



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 15, 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 15, 2022

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/86522677237?pwd=eE82WEHT04waHhQQ093RmJ6WTVTd09>

Or via Telephone: **1-669-900-6833** Webinar ID: **865 2267 7237** Passcode: **810072**

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 259-040-047. Agency Negotiator: John Lollis and Jason Ridenour. Negotiating Parties: City of Porterville and Smee Homes, Inc. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN 260-300-030. Agency Negotiator: John Lollis and Jason Ridenour. Negotiating Parties: City of Porterville and CZEM Partners, LLC. Under Negotiation: Terms and Price.

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

4 - Government Code Section 54956.95 – Liability Claim: Claimant: Julian Vasquez, Jr. Agency claimed against: City of Porterville.

5 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Amber Moreno v. City of Porterville, et al., United States District Court, Eastern Division, Case No. 121-at-00590.

6 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Cecilia Chavez et al. v. City of Porterville et al., United States District Court, Eastern Division, Case No. 122-cv-00794-ADA-SKO.

7 - 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 plaintiff.

8 - 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 Weyhrauch

Invocation

PRESENTATIONS

Employee of the Month - Austin Gonzalez

Outstanding Business - ZeroNox

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) Homeless Outreach Event - November 2, 2022
2. Eastern Tule Groundwater Sustainability Agency Board - November 3, 2022
3. Social Services Transportation Advisory Council (SSTAC) - November 8, 2022
4. Transportation Forum - November 9, 2022
5. Tulare County Association of Governments (TCAG)/Tule RiverTribe - Active Transportation Program (ATP) Project Meeting - November 9, 2022
6. LINC Committee - November 9, 2022
7. Porterville Area Development Authority (PADA) Board - November 9, 2022
8. CalVans Board - November 10, 2022

9. Tulare County Regional Transit Agency (TCRTA) Board - November 10, 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 - November 3, 2022
 2. Library & Literacy Commission - November 8, 2022
 3. Arts Commission - October 25, 2022
 4. Animal Control Commission
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase IV Status Update - October 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. **Fleet Management Software Renewal**
Re: Considering approval to renew a one-year service contract for fleet management software with Ron Turley Associates in the amount of \$11,374.
2. **Authorization for Transit Bus Engine Repair**
Re: Considering approval of the transit bus engine overhaul by Cummins Pacific at a cost not to exceed \$41,418.
3. **Authorization to Re-Advertise for Bids for the Parallel and Connecting Taxiways Rehabilitation Project at the Porterville Municipal Airport**
Re: Consideration to authorize staff to re-advertise for bids for the taxiway rehabilitation project at the Porterville Municipal Airport.
4. **Acceptance of Project - Corporation Yard Electrification Project, Phase 2**
Re: Consideration to accept the Corporation Yard Electrification Project, Phase 2, as complete.
5. **Acceptance of Project - Transit Center Electrification Project**
Re: Consideration to accept the Transit Center Electrification Project , as complete.
6. **Acceptance of Fiscal Year 2020 State Homeland Security Grant Program Funds**
Re: Consideration to authorize an agreement to accept \$70,282 in Homeland Security grant funds to purchase Bauer SCBA Cylinder Air Fill Station.

7. **Authorization to Execute Cooperative Agreement - Avenue 152 (Olive Avenue) Bridge**
Re: Consideration of approval of the Cooperative Agreement for the Avenue 152 (Olive Avenue) Tule River Bridge Project.
8. **Adoption of a Conflict of Interest Policy for Design-Build Projects**
Re: Consideration of adopting a Conflict of Interest Policy for the design-build method of project delivery concerning the construction of facilities and improvements.
9. **Intent to Schedule a Public Hearing to Consider the Adjustment of Golf Course Fees**
Re: Consideration to schedule a Public Hearing for December 6, 2022, for consideration of the adjustment of Porterville Municipal Golf Course Fees.
10. **Request for Street Closure: 28th Annual Myers Christmas Memorial Tree Lighting - December 13, 2022**
Re: Approval of annual event to be held on Tuesday, December 13, 2022, from 5:00 p.m. to 9:00 p.m. at 248 North "E" Street.
11. **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.
12. **Status and Review of Local Emergency Drought**
Re: Considering approval of the continuance of the Declaration of Local Emergency.

SECOND READINGS

13. **Second Reading - Ordinance No. 1893, An Ordinance Amending Chapter 7, Article I, and Adopting by Reference the 2022 Edition of the California Administrative Code, Building Code, Residential Code, Energy Code, Historical Building Code, Existing Building Code, and Referenced Standards Code**
Re: Second Reading of Ordinance No. 1893, waiving further reading and adopting said Ordinance.
14. **Second Reading - Ordinance No. 1894, An Ordinance Amending Chapter 7, Article IA, and Adopting by Reference the 2022 Edition of the California Mechanical Code**
Re: Second Reading of Ordinance No. 1894, waiving further reading and adopting said Ordinance.
15. **Second Reading - Ordinance No. 1895, An Ordinance Amending Chapter 7, Article II, and Adopting by Reference the 2022 Edition of the California Plumbing Code**
Re: Second Reading of Ordinance No. 1895, waiving further reading and adopting said Ordinance.
16. **Second Reading - Ordinance No. 1896, An Ordinance Amending Chapter 7, Article III, Section 7-9 and Deleting Section 7-10 and Adopting by Reference the 2022 Edition of the California Electrical Code**
Re: Second Reading of Ordinance No. 1896, waiving further reading and adopting said Ordinance.

17. **Second Reading - Ordinance No. 1897, An Ordinance Amending Chapter 7, Article IV and Adopting by Reference the 2022 Edition of the California Green Building Standards Code**
Re: Second Reading of Ordinance No. 1897, waiving further reading and adopting said Ordinance.
18. **Second Reading - Ordinance No. 1898, An Ordinance Amending Chapter 12, Article I and Adopting by Reference Except as otherwise provided, the 2022 Edition of the California Fire Code Along with Designated Appendices**
Re: Second Reading of Ordinance No. 1898, waiving further reading and adopting said Ordinance.
19. **Second Reading - Ordinance No. 1899, An Ordinance Amending Chapters 2, 12, and 17 of the Porterville Municipal Code**
Re: Second Reading of Ordinance No. 1899, waiving further reading and adopting said Ordinance.

SCHEDULED MATTERS

20. **Consideration of City Code Prohibiting Commercial Vehicles From Using Certain Streets**
Re: Consideration and review of the City's Code for prohibiting commercial vehicles from using certain streets, specifically E. Yates Avenue, S. Roche Street and E. Worth Avenue between S. Main Street and S. Plano Street.

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 December 6, 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.