

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 7, 2023, 5:30 PM**

Call to Order at 5:30 p.m.

Roll Call: Council Member Greg Meister, Council Member Raymond Beltran,
Council Member Donald Weyhrauch, Vice Mayor Kellie Carrillo,
Mayor Martha A. Flores

ORAL COMMUNICATIONS

None.

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 Organization: Porterville City Employees Association and Management & Confidential Series.

2 - Government Code Section 54956.95 – Liability Claim: Claimant: Anaberta Champion. Agency claimed against: City of Porterville.

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Blanca Dewitt Lopez. Agency claimed against: City of Porterville.

4 - Government Code Section 54956.95 – Liability Claim: Claimant: Elyssa Garcia. Agency claimed against: City of Porterville.

5 - 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.

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

**6:32 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

City Attorney Lew reported action pertaining to A-2, A-3, and A-4, as follows:

A-2. On a MOTION made by Council Member Raymond Beltran, and SECONDED by Council Member Greg Meister the City Council unanimously rejected the claim filed by Anaberta Champion.

I. Staff Informational Reports

1. Update Regarding Reported Bicycle Incidents

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion.

COUNCIL ACTION: MOVED by Vice Mayor Kellie Carrillo, SECONDED by Council Member Donald Weyhrauch that the City Council approve Items Nos. 1-17. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF FEBRUARY 21, 2023

Recommendation: That the Council approve the draft Minutes of February 21, 2023

Documentation: M.O. 04-030723

Disposition: Approved.

2. AUTHORIZATION TO PURCHASE PLAYGROUND ENGINEERED WOOD FIBER

Recommendation: That the City Council authorize the purchase of playground engineered wood fiber from Park Planet in an amount not to exceed \$25,000 from the General Fund Facility Deferred Maintenance/Equipment Replacement Designated Fund.

Documentation: M.O. 05-030723, Resolution No. 9A-2023

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE MONITOR NOZZLE FOR AERIAL FIRE LADDER TRUCK

Recommendation: That the City Council:

1. Authorize the purchase of a monitor nozzle for an aerial fire ladder truck from Burton's Fire, Inc. at a cost not to exceed \$9,329 (inclusive of all parts, taxes, freight, including a 10% contingency); and
2. Authorize payment of up to one hundred percent (100%) of the authorized amount upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 06-030723

Disposition: Approved.

4. AUTHORIZATION TO ADVERTISE FOR BIDS - VILLA STREET RECONSTRUCTION PROJECT

Recommendation: That the City Council:

1. Approve staff's recommended Plans and Project Manual;

8. INTENT TO ABANDON AND CLOSE TO PUBLIC USE AN UNIMPROVED ALLEY BOUNDED BY MORTON AVENUE AND THE EAST 7.5 FEET OF THE WILLIAM DUNCAN SUBDIVISION

Recommendation: That City Council:

1. Approve the draft Resolution of intent to abandon an alley bounded by Morton Avenue to the south, and the east 7.5 feet of the William Duncan Subdivision; and
2. Set the City Council meeting of April 4, 2023, as the time and place for the Public Hearing for consideration.

Documentation: Resolution No. 10-2023

Disposition: Approved.

9. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS - ROYAL OAKS, PHASE 2 (GREENVINE, LLC)

Recommendation: That the City Council:

1. Accept the public improvements, including those related to the Landscape & Lighting Maintenance District of the Royal Oaks, Phase 2 Subdivision for maintenance;
2. Authorize the City Clerk to file the Notice of Completion; and
3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

Documentation: M.O. 11-030723

Disposition: Approved.

10. AMENDMENT NO. 1 TO 4CREEKS, INC. SANTA FE BYWAY TRAIL SERVICE AGREEMENT

Recommendation: That the city Council:

1. Authorize the Engineering & Project Management Director to execute Addendum No. 1 to the 4Creeks, Inc. Service Agreement at an agreed upon fee of \$38,320 for the services described herein; and
2. Authorize progress payments up to one hundred percent (100%) of the fee amount and authorize a ten percent (10%) contingency to cover unforeseen costs.

Documentation: M.O. 12-030723

Disposition: Approved.

11. AMENDMENT NO. 2 TO 4CREEKS, INC. BUTTERFIELD STAGE CORRIDOR SERVICE AGREEMENT

15. COMMUNITY CIVIC EVENT - OPTIMIST CLUB OF PORTERVILLE /
PORTERVILLE UNIFIED SCHOOL DISTRICT / BURTON SCHOOL DISTRICT
- PORTERVILLE CELEBRATES READING - APRIL 1, 2023

Recommendation: That the City Council approve the Community Civic Event application from the Optimist Club, PUSD, and BSD to hold the "Porterville Celebrates Reading" event on April 1, 2023, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 17-030723

Disposition: Approved.

16. TRAVEL TO WASHINGTON D.C. FOR TULARE COUNTY ASSOCIATION OF
GOVERNMENTS "ONE VOICE TRIP" - MAY 9-12, 2023

Recommendation: That the City Council:
1. Authorize the travel of Mayor Flores and the City Manager to Washington D.C. as part of the TCAG "One Voice Trip"; and
2. Authorize the expenditure of City monies in support of the trip.

Documentation: M.O. 18-030723

Disposition: Approved.

17. STATUS AND REVIEW OF LOCAL DROUGHT EMERGENCY

Recommendation: That the City Council receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration.

Documentation: M.O. 19-030723

Disposition: Approved.

SCHEDULED MATTERS

18. TULARE COUNTY REGIONAL MULTI-JURISDICTION HOUSING ELEMENT
UPDATE

Recommendation: That the City Council review and provide input on the development of the 2023-2031 Draft Housing Element Update.

City Manager Lollis introduced the item and City Contracted City Planner Jeff Oneal presented the staff report and gave a power point presentation on the Tulare County Regional Multi-Jurisdictional Housing Element.

Mayor Flores reported on those in attendance, and discussions regarding MOU amendments, public safety cost, water use and road improvements. Flores stated all information was informational only and any action taken will be taken back to each parties respective council for formal approval.

8. San Joaquin Valley Regional Early Action Planning (REAP) Committee Meeting - February 24, 2023

Mayor Flores reported on those in attendance, the adoption of a resolution to allow teleconference meetings, the election of Chair and Vice Chair, approval of minutes, and informational updates on recent REAP activities.

9. Tulare County Association of Governments (TCAG)/City/Tribe Active Transportation Program (ATP) Project Meeting - February 24, 2023

Mayor Flores reported on those in attendance and said the meeting was focused on the updates of the recommended street and pedestrian bridge projects by TCAG, on the Tule River Tribe.

10. Tule River Tribal Council Swearing-In Ceremony - February 27, 2023

Vice Mayor Carrillo reported on those in attendance and spoke of the various members who were also in attendance such as tribal elders, tribal staff and members, and the swearing in which was done by audience of elders, tribal staff, tribal members, and the swearing in which was done by Alec Garfield.

11. TCAG/Tulare County Transportation Authority (TCTA) Board - February 27, 2023

Mayor Flores reported on those in attendance, approval of routine items, approval of the 2023 Active Transportation Program and Metropolitan Planning Organization Component Fund Recommendation, the approval of agreement for the exchange of \$1.311 million in Tulare County Association of Governments (TCAG) Regional State Transportation Improvement Program (STIP) shares for \$1.311 million of Shasta Regional Transit Agency (SRTA) COVID-STIP shares, approval of minutes, adoptions of resolutions, and appointments of members at large.

12. Tulare County Board of Supervisors Meeting - February 28, 2023

Mayor Flores stated she was in attendance and was invited to do the welcome and shortly after.

Council Member Beltran reported on those in attendance, stated they were recognized for being newly elected to city council and said it was great experience.

Council Member Weyhrauch stated he impressed on the way the board handled their business that evening and spoke of a report on the financial condition of the Kaweah Delta Medical Center and the challenges they currently face. Weyhrauch stated he unfortunately had to leave during the break, but was pleased to see the Board in the chambers.

- Mayor Martha A. Flores spoke of the Homeless presentation that will be conducted by Claudia Calderon at the next council meeting; stated she is looking forward to the upcoming Wall of Fame Ceremony; and stated that she and City Manager Lollis were invited to do a video that was part of the Eagle Mountain Casino 10 Day Countdown that will air 10 days before the casino opens. Flores also mentioned her invitation to the Public Safety Recognition Dinner, Porterville Colleges Celebration of Woman's History month, and Woman in Transportation.
- City Manager Lollis spoke of a Police Department Badge Pinning Ceremony in the upcoming week, and expressed his appreciation for the leadership of the council.

The Council reconvened into Closed Session at 8:47 p.m.

CLOSED SESSION

None.

ADJOURNMENT

The Council adjourned at 9:51 p.m. to the meeting of March 21, 2023 at 5:30 p.m.


Fernando Gabriel-Moraga, Deputy City Clerk

SEAL


Martha A. Flores, Mayor