



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 19, 2021, 5:30 PM**

Pursuant to the provisions of Assembly Bill 361, signed into law by Governor Newsom on September 16, 2021, 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 live streamed on YouTube at <https://www.youtube.com/channel/UC5KuhSrNMNL9nwHJVtnJwA>

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

Topic: City Council Meeting of October 19, 2021

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/87258912699?pwd=amZQVUNyWFQ4VkRlUUtCRGhYNmN0dz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **872 5891 2699** Passcode: **941773**

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: APNs: 302-100-015, 302-130-028, 302-130-007, and 302-130-008. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Friant Water Authority. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 302-110-032. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and SV Farms LLC. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 302-130-030 and 302-130-010. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Mark C. and Virginia

Jaggers. 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, Management and Confidential Series, Porterville City Employees Association, Public Safety Support Unit, 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: Four (4) cases in which facts are not yet known to potential plaintiff.

7 - 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 Mayor Reyes

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.

AB 1234 REPORTS

This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Tulare County Economic Development Corp. (TCEDC) - September 22, 2021
2. Local Initiatives Navigation Center Committee (LINC) and Services Event - October 6, 2021
3. Meeting with State Senator Hurtado - October 7, 2021
4. Eastern Tule Groundwater Sustainability Agency Board Meeting - October 7, 2021

5. Tulare County Water Commission - October 11, 2021
6. COVID Ad Hoc Committee - October 15, 2021
7. Tulare County Association of Governments/ Tulare County Transportation Authority (TCAG/TCTA) - October 18, 2021
8. Tulare County Regional Transit Agency (TCRTA) - October 18, 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 - October 7, 2021
 2. Library & Literacy Commission - October 12, 2021
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission - October 13, 2021
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports

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.

1. **City Council Minutes of June 15, 2021**
Re: Considering approval of the City Council draft Minutes of June 15, 2021.
2. **Authorization to Advertise for Bids - Sewer Annexation Area 475**
Re: Consideration to approve staff's recommended Plans and Project Manual for the Island Annexation Sewer Project - Area 475 which is generally bound by Pioneer Avenue to the north, Henderson Avenue to the south, Indiana Street to the west, and will connect various locations to the east and west of Main Street; authorize staff to advertise for bids; and authorize the City Engineer to negotiate construction surveying services.
3. **Authorization to Purchase Self-Contained Breathing Apparatus (SCBA) Equipment**

Re: Consideration to authorize the purchase of Self-Contained Breathing Apparatus (SCBA) equipment from All-Star Fire Equipment in an amount not to exceed \$77,684.97.

4. Budget Augmentation - Digester Project

Re: Consideration to authorize the augmentation of the projects funds by an additional \$200,000 from the Wastewater Treatment Facility Reserve Funds.

5. Authorization of Agreement Renewal Between the City of Porterville and Porterville Mural Committee for the Marching Through Time Mural

Re: Consideration to authorize the Agreement renewal between the City of Porterville and Porterville Mural Committee.

6. 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

7. Consideration of Development Ordinance Amendment - Downtown Retail South of Olive Avenue

Re: Consideration to approve a Development Ordinance amending Sections 202.01 and 202.02 of the Porterville Development Ordinance regarding the DR-S Zone District.

8. Consideration of Olive Avenue and Lotas Street Commercial Development Conditional Use Permit Modification #2

Re: Considering a modification to CUP 2016-040 concerning the commercial development anchored by Smart & Final Extra on Olive Avenue at Lotas Street.

9. Consideration of Conditional Use Permit for Chevron ExtraMile PRC 2020-027

Re: Consideration to adopt the draft Resolution approving the Conditional Use Permit (PRC 2020-027-C) for Chevron ExtraMile

10. Budget Adjustment/Citizens' Option for Public Safety (COPS) Funding

Re: Consideration to adopt a draft Resolution accepting the Citizens' Option for Public Safety grant funds and approving a budget adjustment increasing the Police Department's Patrol Division budget by \$100,000 to support said costs.

SCHEDULED MATTERS

11. Consideration of Appointments to the Parks & Leisure Services Commission

Re: Considering the appointment of individuals to the Parks & Leisure Services Commission.

12. Consideration of Appointments to the Library & Literacy Commission

Re: Considering appointment of individuals to the Library and Literacy Commission.

13. **Consideration of Appointment to the Arts Commission**
Re: Considering the appointment of Maria Menga to the Arts Commission to a term to expire in July 2023.
14. **Request for Street Closure**
Re: Consideration of request from the Porterville Military Academy to close Porter Road on Wednesday, October 27, 2021, from 5:00 PM to 9:00 PM in support of a planned school event.
15. **Proposition 68 Per Capita Grant Program (Sports Complex and Veterans Park)**
Re: Consideration to provide direction on a project for the Proposition 68 Per Capita Grant Program.
16. **American Rescue Plan Act (ARPA) Funding Proposal Request**
Re: Consideration of the request for federal ARPA funds from Self-Help Enterprises and UPHoldings.
17. **Internal City Audit Committee - Porterville Chamber of Commerce Agreement Review**
Re: Consideration of recommendations of the Internal City Audit Committee for modifications to the City's Agreement with the Porterville Chamber of Commerce.
18. **Consideration of Proposals for 2020 Census Redistricting Services for Council Member Districts**
Re: Consideration of proposals for redistricting services.
19. **New Porterville Rescue Mission Update**
Re: Consideration of the report and to provide direction as deemed appropriate.
20. **Resolution of Support for Water Infrastructure Funding Act of 2022**
Re: Consideration of a draft Resolution in support of the Water Infrastructure Funding Act of 2022.
21. **City Billboard Regulations**
Re: Reviewing City signage regulations pertaining to billboards within the City of Porterville.
22. **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 November 2, 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.