



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JULY 19, 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 – City Council Meeting of Monday, July 19, 2022

Please use the following link below to join the webinar:
<https://us06web.zoom.us/j/88411768958?pwd=aUhjV0dCK0puaHVIUkxCWFk1S1FKdz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **884 1176 8958** Passcode: **336528**

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, Public Safety Support Unit, Porterville City Employees Association, Porterville City Firefighters Association, Fire Officer Series, Management & Confidential Series, and all unrepresented management employees.
- 2** - Government Code Section 54956.95 – Liability Claim: Claimant: Cecelia Nunez. Agency claimed against: City of Porterville.
- 3** - Government Code Section 54956.95 – Liability Claim: Application for Leave to Present a Late Claim for Damages. Claimant: Rhiannon Roulston. Agency claimed against: City of Porterville.

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

5 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Southern California Edison Company v. California State Board of Equalization, et al., Orange County Superior Court Case Nos. 30-2022-01258109-CU-MC-CJC, and 30-2022-01258057-CU-MC-CJC2022648.

6 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Five (5) 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: Two (2) cases.

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

9 - 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 Council Member Tate

Invocation

PRESENTATIONS

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. KJUG Free Summer Concert - June 21, 2022
2. Tulare County Economic Development Corporation (TCEDC) - June 22, 2022
3. Tulare County Regional Transit Agency (TCRTA) - June 22, 2022
4. San Joaquin Valley Regional Action Planning (SJV-REAP) Committee - June 24, 2022
5. Tulare County Association of Governments (TCAG)/Tulare County Transportation Authority (TCTA) - June 27, 2022
6. Police Officer Badge Pinning Ceremony - July 1, 2022
7. Temporary Library Grand Opening - July 1, 2022
8. Freedom Fest - July 2, 2022

9. Local Initiatives Navigation Center (LINC) Committee - July 6, 2022
10. Eastern Tule Groundwater Sustainability Agency - July 7, 2022
11. Tule River Improvement Joint Powers Agreement Agency (TRIIPA) Board Meeting - July 11, 2022
12. Tule River Tribe ATP Plan - July 11, 2022
13. Tulare County Water Commission - July 11, 2022 (Canceled)
14. Internal City Audit Committee - July 13, 2022
15. Porterville Area Development Authority - July 15, 2022
16. TCAG/TCTA Board - July 18, 2022 (Canceled)

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 - June 28, 2022
 4. Animal Control Commission
 5. Youth Commission - Summer Hiatus
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update - June 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 Equipment - Digester #4 Valves**
Re: Consideration to authorize the purchase of digester #4 valves from Frank Olsen Company for an amount not to exceed \$30,000 which includes valves, taxes, freight, and a ten percent (10%) contingency.
2. **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 2022-2023 Fiscal Year, up to but not to exceed \$480,000.
3. **Authorization to Purchase Water Shares or Surface Water for Groundwater Recharge**
Re: Consideration to authorize the purchase of water shares or surface water during the 2022-2023 Fiscal Year up to \$500,000.

4. **Authorization to Repair Police Patrol Vehicle**
Re: Consideration to authorize Police Patrol vehicle repair by Porterville Chrysler at a cost not to exceed \$6,425.
5. **Authorization to Purchase by Negotiation Equipment Scheduled for Replacement**
Re: Consideration to approve the purchase by negotiation of the equipment listed and authorize payment for said equipment upon satisfactory delivery.
6. **Authorization for Specialized Services - AllMax Software Custom Report Work**
Re: Consideration to award the software custom report work to AllMax Software for an amount not to exceed \$23,975.
7. **Authorization to Distribute Request for Qualifications for On-Call Consulting Services**
Re: Consideration to authorize staff to distribute a Request for Qualifications for On-Call Consulting Services.
8. **Authorization to Distribute Request for Proposals for Local Early Action Planning South of Tule River Specific Plan Consultant Services**
Re: Consideration to authorize the release of the Request for Proposals for the preparation of Circulation and Land Use Elements for the draft South of Tule River Specific Plan.
9. **Acceptance of Project - Henderson Avenue Reconstruction**
Re: Consideration to approve the Henderson Avenue Reconstruction Project from Indiana Street to Jaye Street and Plano Street to Second Street as complete; and authorize additional funding in the amount of \$170,093.00 from Local Transportation Funds (LTF) to cover unforeseen extra work.
10. **Acceptance of Project - Fire Management Office Remodel Project**
Re: Consideration to accept the Fire Management Office Remodel Project located at 291 N. Main Street, as complete.
11. **Approval of Resolution Authorizing the Filing of Regional Surface Transportation Program Exchange Fund Claim for the Fiscal Year 2021-2022**
Re: Consideration to approve the draft Resolution authorizing the Finance Director to sign and submit the Fiscal Year 2021-2022 Regional Surface Transportation Program Exchange fund claim to the Tulare County Association of Governments on behalf of the City in the amount of \$688,471.
12. **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 2022-2023 Fiscal Year in the amount of \$100,000.
13. **Clean California Local Grant Program (State) Restricted Grant Agreement**
Re: Consideration to approve the agreement for the remodel and upgrades to the Santa Fe Byway Trail which is a Clean California Grant-funded project .
14. **Authorization to Negotiate Contract for Professional Services for Development Ordinance Update**
Re: Consideration to authorize staff to negotiate a contract with Provost & Pritchard Consulting Group to complete the comprehensive Development Ordinance update.

15. **Intent to Set a Public Hearing to Consider the Formation of a Sewer Utility District for Island Annexation Area 457**
Re: Consideration to set a Public Hearing for August 16, 2022, for consideration to form a Sewer Utility District Area 457; and approve the Engineer's Report for Sewer Utility Area 457.
16. **Sewer Utility Districts Annual Assessments Fiscal Year 2022-2023**
Re: Consideration to adopt the draft Resolution ordering the continued sewer district assessments for the 2022-2023 tax year.
17. **Consideration of Retail Recruitment Service Agreement**
Re: Consideration to negotiate and sign a contract with Buxton for a retail recruitment and mobile visitor's insights solution.
18. **Cooperative Agreement with Porterville College for Use of the Police Firing Range**
Re: Considering approval of agreement with Porterville College for utilization of the shooting range for their Reserve Police Officer training program.
19. **Joint Funding Agreement with Porterville Unified School District and Burton School District for School Resource Officers**
Re: Consideration to approve the agreements for Joint Funding for School Resource Officers for the period of July 1, 2022, through June 30, 2023.
20. **Joint Funding Agreement with Kern Community College District (Porterville College) for a Part-time Reserve Police Officer**
Re: Consideration to approve the Agreement for joint funding for a part-time Reserve Police Office for the period of July 1, 2022, through June 30, 2024.
21. **Request for Renewal of Accela PublicStuff Three Year Contract**
Re: Consideration to approve the renewal of Accela PublicStuff three-year contract.
22. **Renewal of HR Test Rental and Use Agreement Between City of Porterville and CPS HR Consulting**
Re: Consideration to authorize the two-year renewal of the Test Security Agreement with CPS HR consulting for the utilization of written examinations for use in the City's recruitment process.
23. **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.
24. **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

25. **Landscape and Lighting District Annual Assessments**
Re: Consideration of the City Council to conduct the Public Hearing on the 2022-2023 assessments for the Landscape and Lighting Maintenance Districts to take comments or receive protests on the proposed assessments, and adopt the draft Resolution ordering the

continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2022-2023 Fiscal Year.

SCHEDULED MATTERS

26. Consideration of Appointments to the Arts Commission

Re: Considering the reappointments of Emily Luna and Kyree Perkins to the Arts Commission to terms to expire in July 2025.

27. Consideration of Appointments to the Transactions and Use Tax Oversight Committee ("TUTOC")

Re: Considering reappointments of members and new appointments to the Transactions and Use Tax Oversight Committee.

28. Adoption of Annual Appropriation Limit

Re: Consideration to approve the draft Resolution adopting the appropriation limit of \$89,077,187 for the 2022-2023 Fiscal Year.

29. Designation of Voting Delegates and Alternates for League of California Cities 2022 Annual Conference

Re: Considering the designation of a voting member and alternates for the League of California Cities Annual Business Meeting to take place at the Annual Conference in Long Beach on September 7-9, 2022.

30. Consideration of Sponsorship of 2022 Tule River Tribe Powwow; Friday, September 9th - Sunday, September 11th, 2022

Re: Consideration of sponsorship of the 2022 Tule River Tribe Powwow, scheduled for Friday, September 9th through Sunday, September 11th, 2022, at the McCarthy Ranch (32657 Reservation Road).

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 2, 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.