



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 18, 2021, 5:00 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, May 18, 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 May 18th, 2021

Please use the following link below to join the webinar:

<https://zoom.us/j/91493785773?pwd=ZkZRUmppdkFMK1ZPVDUrZnBibTdtUT09>

Or via Telephone: **1-669-900-6833** Webinar ID: **914 9378 5773** Passcode: **522944**

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: 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: 645 N. Prospect Street, Porterville, CA. Agency Negotiator: John

Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 38 E. Cleveland Avenue, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Pacheco Mary (TR) (P Bypass TR). Under Negotiation: Terms and Price.

4 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Management and Confidential Series, Porterville City Employees Association, Public Safety Support Unit, Porterville City Firefighters Association, Fire Officer Series, and all unrepresented management employees.

5 - Government Code Section 54956.95 - Liability Claim: Sherri Shields. Agency claimed against: City of Porterville.

6 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Ruben Raya v. City of Porterville et al., Tulare County Superior Court Case No. 283063.

7 - 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.

8 - 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 Council Member Carrillo
Invocation

PRESENTATIONS

Police Officer and Firefighter of the Year
Tulare County Stonewall Democrats

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 (LINC) Committee - May 5, 2021

2. Eastern Tule Groundwater Sustainability Agency - May 6, 2021
3. Tulare County Water Commission - May 10, 2021
4. Military Banner Program Committee - May 11, 2021
5. Porterville Welcome Center Ribbon Cutting - May 12, 2021
6. City Council Cannabis Ad Hoc Committee - May 13, 2021
7. Tulare County Association of Governments (TCAG) Regional Transportation Public Participation Plan - May 13, 2021
8. Library Facility Planning Committee - May 13, 2021
9. TCAG/Tulare County Transportation Authority - May 17, 2021
10. Tulare County Regional Transit Authority - May 17, 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 - May 6, 2021
 2. Library & Literacy Commission - May 11, 2021
 3. Arts Commission - April 27, 2021
 4. Animal Control Commission - May 10, 2021
 5. Youth Commission - May 15, 2021
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 - Water Conservation Phase IV Status Update
 - Residential Care Facility Overconcentration Request 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. **City Council Minutes of May 4, 2021**
Re: Considering approval of the City Council draft Minutes of May 4, 2021.
2. **Authorization to Repair OHV Park Tractor**
Re: Authorization of repairs to the OHV Park tractor by Farmers Tractor & Equipment Company for \$8,158.92.
3. **Authorization to Repair Veterans Park Pavilion #1**

Re: Consideration to adopt the draft Resolution authorizing the appropriation of \$8,200 from the General Fund Facility Deferred Maintenance / Equipment Replacement Designated Fund for the repair of Veterans Park Pavilion #1.

4. Authorization for Police Vehicle Repairs

Re: Consideration to authorize the repair of a Police Vehicle by Porterville Chrysler Dodge Jeep Ram for an estimated total cost of \$12,293.07.

5. Authorization to Distribute a Request for Qualifications for On-Call Escrow and Title Services

Re: Considering granting authorization to distribute a Request for Qualifications for on-call Escrow and Title services.

6. Ballfields Agreement Between City of Porterville and Burton School District

Re: Consideration to approve the Ballfields Agreement between the City of Porterville and Burton School District.

7. Murry Park Pool Concession License Renewal

Re: Consideration to approve the renewal of the Murry Park Pool Concession License with Valley Paradigm Corporation.

8. Authorization of 2X Promotions OHV Park Race with Overnight Camping

Re: Consideration to authorize 2X Promotions OHV Park Race on June 12-13, 2021; and authorize the overnight camping for the weekend.

9. Consideration of Retail Recruitment Service Agreement

Re: Consideration to authorize staff to negotiate and sign a contract with Buxton for a retail recruitment and mobile visitor's insights solution.

10. Burton Ballfields Use Agreement Between City of Porterville, Burton School District and Porterville Little League

Re: Consideration to approve the Burton Ballfields Use Agreement between the City of Porterville, Burton School District and Porterville Little League.

11. Acceptance of Additional Donation and Restriction of Funds for Future Firefighter Memorial

Re: Considering acceptance of an additional 4,456.83 from the fundraising efforts of the Children of First Responders, in partnership with Stafford's Chocolates and Girl Scout Troop 7003, for the future use for a bench and mural in memory of fallen fire personnel Captain Figueroa and Firefighter Jones.

12. Approval of the Memorandum of Understanding Between the City of Porterville and the Tulare County Regional Transit Agency and Amendment 4 to the Transit Service Agreement

Re: Consideration to enter into an Agreement with the Tulare County Regional Transit Agency to maintain the Woodlake transit fleet and enter into an Agreement with Sierra Management to operate the Woodlake Transit service at an estimated cost of \$143,458.

13. Consider Approval of an Agreement with the Porterville Unified School District for the Use of Vehicle Charging and Bus Wash Facilities

Re: Consideration to enter into an Agreement with the Porterville Unified School District to allow access to the City's electric charging station and bus wash facilities.

14. **Fire Department Reorganization and SART Staffing Recommendations**
Re: Consideration to approve the proposed reorganization of the Fire Department.
15. **Amendment to Employee Pay and Benefit Plan - Management & Confidential Series**
Re: Considering approval of a draft Resolution authorizing amendments to the Employees' Pay and Benefit Plan and other documents as may be necessary to implement the negotiated changes in salary and benefits for Management and Confidential Series employees.
16. **Amendment to Employee Pay & Benefit Plan - Porterville City Employees Association**
Re: Considering approval of a draft Resolution authorizing amendments to the Employees' Pay and Benefit Plan and other documents as may be necessary to implement the negotiated changes in salary and benefits for Porterville City Employees Association employees.
17. **Amendment to Employee Pay & Benefit Plan - Public Safety Support Unit**
Re: Considering adoption of a draft Resolution approving the negotiated changes to the Employee Pay and Benefit Plan pertaining to the Public Safety Support Unit employees, and directing staff to amend all other documentation as may be necessary to document and implement said negotiated changes.
18. **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

19. **City Internal Audit Committee**
Re: Consideration of draft Ordinance to increase City Council Member representation on the City's Internal Audit Committee; and appointing one additional Council Member to serve on said Committee upon the Ordinance becoming effective.

SCHEDULED MATTERS

20. **Renewal of Body Worn Camera Contract with Axon Enterprise, Inc.**
Re: Consideration to authorize the renewal of Body Worn Camera Contract with Axon Enterprise, Inc.
21. **Amendment of the City Code - Changes to the Special Speed Zones (2020 Speed Survey)**
Re: Considering adoption of Ordinance amending speed limit zones.
22. **Tulare County Abandoned Vehicle Abatement Program Sunset Extension**
Re: Considering a draft resolution confirming the City's support for a sunset extension from April 30, 2022 to April 30, 2032 of the Abandoned Vehicle Abatement program authorized in Tulare County.
23. **CARES Act Funding Credit to Local Transportation Fund Agreement with the County of Tulare**
Re: Consideration applying the unincorporated portion of the CARES Act funding to the Local Transportation Agreement with the County of Tulare for public transportation services to unincorporated residents within the Porterville Urbanized Area at a cost not to exceed \$1,875,818.

24. **Consider Resolutions of Support for Senate Bill 222 (Dodd), Water Rate Assistance Program; and Senate Bill 223 (Dodd), Discontinuation of Residential Water Service**
Re: Considering Resolutions of Support for SB 222 (Dodd) and SB 223 (Dodd).
25. **Addendum No. 5 to Employment Agreement Between the City of Porterville and John D. Lollis**
Re: Considering approval of Addendum No. 5 to Employment Agreement Between the City of Porterville and John D. Lollis.
26. **Consideration of Legal Services Agreement**
Re: Consideration of Agreement for legal services between the City of Porterville and McCormick, Kabot, Jenner & Lew and Julia M. Lew for a term of three years.
27. **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 June 1, 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.