



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JUNE 16, 2020, 5:00 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, June 16, 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: 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.
- 2 -** 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.
- 3 -** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 227 E. Oak Avenue, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Valley Adult Services, Inc. Under Negotiation: Terms and Price.
- 4 -** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 753 S. Plano Street, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and David H. and Judy L. Pettis. Under

Negotiation: Terms and Price.

5 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 940 W. Morton Avenue, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Jigish and Indira Shah. Under Negotiation: Terms and Price.

6 - Government Code Section 54957.6 – Conference with Labor Negotiators. Agency Negotiators: John Lollis and Patrice Hildreth. Employee Organizations: Porterville City Firefighters Association, Fire Officer Series, Porterville Peace Officers Association, Public Safety Support Unit, Porterville City Employees Association, Management & Confidential Series, and all unrepresented management employees.

7 - Government Code Section 54956.95 – Liability Claim: Claimant: Carol Mills. Agency claimed against: City of Porterville.

8 - Government Code Section 54956.95 - Liability Claim: Claimant: Elvira Rivera. Agency claimed against: City of Porterville.

9 - Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: Vargas v. City of Porterville, Tulare County Superior Court Case No. 282443.

10 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three cases in which facts are not yet known to potential plaintiff.

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

12 - Government Code Section 54957 -- Public Employee Performance Evaluation -- Title: City Manager.

13 - Government Code Section 54957 -- Public Employee Performance Evaluation -- Title: City Attorney.

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

Pledge of Allegiance Led by Vice Mayor Reyes

Invocation

PRESENTATIONS

Children of First Responders - Donation for Porterville Firefighters' Memorial

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

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) - June 3, 2020
2. Eastern Tule Groundwater Sustainability Agency - June 4, 2020
3. Tulare County Water Commission Meeting - June 8, 2020
4. League of Cities SSJV Division Meeting - June 11, 2020
5. Tulare County Association of Governments (TCAG) - June 15, 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 to Purchase Water Shares or Surface Water for Groundwater Recharge**
Re: Consideration to authorize to purchase water shares or surface water during the 2020/2021 fiscal year up to \$500,000.
2. **Authorization to Purchase Master Meter 4G Radio Read Water Meters**
Re: Considering approval to purchase new meters, replacement meters and/or meter registers during the 2020/2021 fiscal year, up to but not exceed \$480,000.
3. **Authorization to Purchase Mobile Library Vehicle Through California State Library Grant**
Re: Consideration to authorize the purchase of a mobile library vehicle not to exceed \$70,000.00.
4. **Authorization to Repair Refuse Truck Fuel Injection System**
Re: Consideration to authorize refuse truck repair by E.M. Tharp, Inc. - Golden State

Peterbilt at a cost not to exceed \$8,698.98

5. **Authorization to Repair Refuse Truck Transmission**
Re: Consideration to authorize refuse truck repair by Saunders Automatic Service Inc. at a cost not to exceed \$6,732.09
6. **Authorization to Advertise for Bids - Digesters 2 & 3 Repair Project**
Re: Consideration to approve staff's recommended Plans and Project Manual; authorize staff to advertise for bids; authorize the City Engineer to negotiate construction surveying services; and authorize the Finance Director to appropriate \$1,143,538.61 from WWTF Reserve Funds to fully fund the project.
7. **Authorization to Advertise for Bids - Well No. 35 Project (Phase 2 - Pumping Plant)**
Re: Considering approval of staff's Plans and Project Manual for the second phase of the well project and consists of the installation of a 125 HP pump, electrical system, above ground discharge piping, and other items of work necessary to provide a complete pumping plant. The well is located on the west side of Westwood Street, just north of the North Creek Subdivision which is located near the intersection of Westwood Street and Westfield Avenue.
8. **Authorization to Award Arc Flash Assessment Study**
Re: Request authorization to conduct an assessment study, at an estimated amount not to exceed \$14,203.54, to evaluate electrical equipment and power systems in order to predict the potential for an arc flash incident.
9. **Acceptance of Project - Rails-to-Trails Corridor Lighted Crosswalks Project**
Re: Consideration to accept the Rails-to-Trails Lighted Corridor Crosswalk Project as complete which consisted of installed three lighted crosswalk systems along Rails-to-Trails at Mill Ave, Oak Ave and Harrison Ave.
10. **Authorization of Post-Remediation Inspection Services by KCE Matrix**
Re: Consideration of inspection services to ensure the remediation and removal of combustion by-products at City Hall and Fire Station One in an amount not to exceed \$22,950.
11. **Bid Results for Stucco Repair and Painting of Fire Station 71**
Re: Consideration to award the Stucco Repair and Painting of Fire Station 71 Project to Dayco Construction Inc. in the amount of \$43,293; authorize a 10% (\$4,329.30) contingency for unforeseen construction costs; authorize 7.5% (\$3,247) for construction management and quality control; and authorize an additional appropriation of \$14,869.30 of Equipment Replacement Funds to fully fund the project.
12. **Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Year 2019-2020**
Re: Consideration to authorize and direct the Finance Director to sign and submit the FY 2019-2020 RTSP Exchange Program fund claim to the Tulare County Association of Governments on behalf of the City of Porterville in the amount of \$689,631.
13. **Assignment of Airport Lease and Consent to Sublet - Lot 30 A1-A3**
Re: Considering approval of the Assignment of the Airport Lease for Lot 30 A1-A3 between the City of Porterville and J. Enterprise Trust to Mr. Matt Quatacker, Mr. Mike Quatacker and Mrs. Debbie Quatacker; and authorize the Lessee, Mr. Matt Quatacker, Mr. Mike

Quatacker and Mrs. Debbie Quatacker, to sublet airport hanger on Lot 30 A1 and A3 at the Porterville Municipal Airport to Arrow Falcon Exporters, Inc.

- 14. Program Supplement to the Administering Agency-State Agreement - Tule River Parkway Phase III**
Re: Consideration to approve the draft Resolution authorizing the approval of the subject program supplement.
- 15. Authorization to Execute a Memorandum of Understanding.**
Re: Requesting authorization to enter in to a Memorandum of Understanding with Porterville Irrigation District.
- 16. Certification of Results of the Assessment Election; and Adoption of Resolution Ordering the Formation of a Landscape and Lighting Maintenance District for the Chelsea Glen Subdivision**
Re: Accepting the certification of results; and adopting the draft Resolution ordering the formation of a Landscape and Lighting Maintenance District for the Chelsea Glen Subdivision.
- 17. Acceptance of Donation and Restriction of Funds for Future Firefighter Memorial**
Re: Considering acceptance of \$8,524.02 from the fundraising efforts of the children of first responders for the future use for a bench and mural in memory of fallen fire personnel Captain Figueroa and Firefighter Jones.
- 18. Renewal of HR Test Rental and Use Agreement Between City of Porterville and CPS HR Consulting**
Re: Renewing the Test Security Agreement with CPS HR consulting for the utilization of written examinations for use in the City's recruitment process.
- 19. 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

- 20. Review of Cost Recovery and Special Assessment Approval for 472 N. Villa Street**
Re: Considering the nuisance abatement cost recovery amount of \$76,101.39 and approve the levying of a special assessment for that or lesser modified amount against the Nuisance Property.
- 21. Annual Adjustment of Fees by Application of the Engineering News-Record (ENR) Cost Index**
Re: Conduct the Public Hearing to consider all public testimonies, and implement the ENR Cost Index automatic 1.48% increase for FY 2020/2021.
- 22. Adoption of Fiscal Year 2020-2021 Budget**
Re: Consideration of adoption of the proposed 2020-2021 Fiscal Year Budget.

SCHEDULED MATTERS

- 23. Consideration to Scheduled Water Rate Increase**
Re: Consideration to review the automatic 2.3% Rate increase for July 1, 2020.

24. **Consideration of Calling November 3, 2020 General Election; Requesting Consolidation of Election; and Setting Specified Services**
Re: Consideration of consolidating the City's General Municipal Election of November 3, 2020, with Tulare County for Districts 3, 4, and 5; and selecting services to be provided.
25. **Consideration of Pursuing Potential Tax Measures for November 3, 2020 Election**
Re: Seeking direction concerning the City Council's interest in pursuing potential ballot measures concerning a cannabis excise tax and a transient occupancy tax increase.
26. **Consideration of a Resolution of Intent to Commence Proceedings in the Issuance and Sale of Revenue Bonds or Other Securities for Sewer, Storm Drain, Wastewater and Water System Capital Improvement Projects**
Re: Consider approval of a draft Resolution of intent to commence proceedings in the issuance and sale of revenue bonds or other securities of up to \$50,000,000 for sewer, storm drain, wastewater and water system improvements, including retaining a municipal advisor, a placement agent/underwriter, and a bond and disclosure counsel.
27. **Consideration of Appointing Council Member Gurrola to Alternative Member on the Tulare County Economic Development Corporation**
Re: Considering the appointment of Council Member Virginia Gurrola to represent the City as Alternate Member on the Tulare County Economic Development Corporation.
28. **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 July 7, 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.