



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 2, 2023, 5:30 PM**

The City of Porterville is allowing for and encouraging electronic participation at City Council Meetings. 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 May 2, 2023

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/87398837288?pwd=aUIFMW5LdTB1TE5WbKp0SVp0dFp0UT09>

Or via Telephone: **1-669-900-6833** Webinar ID: **873 9883 7288** Passcode: **598766**

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 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Patrice Hildreth, and Yuliana Andrade. Employee Organizations: Porterville City Firefighters Association, Management and Confidential Series, Porterville City Employees Association, and all unrepresented management employees.
- 2** - Government Code Section 54956.95 – Liability Claim: Claimant: Josephina Garcia. Agency claimed against: City of Porterville.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Efrain Garcia. Agency claimed against: City of Porterville.
- 4** - Government Code Section 54956.95 – Liability Claim: Claimant: Michael McElhaney. Agency claimed against: City of Porterville.
- 5** - Government Code Section 54956.95 – Liability Claim: Claimant: Jaime Martinez. Agency claimed against: City of Porterville.

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

7 - Government Code Section 54956.95 – Liability Claim: Claimant: Brandon Wilson. Agency claimed against: City of Porterville.

8 - 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 District, Case No. 1:22-CV-1245-AWIEPG.

9 - 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.

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

11 - Government Code Section 54957 – Threat to Public Services or Facilities: Consultation with Jake Castellow, Porterville EOC Incident Commander.

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

Pledge of Allegiance Led by Councilmember Weyhrauch

Invocation

PRESENTATIONS

Public Works Flood Fighters

Presentation of Audit for Fiscal Year 2021-2022 - Jeffrey Peek, CPA, CliftonLarsonAllen, LLP

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.

REPORTS

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

I. Staff Informational Reports

1. Charitable Car Washes Quarterly Report Calendar Year 2023
2. Code Enforcement Quarterly Report FY 2022-2023 (January - March 2023)
3. Street Performance Measure Quarterly Report FY 2022-2023 (January - March 2023)
4. Building Permit Activity Quarterly Report FY 2022-2023 (January - March 2023)
5. OHV Park Quarterly Report FY 2022-2023 (January - March 2023)

6. Golf Course Quarterly Report FY 2022-2023 (January - March 2023)
7. City Commission and Committee Attendance Quarterly Report FY 2022-2023 (January - March 2023)
8. City Council Member Appointments Attendance Quarterly Report FY 2022-23 (January - March 2023)

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 November 15, 2022, and April 18, 2023.**
Re: Considering approval of the City Council Meeting draft Minutes of November 15, 2022, and April 18, 2023.
2. **Purchase of a Police All Terrain Vehicle**
Re: Consideration to purchase a Polaris Ranger Crew XP1000 in the amount of \$44,971.49 plus the applicable sales tax, from Polaris Government and Defense Sales.
3. **Purchase of a Public Safety Facility Wellness Dog**
Re: Consideration to approve the purchase of a new Public Safety Facility Wellness Dog and related training from Top Dog Training Center for the amount of \$15,750.00.
4. **Authorization to Purchase Specialized Equipment - Electric Blower Bypass Valve**
Re: Consideration to authorize the purchase of an Electric Blower Bypass Valve from Kaeser Compressors for Wastewater Blower No.1 at a not-to-exceed amount of \$26,074.
5. **Authorization to Negotiate Consultant Agreement - Parks Master Plan**
Re: Consideration to authorize staff to negotiate a scope of services and contract with QK, Inc. for a Parks Master Plan.
6. **Acceptance of Final Subdivision Map - The Villas at Sierra Meadows, Phase 3 (Smee Homes, Inc.)**
Re: Considering approval of Final Subdivision Map for Phase 3 of The Villas at Sierra Meadows located generally south of State Route 190, north of the Poplar Ditch, east of S. Indiana Street, and west of Jaye Street.
7. **Consideration of Refuse Enclosure & Parking Stall Construction/Installation and Use Agreement Between City of Porterville and Sequoia Imaging Group LLC dba California Medical Imaging Center**
Re: Approval of an agreement between the City of Porterville and Sequoia Imaging Group LLC dba California Medical Imaging located at 99 W. Putnam Avenue.
8. **Approval of Airport Lease Agreement - Lot No. 8**
Re: Consideration to approve the Lease Agreement for Lot No. 8 at the Porterville Municipal Airport between the City of Porterville and REACH Air Medical Services, LLC.
9. **Intent to Set a Public Hearing to Transition to Phase III of the City's Water Conservation Plan**

Re: Consider approval to schedule a Public Hearing on May 16, 2023, to consider the transition from Phase IV to Phase III of the City's Water Conservation Plan.

10. Financial Status Reports

Re: Consideration of accepting the Financial Status Report as presented.

11. Quarterly Investment Portfolio

Re: Consideration of the Council to accept the quarterly Investment Portfolio Summary Report.

12. Community Civic Event - Tulare County Junior Livestock Show and Community Fair - Porterville Fair - May 17-21, 2023

Re: Consideration to approve the Community Civic Event Application from the Tulare County Junior Livestock Show and Community Fair, to hold the Porterville Fair from Wednesday, May 17 to Sunday, May 21, 2023,

13. Community Civic Event - Porterville Area Coordinating Council - Sports Cuts Barber Battle - May 7, 2023

Re: Consideration to approve the Community Civic Event application from the Porterville Area Coordinating Council to hold the Sports Cuts Barber Battle on Sunday, May 7, 2023, from 10:00 a.m. to 7:00 p.m. located at the City parking lot adjacent to 41 N. Main Street.

14. Amendment to Employee Pay & Benefit Plan - Porterville City Firefighters Association

Re: Considering approval of a Resolution amending the Employee Pay and Benefit Plan pertaining to the Porterville City Firefighters Association employees.

15. Resolution Approving One-Time Flood Fight Hazard Pay for Applicable Exempt Employees

Re: Considering a draft Resolution approving a one-time flood fight hazard pay for applicable exempt employees during March 1 through April 15, 2023.

16. Status and Review of Local Drought Emergency

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

PUBLIC HEARINGS

17. Assembly Bill 481 - Use of Military Equipment Annual Review

Re: Consideration to review and renew Porterville Police Department Policy 704 - Military Equipment; review the AB 481 Military Equipment 2022 Annual Report; and by opting not to modify or rescind, renew Ordinance No. 1892.

SCHEDULED MATTERS

18. Consider Resolutions of Opposition to Assembly Bill 1090 (Jones-Sawyer) and State Senate Bill 94 (Cortese)

Re: Consideration of Resolutions of Opposition to Assembly Bill 1090 (Jones-Sawyer) and Senate Bill 94 (Cortese).

19. Status and Review of Declaration of Local Flood Emergency

Re: Review of the Declaration of Local Emergency made on March 13, 2023, concerning the significant weather event and impacts or likely impacts relative to increased flow of the Tule River; Provide direction on the function and hours of the Armory TEP after noon on May 5, 2023; and ratify the emergency expenditures of \$77,396.67 for a trailer-mounted 6"

dewatering and sewage pump, and \$5,436.00 for local trucking services of riprap material for the Public Works Department.

AB 1234 REPORTS

This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Mighty 190 Committee - April 19, 2023
2. Tulare County Taskforce on Homelessness - April 19, 2023
3. San Joaquin Valley Special City Selection Committee - April 20, 2023
4. Porterville Area Development Authority (PADA) Board - April 21, 2023
5. Tulare County Regional Transit Agency (TCRTA) Board - April 21, 2023
6. Tulare County Economic Development Corporation (TCEDC) Board - April 26, 2023
7. Internal City Audit Committee - April 26, 2023 (CANCELLED)

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 May 16, 2023, 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.