



**AMENDED CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 18, 2022, 5:30 PM**

Pursuant to the provisions of Assembly Bill 361, signed into law by Governor Newsom on September 16, 2021, 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 – Amended City Council Meeting of October 18, 2022

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/87412502836?pwd=UUFTdWFtSlAvdENyYnpFMXNSeHBLQT09>

Or via Telephone: **1-669-900-6833** Webinar ID: **874 1250 2836** Passcode: **122203**

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 and Jason Ridenour. Negotiating Parties: City of Porterville and Cornerstone Main Partners II, L.P. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 302-122-001. Agency Negotiator: John Lollis and Jason Ridenour. Negotiating Parties: City of Porterville and Lower Tule Irrigation District. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: A portion of 302-110-054. Agency Negotiator: John Lollis and Jason Ridenour. Negotiating Parties: City of Porterville and Tule River Tribe of California. Under Negotiation: Terms and Price.

4 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organization: Porterville Peace Officers Association.

5 - Government Code Section 54956.95 – Liability Claim: Claimant: Stephanie Felix. Agency claimed against: City of Porterville.

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

7 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Angelica Aldaco v. California Department of Transportation, et al., Tulare County Superior Court Case No. PCU293166.

8- 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.

9 - 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 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. Local Initiatives Navigation Center (LINC) Committee - October 5, 2022
2. Eastern Tule Groundwater Sustainability Agency Board - October 6, 2022
3. LINC Drive-Thru Dinner - October 6, 2022
4. Southern California Edison Multicultural Celebration - October 7, 2022
5. Cannabis Ad Hoc Committee - October 7, 2022
6. Pioneer Days - October 8, 2022
7. Tulare County Water Commission - October 10, 2022
8. Senator Hurtado Ceremonial Check Presentation - October 11, 2022
9. Transit Forum - October 12, 2022

10. LINC Committee - October 12, 2022
11. CalVans Board - October 13, 2022
12. Tulare County Association of Governments (TCAG) Sustainable Corridors Committee - October 13, 2022
13. TCAG/Tulare County Transportation Authority (TCTA) Board - October 17, 2022
14. Tulare County Regional Transit Agency (TCRTA) Board - October 17, 2022
15. Finca Serena Community Partner Meeting - October 18, 2022

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 6, 2022
 2. Library & Literacy Commission - October 11, 2022
 3. Arts Commission
 4. Animal Control Commission - October 13, 2022
 5. Youth Commission - October 12, 2022
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update - September 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. **City Council Minutes of October 4, 2022**
Re: Considering approval of the City Council draft Minutes of October 4, 2022.
2. **Police Department Communications Center Radio Upgrade**
Re: Consideration to authorize Police Department staff to negotiate the purchase of the Motorola MCC7500E Console and ASTRO 25 K2 Core; and approve payment upon receipt and successful integration of the new radio consoles.
3. **Authorization to Amend Digester No. 4 Cleaning Project**
Re: Consideration to amend the cleaning and dewatering of Digester No. 4 Cleaning Project to include the cleaning and dewatering of digester No. 1 at the Wastewater Treatment Facility located at 1333 West Grand Avenue, to Wastewater Solids Management Company, for a total project amount not to exceed \$103,818.

4. **Authorization to Purchase by Negotiation Equipment Scheduled for Replacement**
Re: Authorization to negotiate the purchase of Solid Waste Division equipment scheduled for replacement for the Fiscal Year 2023-2024.
5. **Authorization to Amend and Continue with the Purchase of Water Shares or Surface Water for Groundwater Recharge**
Re: Consider authorization to amend and continue purchasing up to \$1,500,000 of water shares or surface water for groundwater recharge for the 2022-2023 Fiscal Year.
6. **Ratification of Expenditures - Emergency Sterilization & Haul Away Services**
Re: Ratifying the emergency expenditure approved by the City Manager and Mayor in the amount of \$13,044.30 from the risk management fund for the emergency clean up and sterilization of the future Animal Control Facility.
7. **Selection of On-Call Environmental Consultants**
Re: Consideration to authorize staff to negotiate on-call contracts with Crawford & Bowen, LSA, 4Creeks, Precision Civil Engineering, and Provost & Pritchard Consulting Group.
8. **Acquisition of Real Property APN 261-130-004**
Re: Consideration to adopt the draft Resolution approving the purchase of APN 261-130-004 which is approximately 3.86 acres of land generally located on the south side of Olive Avenue, east of A Street in Porterville, CA, 93257.
9. **Permanent Local Housing Allocation 2021 and 2022 Application**
Re: Consideration to authorize the Mayor to sign the streamlined application for the 2020 PLHA funding allocation for submittal to HCD which concerns providing a permanent and ongoing source of funding to local governments for housing-related projects and programs that assist in addressing the unmet housing needs of their local communities.
10. **Friends of the Porterville Public Library License Agreement**
Re: Consideration to authorize the property license agreement between the City of Porterville and the Friends of the Porterville Library for use of the City facility located at 298 N. Main Street.
11. **Set a Public Hearing for the Adoption of the California Building Codes**
Re: Consideration to set the Public Hearing for November 1, 2022, to receive input and give first reading to draft Ordinances for the adoption of the 2022 Editions of the California Building, Plumbing, Mechanical, Electrical, Green Building Standards, Residential, Administrative, Reference Standards, and Energy Codes.
12. **Set a Public Hearing for the Adoption of the California Fire Code**
Re: Consideration to set the Public Hearing for November 1, 2022, to receive input and give the first reading to draft Ordinances for the adoption of the 2022 Edition of the California Fire Code
13. **Set a Public Hearing for updates to the Porterville Municipal Code**
Re: Consideration to set the Public Hearing for November 1, 2022, to receive input and give the first reading to draft Ordinances for the adoption of the changes to the Porterville Municipal Code.
14. **Approval of Community Civic Event - Tule River Economic Development Corporation - Trunk or Treat Car Show - October 29, 2022**

Re: Consideration to approve the Community Civic Event application from the Tule River Economic Development Corporation to hold the "Trunk or Treat Car Show" on Saturday, October 29, 2022, from 9:00 a.m. to 4:00 p.m., located at the City parking lot adjacent to Landing 13 at 152 N. Hocket Street.

15. Approval for Community Civic Event - Parenting Network - Dia de los Muertos - November 2, 2022

Re: Consideration to approve the Community Civic Event application from the Parenting Network to hold "Dia de los Muertos" event on November 2, 2022, at Centennial Park, from 2:00 p.m. to 3:00 p.m.

16. Approval for Community Civic Event - Veterans Homecoming Committee - Veterans Day Parade - November 11, 2022

Re: Consideration to approve the Community Civic Event application from the Veterans Homecoming Committee to hold the Veterans Day Parade on Friday, November 11, 2022, from 10:00 a.m. to 12:00 p.m.

17. Community Civic Event - Rotary Club of Porterville - Porterville Chamber of Commerce - Children's Christmas Parade - December 1, 2022

Re: Consideration to approve the Community Civic Event application submitted by the Rotary Club of Porterville and the Porterville Chamber of Commerce to hold the Children's Christmas parade along Main Street on Thursday, December 1, 2022, from 7:00 p.m. - 9:00 p.m.

18. 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.

19. 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.

20. Status and Review of Local Emergency: Drought

Re: Considering approval of the continuance of the Declaration of Local Emergency.

SCHEDULED MATTERS

21. Cannabis Business Operating Permit For Retail Dispensary - Applicant Interviews

Re: Consideration of proposed Interview process of qualified applicants for the City's Request for Proposals for Cannabis Business Operating Permit for Retail Dispensary.

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 Special meeting of Monday, October 24, 2022, at 6:00 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.