



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 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 – City Council Meeting of September 6, 2022

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/84246351507?pwd=TVc3KzBDSTRxY2xncEMxdE5kTysvZz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **842 4635 1507** Passcode: **375695**

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 Donald Weyhrauch as a new City Council Member representing District Four.

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 City Employees Association, Public Safety Support Unit, Management and Confidential Series, Porterville Peace Officers Association, Fire Officer Series, Porterville City Firefighters Association, and all unrepresented management employees.

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Debra Mumaw. Agency claimed against: City of Porterville.

4 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three (3) cases in which facts are not yet known to potential plaintiffs.

5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One (1) case.

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

Pledge of Allegiance Led by Mayor Flores

Invocation

PRESENTATIONS

Employee of the Month - Jesus Gallardo

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 - August 17, 2022
2. Porterville College Convocation - August 18, 2022
3. Library Facility Planning Committee - August 18, 2022
4. Porterville Area Development Authority (PADA) Board - August 19, 2022 - CANCELLED
5. Visalia Rawhide "Porterville Night" Baseball Game - August 20, 2022
6. Tulare County Economic Development Corporation (TCEDC) Board - August 24, 2022
7. Internal City Audit Committee - August 24, 2022
8. Tulare County Regional Transit Agency (TCRTA) Board - August 24, 2022
9. Tulare County Association of Governments (TCAG) Coordination Meeting - August 25, 2022
10. Success Dam Spillway Groundbreaking - August 26, 2022
11. Police Department Badge Pinning Ceremony - September 1, 2022
12. Leadership Porterville Class Reception - September 1, 2022

13. Eastern Tule Groundwater Sustainability Agency (ETGSA) - September 1, 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.

2. **Authorization to Repair Off-Highway Vehicle Park Water Truck**
Re: Consideration and approval of repair to the OHV Water Truck emission system by E.M. Tharp, Inc. at a cost not to exceed \$19,852.
3. **Authorization to Repair Compressed Natural Gas Fueling Station**
Re: Consideration and approval to repair the CNG Fueling Station by ANGI Inc. at a cost not to exceed \$30,913.
4. **Authorization to Replace Traffic Signal Loops**
Re: Consideration of approval to replace and or repair traffic signal loops located at the intersections of Indiana Street and Putnam Avenue, Morton Avenue and D Street, Morton Avenue and Prospect Street, and Morton Avenue and Newcomb Street, by Loop Electric at a cost not to exceed \$22,407.
5. **Authorization to Award Contract - Animal Shelter Project**
Re: Considering award of contract in the amount of \$6,465,000 to AMG & Associates, Inc. for the Animal Shelter Project at 185 N. D Street.
6. **Authorization to Enter into an Agreement with CliftonLarsonAllen LLP for Financial Audit Services**
Re: Approving a Master Services Agreement (MSA) with CliftonLarsonAllen LLP (CLA) for professional services; the Statement of Work for the audit of the City's financial statements for the fiscal year ended June 30, 2022; the Statement of Work for the agreed-upon procedures for the review of the City's appropriations limit calculation for the fiscal year ended June 30, 2022; and authorizing the issuance of a RFP for Financial Audit Services for the succeeding fiscal years beginning with the fiscal year ending June 30, 2023.
7. **Authorization to Negotiate Consultant Contract - Fourth Street Community Center and Park**
Re: Consideration to negotiate a consultant contract for the Fourth Street Community Center and Park located at the southeast corner of Henderson Avenue and Fourth Street along the Santa Fe Byway Trail (formally known as Rails-to-Trails).
8. **Authorization to Execute Consultant Agreement With 4Creeks, Inc.**
Re: Consideration to authorize the execution of a Consultant Agreement for the Santa Fe Byway Trail (a Clean California Grant project), with 4Creeks, Inc; and for the non-infrastructure component of the project with the Climate Action Pathways through the Porterville Unified School District.
9. **Acceptance of Final Subdivision Map - Royal Oaks, Phase 2**
Re: Consideration to approve the final subdivision map of Royal Oaks, Phase 2, generally located along South Indiana Street, and north of Melinda Avenue.
10. **Final Ballot Results - Area 457 Sewer Utility District**

Re: Consideration to accept the voting results for Area 457 Sewer Utility District and adopt the draft Resolution approving the formation of Sewer Utility District No. 457.

11. **Authorization of Street Closure for Pioneer Days**
Re: Consideration to authorize the temporary street closure of Main Street from Morton to Putnam, and on Harrison, Thurman and Cleveland from Division to the alley just east of Main, on October 8, 2022, from 6:00 AM- 4:00 PM, during Pioneer Days.
12. **Approval of Community Civic Event - Central California Family Crisis Center, Inc. - 22nd Annual Domestic Violence Candlelight Vigil - October 20, 2022**
Re: Considering approval of an event to take place at Centennial Park on Thursday, October 20, 2022, from 4:00 p.m. to 8:30 p.m.
13. **City of Porterville Conflict of Interest Code - 2022 Biennial Report and Proposed Amendment**
Re: Accepting the Conflicts and Disclosure Monitor Agency 2022 Biennial Report.
14. **Amendment to Employee Pay and Benefit Plan - Porterville Peace Officers Association**
Re: Considering approval of a draft Resolution authorizing amendments to the Employees' Pay and Benefit Plan and other documents as may be necessary to implement the negotiated changes in salary and benefits for Porterville Peace Officers Association employees.
15. **Amendment to Employee Pay and Benefit Plan - Fire Officer Series**
Re: Considering approval of a draft Resolution amending the Employee Pay and Benefit Plan pertaining to the Fire Officer Series employees.
16. **Approval of Side Letter Agreement Concerning Porterville City Employees Association, Public Safety Support Unit, and Management & Confidential Series**
Re: Considering approval of a Side Letter Agreement for PCEA, PSSU and MCS employees concerning an amendment to the Employee Service Award benefit.
17. **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.
18. **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

19. **Formation of Sewer Utility District 474B**
Re: A Public Hearing to receive comments and accept ballots to consider the formation of a sewer utility district in the area generally north of West North Grand, east of Newcomb Avenue and west of Douglas Avenue.
20. **Formation of Sewer Utility District 475D**

Re: A Public Hearing to receive comments and accept ballots to consider the formation of a sewer district in the area generally north of Henderson Avenue, south of the Castle Avenue prolongation, west of Indiana Street, and east of Lime Street.

21. Formation of Sewer Utility District 476

Re: A public hearing to receive comments and accept ballots to consider the formation of a sewer utility district for the area generally located along Gibbons Avenue to the south, east of Jaye Street, along Plano Street to the east, and south of College Avenue.

22. Formation of Sewer Utility District 478B & 478C

Re: A public hearing to receive comments and accept ballots to consider the formation of a sewer utility district in the area generally located along W. North Grand Avenue to the north, east of Beverly Street and west to Main Street, and north of Pioneer Avenue (478B) and south of Harrison Avenue to the North, just south of Olive Avenue along Road 223 to the South, east of Road 222 and west of Westwood Avenue.

23. 2021-2022 Consolidated Annual Performance Evaluation Report (CAPER)

Re: Consideration of the 2021-2022 Consolidated Annual Performance Evaluation Report; and authorizing its submission to the Department of Housing and Urban Development.

24. Affirming Designation of Rule 20A Program Utility Undergrounding Project

Re: Consideration of a draft Resolution to affirm the designation of Morton Avenue between Main Street and Roche Street as the City's Rule 20A program utility undergrounding project.

SCHEDULED MATTERS

25. Consideration of City Council Appointments to Boards and Committees

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

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 September 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.