



**ADJOURNED REGULAR
CITY COUNCIL MEETING AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MONDAY, JUNE 6, 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/UC5KuhSrNMNL9nwHJVtnJvA>

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

Topic: City of Porterville – Adjourned Regular City Council Meeting of Monday, June 6, 2022

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/89323291200?pwd=TDZxOVRaeWVLcHBJQTUzdjVUd1lDdz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **893 2329 1200** Passcode: **371334**

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: 261-130-004. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Cornerstone Main Partners II, L.P. 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 Peace Officers Association, Management & Confidential Series, Public Safety Support Unit, Porterville City Employees Association, Porterville City Firefighters Association, Fire Officer Series, and all unrepresented management employees.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Patrick Padma. Agency claimed against: City of Porterville.

4 - Government Code Section 54956.95 – Liability Claim: Claimant: Cecilia Chavez. Agency claimed against: City of Porterville.

5 - Government Code Section 54956.95 – Liability Claim: Claimant: Bertha Loretta Stroud. Agency claimed against: City of Porterville.

6 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: John Duran v. City of Porterville, U.S. District Court, Eastern Div., Case No. 1:22-CV-00614-DAD-SAB.

7 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Six (6) 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: One (1) case.

9 - Government Code Section 54957 -- Public Employee Performance Evaluation -- Title: City Manager.

10 - Government Code Section 54957 -- Public Employee Performance Evaluation -- Title: City Attorney.

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

Pledge of Allegiance Led by Vice Mayor Carrillo
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 Homeless Task Force - May 18, 2022
- 2 - Council of Cities - May 18, 2022
- 3 - California Transportation Commission Reception - May 18, 2022
- 4 - Tulare County Regional Transit Agency - May 18, 2022
- 5 - San Joaquin Valley Air Pollution Control District Board - May 19, 2022
- 6 - Eagle Mountain Casino Relocation Committee - May 19, 2022
- 7 - Library Facility Planning Committee - May 19, 2022
- 8 - Fire Department Badge Pinning Ceremony - May 20, 2022

- 9 - Tulare County Economic Development Corporation Board - May 25, 2022
- 10 - Eagle Mountain Casino Relocation Committee - May 26, 2022
- 11 - KJUG Free Summer Concert - May 26, 2022
- 12 - Military Banner Ceremony - May 27, 2022
- 13 - Tule River Tribal Council Meeting - May 31, 2022
- 14 - San Joaquin Valley Air Pollution Control District Special City Selection Committee - May 31, 2022
- 15 - Eagle Mountain Casino Relocation Committee - June 2, 2022
- 16 - Eastern Tule Groundwater Sustainability Agency - June 2, 2022

REPORTS

This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

I. Staff Informational Reports

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 Oil for Compressed Natural Gas Compressors**
Re: Consideration to authorize synthetic lubricant from Archrock at a cost not to exceed \$7,000.
2. **Authorization to Purchase a Tractor, Mower and Scraper for the Airport**
Re: Consideration of the council to authorize the purchase of a tractor, mower, and scraper for the Porterville Municipal Airport in the amount of \$22,536.11 from Farmers Tractor & Equipment Co.
3. **Authorization to Purchase Transit Bus Advertising for the Temporary Library Opening**
Re: Consideration to authorize staff to accept \$3,000.00 from the Friends of the Library, and to utilize \$3,184.64 from the Library's General Fund advertising budget to cover transit bus advertisement.
4. **Approval to Renew Microsoft Office 365 Government G1 Software Subscription**
Re: Consideration to approve the renewal of the Microsoft Enterprise Agreement for Office 365 Government G1 software subscription from CDW-G for a term of three years in the amount of \$91,568.19.
5. **Authorization to Award - Island Annexation Area 476 Sewer Project**

Re: Consideration to award the Island Annexation Area 476 Sewer Project, generally bound by Plano Street to the east and Gibbons Avenue to the south, to EverLevel Holding, LLC in the amount of \$2,458,485.

6. Authorization to Award Contract - Island Annexation Area 474B Sewer Project

Re: Consideration to award the Island Annexation Area 474B Sewer Project, generally bound by North Grand Avenue to the south, Douglas Street to the east, and Newcomb Street to the west, to Todd Companies in the amount of \$2,145,750.

7. Acceptance of Project - Digesters 2 and 3

Re: Consideration to accept the Digester 2 and 3 Project as complete.

8. Authorization to Approve - Laboratory Instrument Service Contract

Re: Consideration to approve the service contract with Thermo Electron North America LLC for three years.

9. Renewal of Airport Lease Agreement - Lot No. 46B

Re: Consideration to approve the renewal of the Lease Agreement between the City of Porterville and Mike Quatacker and Debbie Quatacker for Lot No. 46B at the Porterville Municipal Airport for a term of ten (10) years.

10. Renewal of Airport Lease Agreement and Consent to Sublet - Lot No. 9

Re: Consideration to approve the renewal of the Lease Agreement between the City and Arrow Falcon Exporters, Inc. for Lot No. 9 at the Porterville Municipal Airport for a term of two years; and authorize the lessee, Arrow Falcon Exporters, Inc. to sublet airport hangar on Lot No. 9 at the Porterville Municipal Airport to Burton School District beginning on July 1, 2022, and expiring on June 30, 2024.

11. Consent to Sublet - Lot No. 10

Re: Consideration to authorize the Lessee, Arrow Falcon Exporters, Inc to sublet the airport hangar on Lot No. 10 at the Porterville Municipal Airport to Burton School District beginning on July 1, 2022, and expiring on June 30, 2024.

12. 2020 Permanent Local Housing Allocation (PLHA) RFP Funding Recommendations

Re: Consideration to award Turning Point of Central California in the amount of \$133,186.25 (25% of 2020 PLHA allocation) for the Navigation Center, \$144,547.20 (27% of PLHA 2020 allocation) for Emergency Housing, \$53,274.50 (10% of PLHA 2020 allocation) for PSH operation support; and award Central California Family Crisis Center in the amount of \$175,099.80 (33% of 2020 PLHA allocation).

13. Department of Finance Population Update

Re: Consideration of the request for State certification for the City of Porterville, January 1, 2021, at a population of 62,345.

14. Reaffirm Conditions of State Assembly Bill 361 to Continue Remote Attendance at Public Meetings

Re: Consider adoption of a draft Resolution consistent with AB 361 to continue to allow remote attendance at public meetings.

15. 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

16. **Consideration of Conditional Use Permit to Establish a Nursery at 180 South E Street**
Re: Consideration to adopt the draft Resolution approving the Conditional Use Permit to establish the use of a nursery for Sunburst Packing Company located at 180 South E Street.
17. **Public Health Goal Report**
Re: A Public Hearing to receive comments in regard to the City's Public Health Goal Report, which was established by the Cal-EPA's Office of Environmental Health Hazard Assessment (OEHHA) and intended to inform the public of drinking water contaminants that exceed the Public Health Goal set by Cal-EPA.

SCHEDULED MATTERS

18. **Consideration of Appointment to the Animal Control Commission**
Re: Considering the appointment to the Animal Control Commission.
19. **Bid Results - Island Annexation Area 457 Sewer Project**
Re: Consideration to award the Island Annexation Area 457 Sewer Project, which is generally bound by State Route Highway 65 to the west, State Route Highway 190 to the north, and Chess Terrace Street to the east, to Bill Nelson Construction for the amount of \$1,797,530.
20. **Consideration of Proposed Fiscal Year 2022-2023 Budget and Setting of Date for Public Hearing**
Re: Consideration of the Council to consider the proposed 2022-2023 Fiscal Year Budget, providing any direction on modifications; and schedule the Public Hearing on the Proposed Budget for Monday, June 20, 2022.
21. **City Draft Pension Funding Policy and Pension Obligation Bond Validation Suit**
Re: Consideration of a draft Resolution to establish a City Pension Funding Policy and a Resolution authorizing the filing of a Pension Obligation Bond validation suit.

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 Monday, June 20, 2022 at 5:30 P.M.

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.