



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 6, 2021, 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, April 06, 2021, 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.

Alternatively, this meeting will also be available via Zoom using the following information

Topic: City Council Meeting of April 06, 2021

Please use the following link below to join the webinar:

<https://zoom.us/j/95078794146?pwd=WHoWT2htK1djeFVidVpBSm9SQTIEZz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **950 7879 4146** Passcode: **509393**

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 54956.8 – Conference with Real Property Negotiators/Property: APN: 256 E. Orange Avenue, Porterville, CA. and APN 261-150-057. 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: APN: 42 S. Plano Street, Porterville, CA. Agency Negotiator: John

Lollis. Negotiating Parties: City of Porterville and Barn Theatre. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 645 N. Prospect Street, Porterville. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.

4 - 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.

5 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Management and Confidential Series and Porterville Peace Officers Association.

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

7 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Monte Reyes and City Attorney Julia Lew. Employee: City Manager.

8 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Statewide Traffic Safety and Signs, Inc. v. California Professional Engineering, et al., and related cross complaints, Tulare County Superior Court Case No. 284137.

9 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Isabel Valdez Vela v. Porterville Police Department, et al., Tulare County Superior Court Case No. 283111.

10 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Five 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.

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

Pledge of Allegiance Led by Council Member Carrillo
Invocation

PRESENTATIONS

TransPort Microtransit Service

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. Tulare County Task Force on Homelessness - March 17, 2021
2. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - March 18, 2021
3. City Council COVID-19 Ad Hoc Committee - March 19, 2021
4. California League of Cities Homeless Roundtable - March 24, 2021
5. Eastern Tule Groundwater Sustainability Agency - April 1, 2021
6. Eagle Mountain Casino Groundbreaking Ceremony - April 6, 2021

REPORTS

This is the time for staff informational items.

Staff Informational Reports

- Spring Community Clean-Up Event
- Tulare County Regional Transit Agency (TCRTA) 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 Second Year Licensing with ViriCiti**
Re: Consideration to authorize the second year of ViriCiti licensing for battery-electric buses at a cost not to exceed \$22,620; and second year of ViriCiti licensing for battery-electric vans at a cost not to exceed \$23,760.
2. **Authorization to Purchase Three 35-foot New Flyer Battery Electric Buses**
Re: Council authorization to execute a purchase agreement with New Flyer of America, Inc. (New Flyer), in an amount not to exceed \$2,748,000 to procure three 35-foot, battery-electric buses.

3. **Authorization for the Purchase and Installation of Bus Advertising from Rethought Reborn Media**
Re: Consideration to authorize the advertisement of a new on-demand service by Uber with a full bus wrap advertisement on three transit buses, effectively promoting the Agency brand as well as community awareness.
4. **Authorization to Repair Electronic Message Board**
Re: Consideration to authorize the repair of the City's electronic message board for \$29,719.96 from SignWorks.
5. **Authorization to Repair Fire Aerial Ladder Truck**
Re: Consideration to authorize fire aerial ladder truck repair by Hi-Tech at a cost not to exceed \$14,472
6. **Authorization to Execute a Contract with Penny Hummel Consulting to Perform a Library Needs Assessment**
Re: Consideration to authorize Penny Hummel Consulting to perform the Library Needs Assessment in the amount not to exceed \$52,000 from library insurance proceeds.
7. **Authorization to Award Cleaning and Dewatering of Anaerobic Digester #2**
Re: Considering the award of contract for the cleaning and dewatering of digester #2 to Wastewater Solids Management Company for a total project amount not to exceed \$43,956, including a ten percent (10%) contingency.
8. **Renewal of Airport Lease Agreement between the City of Porterville and UNAVCO, Inc.**
Re: Consideration to approve the Lease Agreement between the City of Porterville and UNAVCO, Inc. of Boulder, CO.
9. **Intent to Set a Public Hearing to Transition to Phase III of the City's Water Conservation Plan**
Re: Considering approval to schedule a Public Hearing on April 20, 2021, to consider the transition from Phase IV to Phase III of the City's Water Conservation Plan.
10. **Community Cleanup Event Volunteer Guidelines**
Re: Consider approval of draft Community Cleanup Event Volunteer Guidelines.
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. **Conditional Use Permit to Allow the Re-establishment of a Non-conforming Use, an Automobile Dealership, at 70 South Main Street**
Re: Consideration to adopt the draft Resolution approving Conditional Use Permit (PRC 2020-004-C).
13. **Modification of a Conditional Use Permit Allowing Establishment of a Religious Facility at 22213 Avenue 152**
Re: Consideration to adopt the draft Resolution approving Modification #1 of the Temple of Praise Church Conditional Use Permit.
14. **Amendment to the Eastridge Plaza Specific Plan**
Re: Consideration to approve the Modification #5 to the Eastridge Plaza Specific Plan.
15. **Amendment to Section 600.04(c) of the Porterville Development Ordinance**
Re: Consideration to approve the proposed modification to the Development Ordinance, give first reading, and order it to print.

SCHEDULED MATTERS

16. **Approval for Community Civic Event - Drive-in Movie Night - Porterville Chamber of Commerce - April 24, 2021, May 22, 2021, June 26, 2021, July 24, 2021 and August 28, 2021**
Re: Considering approval of an event to take place at the Porterville Sports Complex on the fourth Saturday of each month, beginning in April and ending in August, 2021, from 4:00 pm to 11:00 pm.
17. **Draft Fireworks Ordinance**
Re: City Council's review of the additional information provided, and provide direction to staff.
18. **Consideration of Parcels Without Street Frontage**
Re: Provide direction on amending Series 400 of the Porterville Development Ordinance in regard to the creation of lots without street frontage.
19. **Consider the Scheduling of a Study Session to Consider the Agreement Between the City and the Porterville Chamber of Commerce and Establish Mutual Goals and Objectives**
Re: Considering the scheduling of a Study Session.
20. **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 April 20, 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.