



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JULY 7, 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, July 07, 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 54956.95 – Liability Claim: Claimant: Angie Luna.
Agency claimed against: City of Porterville.

2 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel –
Existing Litigation: Pacheco v. Hishmeh Enterprises, Inc. et al., Court of Appeal, Fifth
Appellate Dist., Case Nos. F074356, F074357, F077323 (Tulare Co. Superior Court
Case No. VCU 259965).

3 - 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.

4 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel –
Anticipated Litigation – Significant Exposure to Litigation: Two cases 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 Vice Mayor Reyes
Invocation

PRESENTATIONS

Porterville Chamber of Commerce - Quarterly Report
Knights of Columbus - Donation for Porterville Fire Department & Library

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.

AB 1234 REPORTS

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

1. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - June 18, 2020
2. Tulare County Association of Governments (TCAG) - June 22, 2020
3. Tulare County Association of Governments/Tulare County Transportation Authority - June 22, 2020
4. Tulare County Economic Development Corp. (TCEDC) - June 24, 2020
5. Tulare County Task Force on Homelessness - June 24, 2020
6. San Joaquin Valley REAP Committee - June 26, 2020 & July 02, 2020

Staff Informational Reports

Proclamation Acceptance and Issuance Report

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 Advertise for Bids - Asbestos and Other Hazardous Materials Abatement and Demolition Project**
Re: Consideration to approve staff's recommended Plans and Project Manual; and authorize

staff to advertise for bids on the project.

2. **Authorization to Replace Base Station Radio in Dispatch for Fire Operations**
Re: Considering the purchase and installation of a new base station radio in the Communications Center for the Fire Department at a cost of \$12,681.45.
3. **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 \$24,662.
4. **Acceptance of a Donation of 38 Tempur-Pedic beds from Tempur-Pedic North America, LLC**
Re: Authorization to accept the delivery of 38 Tempur-Pedic mattresses for use at City fire stations.
5. **Authorization to Renew Subscriptions for Learning Express and Overdrive**
Re: Consideration to authorize the annual renewal of the subscription for Learning Express in the amount of \$7,625.52; and the Overdrive subscription for \$6,000.
6. **Authorization to Participate in Cooperative Purchasing Programs on Existing Asphalt Contracts**
Re: Considering authorization to purchase asphalt mix utilizing the contract between the County of Tulare and Jaxon Enterprises.
7. **Amendment to Carollo Engineer's Service Agreement for Digester 2 and 3 Repair**
Re: Consideration to authorize the Mayor to execute Addendum No. 3 to Carollo Engineer Service Agreement at an agreed upon fee of \$136,192.
8. **Annual Hauling Services for Asphalt Maintenance Program**
Re: Authorization to secure annual hauling contractor services for the Fiscal Year 2020/2021 Capital Improvement Projects Overlay Program.
9. **Third Amendment to the Transit Service and Administration Agreements**
Re: Consideration to authorize the execution of the Third Amendment to Agreement for Transit Service with Sierra Management to increase the fixed hourly rate for fiscal year 2020-21; fiscal year 2021-2022; Hazard Conditions Rate expenses for the period of March 1, 2020 through June 30, 2020; and approve and authorize the Mayor to execute the Third Amendment to Agreement for the Transit Administration Service with Sierra Management to increase the fixed annual rate for fiscal year 2020-2021 and fiscal year 2021-2022.
10. **Authorization to Execute Consultant Agreement - Consulting Services and Comprehensive Solid Waste Rate Study**
Re: Authorization to award Consulting Services to conduct a comprehensive solid waste rate study and related tasks intended to satisfy the requirements of Proposition 218 rate

setting as applied to municipal solid waste service rates.

- 11. Acceptance of the Selective Traffic Enforcement Program (STEP) Grant Award**
Re: Considering the acceptance of the STEP Grant from the California Office of Traffic Safety in the amount of \$105,500; and authorizing a budget adjustment for the Police Department in the Special Safety Grants Fund for FY 2020/2021 in the amount of \$105,500.
- 12. Tule River Parkway Phase III Restoration Grant**
Re: Consideration to authorize the City to partner with the Tule River Parkway Association on a U.S Fish and Wildlife Grant and provide matching funds not to exceed \$21,000 from the City Council Special Purposes Reserve Fund.
- 13. Acceptance of Final Subdivision Map - Royal Oaks, Phase 1**
Re: Consideration to approve the final subdivision map of Summit Estates Two, Phase 1; and authorize the City Clerk to file said map with the County Recorder.
- 14. Engineer's Reports and Setting of a Public Hearing for Establishing Lighting and Landscape Maintenance Districts and Tax Assessments for Parcels Within: Nader Homes, Ranch Victoria, Riverview Estates, Summit Estates II Phase I, Summit Heritage Villas, Trooper Terrace, and Windsor Court**
Re: Consideration to adopt a Resolution ordering the Proceedings for Formation of Landscape and Lighting Maintenance District number 48, 49, 50, 51, 52, 53, and 54, and ordering the preparation of the Engineer's Reports; adopt a Resolution giving preliminary approval of the Engineer's Reports; adopt a Resolution Declaring Intent to Form Districts, Levy and Collect Assessments; and the setting of a Public Hearing.
- 15. Request for Approval of The Asphalt Overlay Program 2020/2021**
Re: Considering approval of the 2020/2021 Asphalt Overlay Program and authorizing the expenditure of \$1,000,000.
- 16. Striping Program for 2020/2021**
Re: Consideration to authorize staff to secure annual striping contractor services for the Fiscal Year 2020/2021 Street Maintenance and Overlay Program.
- 17. Joint Funding Agreement with Porterville Unified School District and Burton School District for School Resource Officers**
Re: Considering approval of the Joint Funding Agreements with Porterville Unified School District and Burton School District for School Resource Officers for the 2020-2021 school year.
- 18. Authorization for the Saturday Sack Lunch Ministry to Serve Lunches to Those Experiencing Homelessness from the Jaye Street Park and Ride Lot**
Re: Consideration to approve the Saturday Sack Lunch Ministry to serve lunches to those experiencing homelessness.

- 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. Acceptance of Amended Final Subdivision Map - 4th Street Apartments, Phase 2**
Re: Conducting a public hearing to consider approval of an amended subdivision map for the 4th Street Apartments, Phase II, generally located at the northeast corner of 4th Street and Morton Avenue.

SCHEDULED MATTERS

- 21. Consideration of the Joint Powers Agreement for Creation of the Tulare County Regional Transit Agency**
Re: Consideration to approve either Option A, an option to approve draft Resolution approving the Tulare County Regional Transit Agency Joint Powers Agreement; or Option B, an option to decline participation in the Tulare County Regional Transit Agency Joint Powers Agreement.
- 22. Consideration of Ordinances for Establishing Cannabis-Industry Excise Taxes and Transient Occupancy Tax Increase for Submission to the Voters**
Re: Review and Consider the attached Ordinances, and provide direction for the finalizing of the language of each Ordinance for consideration at the July 21st City Council meeting for submission to the voters of the City of Porterville for the November 2020 General Election.
- 23. Measure R Expenditure Plan Amendment No. 5**
Re: Consideration of a Resolution affirming the City Council's support of the proposed amendment to the 2006 Measure R Expenditure Plan; and authorizing its transmittal to the Tulare County Transportation Authority.
- 24. 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 21, 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.