



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

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

Topic: City of Porterville – City Council Meeting of November 1, 2022

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/87813395728?pwd=RUxDUozUOUrZkdSQmp0bHdhdp4Zz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **878 1339 5728** Passcode: **098321**

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: 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.
- 2** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Rae Dean Strawn v. Bruce Sokoloff, et al., U.S. District Court, Eastern Div., Case No. 1:22-at-00742.
- 3** - 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.
- 4** - 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.

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

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. Mighty 190 Committee - October 19, 2022
2. Tulare County Association of Governments Coordination Meeting - October 19, 2022
3. Tulare County Homeless Task Force - October 19, 2022
4. Tulare County Regional Transit Agency Board - October 20, 2022
5. Tulare County Economic Development Corporation Board - October 26, 2022
6. Internal City Audit Committee - October 26, 2022
7. City Fall Luncheon - October 27, 2022

REPORTS

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

II. Staff Informational Reports

Street Performance Measure Quarterly Report FY 2022-2023 (July - September 2022)

Charitable Car Washes Quarterly Report Calendar Year 2022

City Commission and Committee Attendance Quarterly Report FY 2022-2023 (July - September 2022)

City Council Member Appointments Attendance Quarterly Report FY 2022-2023 (July - September 2022)

Code Enforcement Quarterly Report FY 2022-2023 (July - September 2022)

Golf Course Quarterly Report FY 2022-2023 (July - 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. **Authorization to Purchase Shade Structure**
Re: Consideration to authorize the purchase and installation of a shade structure at the skate park located at Veterans Park from California State Parks Per Capita Program funds for an amount not to exceed \$58,526.19.
2. **Purchase of Police Vehicles and Associated Equipment**
Re: Authorizing staff to negotiate the purchase of Police Department vehicles and equipment as identified in an estimated amount of \$670,000.
3. **Marching Through Time Agreement with Fine Art Conservation Laboratories.**
Re: Consideration to approve the Agreement with Fine Arts Conservation Laboratories for restoration services on the "Marching Through Time" mural located in Centennial Park.
4. **Approval of the City Library's Amended Rules of Conduct**
Re: Consideration to approve the draft Resolution adopting the proposed amended Rules of Conduct for the City Library.
5. **Approval of the Library's Internet Use Policy**
Re: Consideration to approve the Library's Internet Use Policy to be in compliance with the Children's Internet Protection Act.
6. **Financial Status Reports**
Re: Consideration to accept the Financial Status Report for the quarter ending September 30, 2022
7. **Quarterly Investment Portfolio**
Re: Consideration to accept the quarterly Investment Portfolio Summary Report.
8. **City Council Member Requested Agenda Item - Consider City Code Prohibiting Commercial Vehicles From Using Certain Streets**
Re: Consider Mayor Flores' request to consider and review the City's Code for prohibiting commercial vehicles from using certain streets.
9. **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.
10. **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

- 11. Consideration of Conditional Use Permit (PRC 2020-049-C) and Tentative Parcel Map No. 2022-001**
Re: Consideration to adopt the draft Resolution finding the proposal exempt from CEQA and approving Conditional Use Permit (PRC 2020-049-C) and Tentative Parcel Map No. 2022-001 subject to conditions of approval.
- 12. Adoption of the 2022 California Building Codes**
Re: Consideration to approve the draft Ordinances adopting the 2022 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Historical Buildings, Existing Buildings, and Referenced Standards Codes
- 13. Adoption of the 2022 California Fire Code**
Re: Consideration of a draft Ordinance adopting the 2022 Edition of the California Fire Code.
- 14. Ordinance Amending the Porterville Municipal Code Concerning Code Enforcement Functions and Fire Department Personnel**
Re: Consideration of draft Ordinance amending Chapters 2, 12, and 17 of the Porterville Municipal Code as it pertains to the Fire Department to match and reflect current State standards and local practices.

SCHEDULED MATTERS

- 15. Review of Cannabis Operating Permit Application Scores**
Re: Consideration of results of the overall scoring procedure established by the City Council and directing staff to begin negotiations for a Development Agreement with Bloom Farms.
- 16. Consideration of Appointment to the Arts Commission**

Re: Considering the appointment of an individual to serve on the City's Arts Commission.
- 17. Review Process for Fireworks Sales**
Re: Consideration of the process by which fireworks sales are conducted annually by the City of Porterville.

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 November 15, 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.