Water System Facilities and Establishing the Porterville Recycled Water Authority

Re: Consideration of a Joint Powers Agreement between the City and the Tule River Tribe in the development of wastewater and recycled water facilities, and establishing the Porterville Recycled Water Authority.

14. Permanent Local Housing Allocation Funds

Re: Consideration of eligible activities for the use of Permanent Local Housing Allocation funds in the amount of \$342,754 for fiscal year 2019-2020.

15. 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 June 2, 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.