



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JULY 20, 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, July 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 July 20th, 2021

Please use the following link below to join the webinar:

<https://zoom.us/j/91475742841?pwd=OVd4RHNvb1g2bFZmbmVnL1gxNUtHQT09>

Or via Telephone: **1-669-900-6833** Webinar ID: **914 7574 2841** Passcode: **021517**

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 the Scheduled Matter or any matter scheduled for Closed Session. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

SCHEDULED MATTER

1. Administration of Oath of Office and Seating of New City Council

Re: Swearing in Lawana Tate as a new City Council Member representing District One.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

**1 - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 38 E. Cleveland Avenue. Agency Negotiator: John Lollis.**

Negotiating Parties: City of Porterville and Pacheco Mary (TR) (P Bypass TR). Under Negotiation: Terms and Price.

2 - 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.

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 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 management employees.

5 - 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.

6 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel –

Anticipated Litigation – Significant Exposure to Litigation: Eight (8) cases in which facts are not yet known to potential plaintiffs.

7 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel –

Anticipated Litigation – Initiation of Litigation: Three (3) cases.

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

Pledge of Allegiance Led by

Invocation

PRESENTATIONS

Census Bureau

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) - July 7, 2021
2. Eastern Tule Groundwater Sustainability Agency - July 9, 2021
3. Tulare County Water Commission - July 12, 2021
4. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - July 15, 2021
5. Tulare County Regional Transit Agency (TCRTA) - July 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 (summer hiatus)
 2. Library & Literacy Commission (summer hiatus)
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission (summer hiatus)
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 - 2021 Fireworks Enforcement Review
 - Water Conservation Phase III 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.

2. **Authorization to Purchase Specialized Equipment - Mixing Pump Volute**
Re: Consideration of authorization to purchase a new volute for Digester #1 mixing pump at a cost not to exceed \$10,220.
3. **Authorization to Repair Transit Vehicle #8104**
Re: Consideration to rescind Council Minute Order 07-070621 and authorize Golden State Paint and Body to repair the transit vehicle at a cost not to exceed \$5,000.
4. **Award of Contract - On-Call Escrow and Title Services**
Re: Considering authorization to negotiate a contract for on-call escrow and title services

with First American Title for a period of five years.

5. **Approval of Annual Service Agreement with RouteMatch**
Re: Consideration to authorize the purchase of the annual cloud-based hosting, technical support, and licensing from RouteMatch, in the amount of \$63,813.80.
6. **Resolution Approving the Application for Statewide Park Development and Community Revitalization Program Grant Funds**
Re: Consideration to adopt a draft Resolution approving the City's application for Statewide Park Development and Community Revitalization Program Grant Funds.
7. **Approval of Resolution to Execute the Airport Coronavirus Response Grant Program (ACRGP) Grant Agreement for the Porterville Municipal Airport**
Re: Consideration to approve draft Resolution authorizing the Finance Director to execute the ACRGP Grant Agreement for the Porterville Municipal Airport.
8. **Acceptance of the Selective Traffic Enforcement Program (STEP) Grant**
Re: Consideration to accept the STEP Grant from the California Office of Traffic Safety in the amount of \$100,000; and authorize a budget adjustment for the Police Department in the Special Safety Grants Fund for the 2021-2022 Fiscal Year in the amount of \$100,000.
9. **Acceptance of the California Office of Traffic Safety Records Improvement Project Grant**
Re: Consideration to accept the Traffic Records Improvement Grant from the California Office of Traffic Safety in the amount of \$60,000; and authorize a budget adjustment for the Police Department in the Special Safety Grants Fund for the 2021-2022 Fiscal Year in the amount of \$60,000.
10. **Preliminary Annual Engineer's Report of Assessments for Landscape and Lighting Maintenance Districts and Setting a Public Hearing**
Re: Considering approval of Resolutions ordering the preparation of an Engineer's Report for the Landscape and Lighting Maintenance Districts for the 2021-2022 Fiscal Year; giving preliminary approval to the Engineer's Report for the Landscape and Lighting Maintenance Districts for the 2021-2022 Fiscal Year; and declaring the intent to levy and collect assessments for the 2021-2022 Fiscal Year, and scheduling a Public Hearing for August 3, 2021.
11. **Sewer Utility Districts Annual Assessments Fiscal Year 2021-2022**
Re: Consideration to adopt draft Resolutions ordering the continued sewer district assessments for the 2021-2022 tax year for Districts 458, 455 A, 459 A & C, and 456 A, B & C and E. Henderson Avenue.
12. **Amendment to Employee Pay & Benefit Plan - Fire Officers Series**

Re: Considering approval of a Resolution amending the Employee Pay and Benefit Plan pertaining to the Fire Officer Series employees.

13. 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

14. Modification to Conditional Use Permit PRC 2021-019 Arco Car Wash

Re: Consideration to adopt the draft Resolution approving Modification No.1 of Conditional Use Permit (PRC 2011-024-C) to allow the development of a self-serve automated car wash facility to be located at 700 S. Jaye Street as part of the existing ARCO/AMPM convenience store and service station.

15. Establishing Landscape and Lighting Maintenance Districts and Tax Assessments for Parcels Within Summit Estates II Phase 2 and Royal Oaks

Re: A Public Hearing to receive public comment on establishing Landscape and Lighting Maintenance District Numbers 55 and 56; and consideration of a draft Resolution approving the Engineers Report and assessment method.

SECOND READINGS

16. Second Reading - Ordinance No. 1886 - 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: Giving Second Reading of Ordinance 1886, an Ordinance 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 located at 230-232 N. Main Street, Porterville, California.

17. Second Reading - Ordinance No. 1887 - Approving a Development Agreement Between the City of Porterville and Haven #7 LLC

Re: Giving Second Reading of Ordinance 1887, an Ordinance approving a Development Agreement Between the City of Porterville and Haven #7 LLC relating to the development of a retail cannabis dispensary located at 1 W. Morton Avenue, Porterville, California.

SCHEDULED MATTERS

18. Approval for Community Civic Event - Porterville Chamber of Commerce - KJUG Concert Series 2021 - July 22, 2021 and a Date to be Determined in August 2021

Re: Considering approval of an event to take place at Centennial Park on Thursday, July 22, 2021 and another date yet to be determined in August 2021.

19. Approval for Community Civic Event - Dolores C Huerta Foundation - Ayudemos A Nuestros Hijos - July 23, 2021

Re: Considering approval of an event to take place at Veterans Park, Pavilion #2, on July 23, 2021, from 5:30 P.M. to 9:00 P.M.

20. Bid Results - Public Safety Building Storage Project

Re: Consideration to award the Public Safety Building Storage Project located at 980 S. Jaye Street, to S&B Sons, Inc. in the amount of \$158,000.

21. Designation of Voting Delegate and Alternates for League of California Cities Annual Conference - September 22-24, 2021

Re: Designation of a voting delegate, and up to two alternates, to vote on items before the League, and to participate in the annual business meeting scheduled for Friday, September 24, 2021, during the Conference at the Sacramento Convention Center.

22. Consideration of Council Appointments to Boards and Committees

Re: Considering appointments of Council Members to various boards and committees.

23. Review of Sign Ordinance

Re: Consideration to review the City's Signs Ordinance for potential amendments.

24. Review of Enforcement of Municipal Code Provisions Concerning the Parking of Recreational Vehicles and Boats in Residential Areas

Re: Consideration of enforcement of municipal code provisions concerning recreational vehicles and boats parked within residential neighborhoods.

25. 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 August 3, 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.