



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 15, 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 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, December 15, 2020, to participate in this meeting. Staff will periodically check for 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 at 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 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Management and Confidential Series; Porterville Peace Officers Association; Porterville City Employees Association; Public Safety Support Unit; Porterville City Firefighters Association; Fire Officer Series; and all unrepresented management employees.

2 - 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 plaintiffs.

3 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

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

Pledge of Allegiance Led by Mayor Reyes

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. Local Agency Formation Commission (LAFCO) - December 2, 2020
2. Eastern Tule Groundwater Sustainability Agency - December 3, 2020
3. Porterville Chamber of Commerce "State of the City" - December 4, 2020
4. City Council COVID-19 Ad Hoc Committee - December 4, 2020
5. Mighty 190 Committee - December 9, 2020
6. San Joaquin Valley Regional Early Action Planning (SJVREAP) - December 10, 2020
7. City Council COVID-19 Ad Hoc Committee - December 11, 2020
8. Tulare County Association of Governments (TCAG)/ Tulare County Transportation Authority (TCTA) - December 14, 2020
9. Tulare County Regional Transit Authority - December 14, 2020

REPORTS

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

- I. 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)

II. Staff Informational Reports

1. Water Conservation Phase III Status Update
2. 2021 State Budget and Legislative Interests

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 Street Paving Equipment**
Re: Considering approval of the purchase of street paving equipment from E.M. Tharp in an amount not to exceed \$444,797.
2. **Authorization to Purchase Additional Technology Equipment and Services to Facilitate Telework Capabilities**
Re: Consideration to authorize the purchase of additional Dell portables at a cost of \$41,883.36 plus the associated sales tax and shipping charges; and approve the 3-year contract for Microsoft Azure cloud computing services for 70 user licenses at a cost of \$23,793.
3. **Authorization to Purchase a New Fire Command Vehicle**
Re: Consideration to authorize the purchase of a new Fire Command vehicle at a cost of \$42,645.75; and authorize the negotiation with various vendors to fully equip said vehicle at a cost not to exceed \$35,000.
4. **Authorization to Upgrade RouteMatch Software and Services to Include Mobility On-Demand**
Re: Consideration to authorize the purchase of mobility on-demand software and services from RouteMatch/Uber Technologies, Inc. at a total cost of \$60,000 for a one-year pilot.
5. **Authorization to Repair Refuse Truck Engine**
Re: Consideration to authorize refuse truck repair by E.M. Tharp, Inc. - American Truck Parts at a cost not to exceed \$14,320.54
6. **Authorization for Specialized Service - Supervisory Control and Data Acquisition (SCADA) System Integration Update**
Re: Authorization for Supervisory Control and Data Acquisition implementation and upgrade at the Waste Water Treatment Plant not to exceed \$28,694.
7. **Authorization to Procure Labor and Materials Through an Open Market Process to**

Complete the Transit Center Electrification Project

Re: Consideration to adopt a Resolution Authorizing the Procurement of Bids through an Open Market Process for the Transit Center Electrification Project.

8. Acceptance of Project - City Hall Fire Alarm

Re: Consideration to approve the City Hall Fire Alarm project as complete.

9. Acceptance of Project - City Restroom Facilities Upgrade Project

Re: Consideration to accept the City Restroom Facilities Upgrade Project as complete.

10. Acceptance of Subdivision Improvements - Royal Oaks, Phase 1 (Greenvine, LLC)

Re: Considering acceptance of public improvements, including those related to the Landscape & Lighting District of the Royal Oaks, Phase 1 Subdivision for maintenance; and authorizing the filing of the Notice of Completion.

11. Request for Approval of the Street Sections for the Fiscal Year 2020/2021 Asphalt Hot Mix Program

Re: Considering approval of the 2020/2021 Asphalt Hot Mix Program locations.

12. Contract for Legal Services with Liebert Cassidy Whitmore

Re: Considering approval of an Agreement for Special Services with the Law Firm of Liebert Cassidy Whitmore for on-call legal services.

13. Amendment to the Seasonal and Part-Time Pay Rates

Re: Consideration to adopt the draft Resolution amending the City's Employee Pay and Benefit Plan, Seasonal and Part-time rates.

14. Cancellation of January 5, 2021, City Council Meeting

Re: Considering the cancellation of the first City Council Meeting in January 2021.

15. 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

16. Consideration of a Modification to Conditional Use Permit 2016-040 to Allow a Drive-Thru Coffee Shop in the Smart & Final Commercial Center

Re: Consideration to adopt a draft Resolution approving Modification #1 to Conditional Use Permit 2016-040 for the Olive & Lotas Commercial Center.

SCHEDULED MATTERS

17. Resolution Establishing a Retail Dispensary Cannabis Tax Rate of 7%, and Discussion

of Potential Amendments to the City's Cannabis Regulations to Allow an Additional Wholly Locally Owned Dispensary

Re: Consideration to approve the draft Resolution setting the Tax Rate for Retail Cannabis Dispensaries at Seven Percent (7%), (or in the alternative adopt the Resolution setting the tax rate at a different amount but not to exceed 10%); and provide input and direction concerning the revision to the City's regulations in order to permit a third party adult use dispensary.

18. New Community Library Facility Planning

Re: Consideration of defining the planning process for a new community library facility, and to provide direction on the formation of a City-sponsored Library Foundation.

19. 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.

Adjourn to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 NORTH MAIN STREET, PORTERVILLE, CA 93257
DECEMBER 15, 2020

Roll Call: Agency Members/Chairperson

WRITTEN COMMUNICATION

ORAL COMMUNICATIONS

SUCCESSOR AGENCY SCHEDULED MATTERS

20. Review and Approval of the Administrative Budget and Draft Recognized Obligation Payment Schedule for Fiscal Year 2021-2022

Adjourn to a meeting of the Porterville City Council.

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 January 5, 2021.

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.