



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 1, 2022, 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/UC5KuhSrNMNL9nwHJVtnJvvA>

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

Topic: City of Porterville - City Council Meeting of March 1, 2022

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/83661015643?pwd=Yy9iYUhrOXRXNDVDTzVFWGpaS1FSZz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **836 6101 5643** Passcode: **842120**

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: 302-130-030 and 302-130-010. Agency Negotiator: John Lollis and Michael Knight. Negotiating Parties: City of Porterville and Marck C. and Virginia Jagers. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Porterville City Employees Association, Management & Confidential Series; Public Safety Support Unit; Porterville Peace Officers Association; Porterville City Firefighters Association; Fire Officer Series; and all unrepresented management employees.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Xouzie Rodriguez. Agency claimed against: City of Porterville.

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: Four (4) 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.

7 - Government Code Section 54957 – Threat to Public Services or Facilities - Consultation with: Chief Jake Castellow, Porterville Police Department.

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

Pledge of Allegiance Led by Council Member Stowe

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. Cal Cities Policy Committee - February 10, 2022
2. Mighty 190 Committee - February 16, 2022
3. Tulare County Homeless Task Force - February 16, 2022
4. San Joaquin Valley Air Pollution Control District (SJVAPCD) - February 17, 2022
5. Library Facility Planning Committee - February 17, 2022
6. Tulare County Economic Development Corporation (TCEDC) Economic Summit - February 18, 2022
7. Tulare County Economic Development Corporation (TCEDC) Board - February 23, 2022
8. Cannabis Ad Hoc Committee - February 23, 2022
9. Eagle Mountain Casino Relocation Meeting - February 25, 2022
10. Porterville Area Development Authority - February 25, 2022

11. Tulare County Association of Governments (TCAG)/Tulare County Transportation Authority - February 28, 2022
12. Tulare County Regional Transit Agency (TCRTA) - February 28, 2022

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. **Authorization to Purchase New Patrol Apparatus for the Fire Department**
Re: Consideration to authorize the purchase of a new patrol apparatus along with additional tools and equipment from Boise Mobile Equipment for a total cost of \$323,618.74
2. **Airport Restaurant Lease Agreement - Amendment No. 1**
Re: Consideration to approve Amendment No. 1 to the Operating and Lease Agreement between the City of Porterville and Debie Fittro for the restaurant at the Porterville Municipal Airport.
3. **Consideration of a Request for an Extension to Conditional Use Permit (PRC 2019-035-C)**
Re: Consideration to adopt the draft Resolution approving the requested one-year extension of Conditional Use Permit (2019-035-C) to conditionally allow the development of a hotel located at 1106 W. Henderson Ave in the CR (Retail Centers) zone district.
4. **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

5. **Public Hearing for the Review and Adoption of the 2020 Urban Water Management Plan**
Re: Conduct a Public Hearing for the review and adopt the draft Resolution adopting the 2020 Urban Water Management Plan.
6. **Consideration of the Brookside Subdivision Project**
Re: Consideration to adopt the draft Resolution certifying the EIR and adopting the mitigation monitoring and reporting program; adopt the draft resolution amending the General Plan to reflect the Land Use designation of the site as Low-Density Residential; introduce and give first reading to a draft ordinance for rezoning the respective portions of the Site to the RS-2 Low-Density Residential District and the PS Public and Semi-Public District; adopt a draft resolution approving the conditional use permit; adopt a draft resolution approving the tentative subdivision map, and adopt a draft Resolution requesting that Tulare LAFCo initiates proceedings for annexation for the Brookside Subdivision Project.
7. **Minor Conditional Use Permit for Stanton Optical**

Re: Consideration to adopt the draft Resolution approving the Minor Conditional Use Permit for Stanton Optical located at 940 W. Henderson Ave.

8. Consideration of Mitigated Negative Declaration for Development of Water Basin

Re: Consideration to adopt the draft Resolution approving the Mitigated Negative Declaration of Environmental Impact on the Proposed Casino Basin Construction Project.

SECOND READINGS

9. Second Reading - Ordinance 1889, An Ordinance Adjusting the Boundaries of City Council Districts

Re: Giving Second Reading of Ordinance 1889, Amending Exhibit A to Section 2-1.3 of Chapter 2, Article I, of the Porterville Municipal Code adjusting the Boundaries of City Council Electoral Districts.

10. Second Reading - Ordinance 1890, An Ordinance Approving Changes to Chapter 13- Garbage and Refuse of the Porterville Municipal Code

Re: Giving Second Reading of Ordinance 1890, an Ordinance approving Changes to Chapter 13 - Garbage & Refuse of the Porterville Municipal Code.

SCHEDULED MATTERS

11. Consider Municipal Code Dog Leash Requirements

Re: Consider and review the City's Code for dog leash requirements.

12. 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 March 15, 2022

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.