



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 20, 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 20, 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 20, 2021

Please use the following link below to join the webinar:

<https://zoom.us/j/97042056959?pwd=NzZsaXhERW4yVmpuQlp2Ly9EcktKdz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **970 4205 6959** Passcode: **588314**

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: 42 S. Plano Street, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Barn Theatre. Under Negotiation: Terms and Price.
- 2 - Government Code Section 54956.8 – Conference with Real Property**
Negotiators/Property: APNs: 302-130-015, 302-130-007, 302-130-019, and 302-130-021. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and

Friant Water Authority. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Zane Phillips. Agency claimed against: City of Porterville.

4 - 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, Public Safety Support Unit, Porterville City Employees Association, Porterville City Firefighters Association, Fire Officers Series, and all unrepresented management employees.

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

6 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Monte Reyes and City Manager John Lollis. Employee: City Attorney.

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

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

9 - 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.

10 - 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 Vice Mayor Flores
Invocation

PRESENTATIONS

Chamber of Commerce Quarterly Report

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 Initiatives Navigation Center Committee (LINC) - April 7, 2021
2. Tulare County Association of Governments (TCAG) - Sustainable Corridor Committee - April 8, 2021
3. City Council COVID-19 Ad Hoc Committee - April 12, 2021
4. Tulare County Water Commission - April 12, 2021
5. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - April 15, 2021
6. Library Facility Planning Committee - April 15, 2021
7. TCAG/Tulare County Transportation Authority (TCTA) - April 19, 2021
8. Tulare County Regional Transit Authority (TCRTA) - April 19, 2021

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 - no report.
 2. Library & Literacy Commission - no report.
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission - no report.
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Wall of Fame
 2. 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. **Purchase of "Jaws of Life" Extrication Equipment**
Re: Consideration to authorize the purchase of a "Jaws of Life" Extrication Equipment from L.N. Curtis in the amount of \$36,175.13
2. **Authorization to Purchase Replacement Repair Materials for City Well No. 1A**
Re: Authorization to purchase replacement repair materials for City Well 1A, in an amount not to exceed \$11,677.

3. **Authorization to Finalize Draft Transfer Agreement with the County of Tulare for a Municipal Well, Water Conveyance Facilities and Appurtenance**
Re: Considering approval to Finalize Draft Transfer Agreement with the County of Tulare and the City of Porterville for a Municipal Well, Water Conveyance Facilities and Appurtenances.
4. **Consideration of Tulare County Junior Livestock Show and Community Fair Addendum No. 3**
Re: Consideration to approve Addendum No. 3 of the Tulare County Junior Livestock Show and Community Fair License and Development Agreement.
5. **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

6. **Fireworks Ordinance Amendment**
Re: Considering the approval of the draft Ordinance modifying Article II of Chapter 12 of the Municipal Code.
7. **Ordinance Amending Code Enforcement Regulations Clarifying the Available Remedies for City Code Violations and Providing for a Waiver of the Administrative Citation Hearing Advance Deposit Under Certain Circumstances and Conditions**
Considering approval of a draft Ordinance to amend Chapter 1, Sections 1-9 and 1-10, and Chapter 2, Article XIV, Sections 2-148, 2-151.1, and 2-152 of the Municipal Code.
8. **Public Hearing to Consider the Transition to Phase III of the City's Water Conservation Plan**
Re: Consideration of the transition from Phase IV to Phase III of the City's Water Conservation Plan.
9. **Community Development Block Grant Substantial Amendment to the 2020 Consolidated Plan and 2020/2021 Action Plan**
Re: Consideration to approve the draft Resolution approving the proposed substantial and minor amendments to the 2020 Consolidated Plan and 2020/2021 Action Plan.
10. **Community Development Block Grant 2021-2022 Action Plan**
Re: Considering the adoption of a draft resolution approving the 2021/22 Action Plan.

SECOND READINGS

11. **Second Reading - Ordinance No. 1881 - Amending Article 600 of Chapter 21 of the Municipal Code (Chapter 600 of the Porterville Development Code)**
Re: Giving second reading of Ordinance 1881 amending Section 600.04(c) of the Porterville Development Ordinance.

SCHEDULED MATTERS

12. **City Internal Audit Committee**

Re: Consideration and potential modification of the composition of the City Internal Audit Committee.

13. 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 May 4, 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.