



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JULY 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, July 6, 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 July 6th, 2021

Please use the following link below to join the webinar:

<https://zoom.us/j/91213416298?pwd=MU5WSzd4TU0xdTVqMUh3SHBjNRkt0QT09>

Or via Telephone: **1-669-900-6833** Webinar ID: **912 1341 6298** Passcode: **279962**

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: Porterville Peace Officers Association, Porterville City Firefighters Association, Fire Officer Series, and all unrepresented employees.

2 - Government Code Section 54956.95 – Liability Claim: Claimant: Progressive Select Insurance Company ASO Maria Haro. Agency claimed against: City of Porterville.

3 - 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.

4 - 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.

5 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Seven (7) cases in which facts are not yet known to potential plaintiff.

6 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One (1) 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

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.

SCHEDULED MATTERS

- 1. Consideration of Appointment to the City Council Office Representing District One Vacated by Council Member Peñaloza**
Re: Consideration of appointing an individual to the City Council representing District One with a term to expire in November 2022.
- 2. Administration of Oath of Office and Seating of New City Council**
Re: Administering Oath of Office and Seating of Appointed City Council Member

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 - June 16, 2021
2. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - June 17, 2021
3. Tulare County Regional Transit Authority - June 21, 2021

4. San Joaquin Valley Regional Early Action Planning (REAP) - June 25, 2021
5. Tulare County Association of Governments/Tulare County Transportation Authority (TCAG/TCTA) - June 28, 2021
6. Eastern Tule Groundwater Sustainability Agency - July 1, 2021

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.

3. **Authorization to Purchase Water Shares or Surface Water for Groundwater Recharge**
Re: Consideration to authorize to purchase water shares or surface water during the 2021-2022 fiscal year up to \$500,000.
4. **Authorization to Purchase Loan Servicing Software to Manage Mortgage, Business and Public Utility Connection Loans**
Re: Consideration to authorize staff to purchase loan servicing software from The Mortgage Office Software.
5. **Authorization to Purchase Master Meter 4G Radio Read Water Meters**
Re: Considering approval to purchase new meters, replacement meters and/or meter registers during the 2021-2022 fiscal year, up to but not exceed \$480,000.
6. **Authorization to Purchase by Negotiation Equipment Scheduled for Replacement**
Re: Consideration to authorize the purchase by negotiation of the equipment listed and authorize the payment of said equipment upon satisfactory delivery.
7. **Modification of Truck Bed for Fire Department Fleet Vehicle**
Re: Consideration to authorize the Fire Department to reconfigure a utility fleet vehicle at a cost not to exceed \$13,999.85.
8. **Authorization to Repair Transit Vehicle #8104**
Re: Consideration to authorize transit vehicle repair by Milinich Body Works at a cost not to exceed \$6,359.06.
9. **Authorization to Repair City Well 10 and City Well Airport-1**
Re: Considering approval for repair of City Wells 10 and AP-1, with an initiation of a Purchase Order and payment to in an amount not to exceed \$47,582.70.
10. **Authorization to Repair Fire Station 73 HVAC Unit**
Re: Consideration to direct the Fire Chief to negotiate with bidders and approve the necessary repairs to the HVAC unit at Station 73.
11. **Authorization to Advertise for Bids - Temporary Library Project**
Re: Consideration to approve Plans and Project Manual for the Temporary Library project located at 50 W. Olive Avenue, Unit B, and advertise for bids on the project.

12. **Authorization to Advertise for Bids - Equipping of Well #37**
Re: Consideration to approve Plans and Project Manual for the Equipping of Well #37 Project located on the south side of River Springs Avenue at Belmont Street (the southeast corner of Summit Estates II subdivision), and advertise for bids on the project.
13. **Acceptance of Project - Various Water Projects**
Re: Consideration to accept the project as completed by Todd Companies, which consisted of the installation of a new water main and the removal and replacement of all existing water meters at D Street between Putnam Avenue and Oak Avenue, the connection onto Olive Avenue from Lotas Street, and North Avenue from Main Street to Second Street.
14. **Assignment of Airport Lease and Consent to Sublet - Lot No. 34E**
Re: Consideration to approve the Assignment of Lease for Lot No. 34E at the Porterville Municipal Airport from Glenn Ricketson to Mike Quatacker and Debbie Quatacker; and authorize the Lessee, Mike Quatacker and Debbie Quatacker, to sublet airport hanger on Lot No. 34E to Jason Malcolm effective July 1, 2021 and expiring June 30, 2022.
15. **Consent to Sublet - Lot No. 30 A1, A2 and A3 at the Porterville Municipal Airport**
Re: Considering approval to authorize the Lessee, Matt Quatacker, Mike Quatacker and Debbie Quatacker, to sublet airport hanger Lots 30 A1, A2 and A3 at the Porterville Municipal Airport to Wings Aloft Incorporated, expiring July 31, 2023.
16. **Authorization to Participate in Cooperative Purchasing Programs on Existing Asphalt Contracts**
Re: Considering authorization to purchase asphalt mix utilizing the contract between the County of Tulare and Jaxon Enterprises.
17. **Engineer's Reports and Setting of a Public Hearing for Establishing Lighting and Landscape Maintenance Districts and Tax Assessments for Parcels Within Summit Estates II Phase 2, and Royal Oaks.**
Re: Consideration to adopt the draft Resolution Ordering the Proceedings for Formation of Landscape and Lighting Maintenance District Numbers 55 and 56, and ordering the preparation of the Engineer's Reports; adopt a draft Resolution Giving Preliminary Approval to the Engineer's Reports; and adopt a draft Resolution Declaring Intent to Form Districts, Levy, and Collect Assessments and Setting a Public Hearing for July 20, 2021.
18. **Striping Program for 2021-2022**
Re: Consideration to authorize staff to secure annual striping contractor services for the Fiscal Year 2021-2022 Street Maintenance and Overlay Program.
19. **Annual Hauling Services for Asphalt Maintenance Program**
Re: Authorization to secure annual hauling contractor services for the Fiscal Year 2021-2022 Capital Improvement Projects Overlay Program.
20. **Asphalt Grinding Program Fiscal Year 2021-2022**
Re: Consideration to authorize staff to secure annual grinding contractor services for the Fiscal Year 2021-2022 Street Maintenance and Overlay Program.
21. **Request for Approval of The Cold Mix Asphalt Overlay Program 2021-2022**
Re: Considering approval of the 2021-2022 Asphalt Overlay Program and authorizing the expenditure of \$1,000,000.
22. **Request for Approval of the Street Sections for the Fiscal Year 2021-2022 Asphalt Hot**

Mix Program

Re: Considering approval of the 2021-2022 Asphalt Hot Mix Program locations.

23. Laboratory Instrument Service Contracts

Re: Considering approval of a one year service contract with Agilent Technologies (\$9,276), and Thermo Electron North America LLC (\$11,715) for a total amount of \$20,991 for instrument technical support at the City laboratory.

24. SCADA Programming and Configuration - Digester Rehabilitation Project

Re: Authorization for Tesco Controls as the Wastewater Treatment Facility (WWTF) contracted systems integrator, to configure statuses and alarms into the WWTF SCADA system for a do not exceed amount of \$35,849.

25. Request for Approval to Apply for Bureau of Justice Assistance FY2021 Edward Byrne Memorial Justice Assistance Grant

Re: Considering approval to file a grant application for \$16,231 in funds from the Edward Byrne Memorial Justice Assistance Grants Program for the purchase of a new tactical pole camera and thermal imager for utilization during critical incidents.

26. Consideration of Tulare County Junior Livestock Show and Community Fair Addendum No. 4

Re: Consideration to approve Addendum No. 4 of the Tulare County Junior Livestock Show and Community fair License and Development Agreement.

27. Consideration to Housing and Community Development Permanent Local Housing Allocation Program

Re: Consideration to approve and adopt the Draft Resolution repealing and replacing Resolution 04-2021, in support of the submission of the second year funding streamlined application and amendment to first year funding to the State of California, Department of Housing and Community Development Permanent Local Housing Allocation Program.

28. City Council Member Requested Agenda Item - Review of Enforcement of Code Provisions Concerning the Parking of Recreational Vehicles and Boats in Residential Areas

Re: Consideration of a request by Mayor Reyes to add an item onto the next Council Agenda to consider enforcement of municipal code provisions regarding RVs and boats parked within residential neighborhoods.

29. City Council Member Requested Agenda Item - Review of Sign Ordinance

Re: Consideration of a request made by Vice Mayor Flores to review the City's sign Ordinance for potential amendments.

30. 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**31. Consideration of an Ordinance of the City Council of the City of Porterville**

Approving a Development Agreement between the City of Porterville and Coast to Coast Caregivers Corp. dba Culture Cannabis Club and Jovita Franklin Relating to the Development of a Retail Cannabis Dispensary

Re: Consideration to conduct the Public Hearing and consider public testimony; and approve and give first reading to an Ordinance of the City Council of the City of Porterville Approving a Development Agreement between the City of Porterville and Coast to Coast Caregivers Corp. dba Culture Cannabis Club and Jovita Franklin.

32. Consideration of an Ordinance of the City Council of the City of Porterville Approving a Development Agreement between the City of Porterville and Haven #7 LLC Relating to the Development of a Retail Cannabis Dispensary

Re: Consideration to conduct the Public Hearing and consider public testimony; and approve and give first reading to an Ordinance of the City Council of the City of Porterville Approving a Development Agreement between the City of Porterville and Haven #7 LLC.

SCHEDULED MATTERS

33. Consideration of Permit for Relief of Noise Ordinance for Strategic Industry

Re: Consideration to request for relief from Strategic Industry to conduct construction activities of pouring concrete from 3:00 A.M. to 7:00 A.M. on Tuesday, July 13, 2021, that exceed the maximum noise level permitted.

34. Appeal of Community Development Financial Assistance Review Committee Denial of CDBG-CV Forgivable Business Loan For Black Bear Diner Porterville LP/SJVC

Appeal of Community Development Financial Assistance Review Committee Denial of CDBG-CV Forgivable Business Loan For Black Bear Diner Porterville LP/SJVC

35. Adoption of Annual Appropriation Limit

Re: Consideration to approve the attached draft Resolution adopting the appropriation limit of \$82,650,411 for the 2021-2022 Fiscal Year.

36. 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 July 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.