



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JULY 21, 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 21, 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: 302-110-077. Agency Negotiator: John Lollis.
Negotiating Parties: City of Porterville and Tulare County Junior Livestock Show and Community Fair. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 260-213-022. Agency Negotiator: John Lollis.
Negotiating Parties: City of Porterville and 50 West Olive LLC. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 109 North E Street, Space 19, Porterville, CA. Agency
Negotiator: John Lollis. Negotiating Parties: City of Porterville and NALO-PBE
Investment, LLC. Under Negotiation: Terms and Price.
- 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 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. Tulare County Water Commission - July 13, 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 Specialized Equipment-Grinder Cartridge**
Re: Consideration to authorize the purchase of a new grinder cartridge and spare parts for the headworks grinder/washer/compactor located at the City Waste Water Treatment Plant in the amount not to exceed \$24,851.20 to Franklin Miller Incorporated.

2. **Authorization to Purchase Specialized Equipment - Returned Activated Sludge (RAS) Pump Impeller**
Re: Authorization to purchase specialized equipment, the Return Activated Sludge (RAS) pump impeller on plant #4, located at the Waste Water Treatment Facility in the amount of \$13,071.43.
3. **Authorization to Purchase Valve Gate Equipment for Recharge Projects**
Re: Consideration to authorize the purchase of Valve Gate equipment in an amount not to exceed \$15,420.
4. **Authorization to Purchase Dell Precision 5820 CAD Workstations**
Re: Consideration to authorize the purchase of six Dell Precision 5820 CAD Workstations from Dell, in the amount of \$13,077.60.
5. **Authorization to Repair Refuse Truck Fuel Injection System**
Re: Consideration to authorize a refuse truck repair by E.M. Tharp, Inc.- Golden State Peterbilt at a cost not to exceed \$11,329.18
6. **Authorization for Transit Bus Engine Repair**
Re: Considering approval of transit bus engine repair by E.M. Tharp - American Truck Parts at a cost not to exceed \$16,964.88
7. **Authorization to Advertise for Bids - Friant-Kern Canal Turnouts**
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 \$10,000 from the Water Replacement Fund.
8. **Asphalt Grinding Program for 2020/2021**
Re: Consideration to authorize staff to secure annual grinding contractor services for the Fiscal Year 2020/2021 Street Maintenance and Overlay Program.
9. **Sewer Utility Districts Annual Assessments**
Re: Consideration to adopt Resolutions ordering the continued sewer district assessments for the 2020/2021 tax year.
10. **Authorization for Annual Wastewater Treatment Facility Extended Maintenance and System Service (EMASS) Contract**
Re: Consideration to award the EMASS Service Contract to Tesco Controls Incorporated in an amount not to exceed \$6,500.00.
11. **Preliminary Annual Engineer's Report of Assessments for Landscape and Lighting**

Maintenance Districts and Setting a Public Hearing

Re: Consideration to adopt draft Resolutions ordering the preparation of an Engineer's Report for the Landscape and Lighting Maintenance Districts (LLMD) for Fiscal Year 2020/21; giving preliminary approval to the Engineer's Report for the LLMD for Fiscal Year 2020/21; declaring the intent to levy and collect assessments for Fiscal Year 2020/21; and offering a time and place for hearing objections thereto.

12. 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

13. Approval of the Analysis of Impediments to Fair Housing Choice

Re: Consideration to conduct the Public Hearing on the proposed 2020 Analysis of Impediments to Fair Housing Choice; and adopt the draft Resolution approving the 2020 Analysis of Impediments to Fair Housing Choice.

14. 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: Conduct the Public Hearing to receive public comment on establishing Landscape and Lighting Maintenance District Numbers 48, 49,50 ,51, 52, 53 and 54; and adopt the draft Resolution approving the Engineers Report and assessment method.

15. Permanent Local Housing Allocation (PLHA) Entitlement Grant Application

Re: Consideration to conduct a Public Hearing to receive public comment; approve and adopt the proposed draft Permanent Local Housing Allocation (PLHA) Five-Year Plan; authorize the Mayor or designee to execute all documents; and authorize the Community Development Director to execute project drawdown requests, and all other administrative documents.

16. Consideration of an Urgency Ordinance Requiring the Use of Face Coverings

Re: Considering the adoption of an Urgency Ordinance to require the use of face coverings in conformity with requirements set forth by the California Department of Public Health.

SCHEDULED MATTERS

17. Consideration of Membership in the Tulare County Economic Development Corporation

Re: Consideration of continued membership in the Tulare County Economic Development Corporation and invoice for \$25,000 for the 2020-2021 fiscal year.

- 18. Consideration of a Nuisance Abatement Cost Recovery Amount and Special Assessment for 472 North Villa Street**
Re: Consideration of levying a special assessment in the amount of \$30,000 on 472 N. Villa Street.
- 19. Consideration of Placement of Measure on the November 3, 2020, Ballot to Consider Cannabis-Related Excise Tax**
Re: Consideration of the City Council to review and consider for approval the draft Ordinance and Resolution for submission of the measure to the voters of the City of Porterville.
- 20. Consideration of Placement of Measure on the November 3, 2020, Ballot to Consider an Increase to the City's Transient Occupancy Tax**
Re: Considering the placement of a measure on the November 3, 2020, ballot to increase the City's transient occupancy tax ("TOT"), also known as the hotel tax, from 8% to 12%.
- 21. Consideration of the Continued Sale of Sane and Sane Fireworks in the City**
Re: Consideration of the continued sale of Safe and Sane fireworks in the city.
- 22. Three-Year Review of Galaxy 9 Theater Conditional Use Permit for Alcohol Sales**
Re: Consider staff's report in the Three-Year Review of Galaxy 9 Theater Conditional Use Permit.
- 23. Porterville Rescue Mission Bi-Annual Review**
Re: Consideration of the City Council to receive staff's report and provide direction as necessary.
- 24. Adoption of Annual Appropriation Limit**
Re: Consideration to approve draft Resolution adopting the appropriation limit of \$77,790,030 for 2020-2021 Fiscal Year.
- 25. 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 August 4, 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.