

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 6, 2024, 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 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Rae Dean Strawn v. City of Porterville, United States District Court, Eastern District of California, Case No. 1:22-cv-1245 ADA-EPG.

2 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Eduardo Velasquez, Jr. v. City of Porterville, Tulare County Superior Court Case No. VCU304120.

3 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Yesenia Flores v. City of Porterville et al., Tulare County Superior Court Case No. PCU304121.

4 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One (1) case 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: Three (3) cases.

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

City Attorney Lew reported that no action had taken place during Closed Session.

The Pledge of Allegiance was led by Council Member Meister

Invocation – a member of the public came forward to give an invocation.

PRESENTATIONS

Swearing In Ceremony - Patrice Hildreth, City Manager
Strathmore Spartan Football State Championship
Focused General Plan Update
Southern California Edison Presentation - Brian Thoburn

ORAL COMMUNICATIONS

- Frank Rodriguez, Porterville Little League, spoke of the hardships of the Porterville Little League (PLL) and asked if the council would consider assisting the PLL with financial assistance.
- John Coffee, Porterville, spoke of the decorative lighting around Monache and commended the council on their progressive thinking on Item No. 13.
- Brock Neeley, Porterville, stated the easiest way to fix Item No. 13, is to follow the 10th Amendment to the Constitution.
- Jean Vafeades, Porterville, expressed her opposition of Item No. 13.
- Ed McKervey, Porterville, expressed his support of Item No. 13.
- Ryan Leasure, Porterville Chamber of Commerce, provided council with recent and upcoming events.
- Korey Wells, Porterville, expressed his support for Item No. 13.
- Josh Flowers, Strathmore, spoke of his past involvement with the Porterville Little League and expressed his support of Item No. 13.

REPORTS

I. Staff Informational Reports

Charitable Car Washes Quarterly Report Calendar Year 2023

Code Enforcement Quarterly Report

Building Permit Activity Quarterly Report FY 2023-2024 (October - December 2023)

Street Performance Measure Quarterly Report FY 2023-2024 (October - December 2023)

Golf Course Quarterly Report FY 2023-2024 (October-December 2023)

City Commission And Committee Attendance Quarterly Report FY 2023-2024 (October - December 2023)

City Council Member Appointments Attendance Quarterly Report FY 2023-2024 (October - December 2023)

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Beltran, SECONDED by Council Member Weyhrauch that the City Council approve Items Nos. 1-11. The motion carried unanimously.

1. AUTHORIZATION TO REPAIR CITY WELL NO. AP-2

Recommendation: That City Council:

1. Direct the Finance Director to initiate a Purchase Order to Mario Sagredo Electrical for an amount not to exceed \$14,999 (inclusive of all parts, taxes, labor and contingency) for the repair of City Well No.AP-2; and

2. Direct the Finance Director to make payment to Mario Sagredo Electrical upon receipt of the invoice approved by the Public Works Director.

Documentation: M.O. 01-020624

Disposition: Approved.

2. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS FOR ART COMPONENT OF SANTA FE BYWAY PROJECT

Recommendation: That City Council authorize staff to distribute a Request for Proposals for the public art component of the Santa Fe Byway Project in the general area on the Rails to Trails Parkway between Henderson Avenue (to the north) and E Walnut Avenue (to the south).

Documentation: M.O. 02-020624

Disposition: Approved.

3. THURMAN AVENUE & THIRD STREET STORM DRAIN PROJECT

Recommendation: That the City Council:

1. Authorize an appropriation in the amount of \$418,000 from Local Transportation Fund (LTF); and
2. Authorize an appropriation in the amount of \$121,000 from the Sewer Revolving Fund (SRF).

Documentation: M.O. 03-020624

Disposition: Approved.

4. AUTHORIZATION TO PROCURE LABOR AND MATERIALS THROUGH AN OPEN MARKET PROCESS TO COMPLETE THE CITY POOL IMPROVEMENTS PROJECT

Recommendation: That the City Council:

1. Adopt the Resolution Authorizing the Procurement of Bids through an Open Market Process for the City Pool Improvements Project; and
2. Authorize staff to make payments up to 100% upon satisfactory completion of all work.

Documentation: Resolution No. 03-2024

Disposition: Approved.

5. AUTHORIZATION TO USE GENERAL FUND - ANIMAL SHELTER

Recommendation: That the City Council approve the draft resolution authorizing an appropriation of \$1,800,000 from the Capital Construction/Improvement

Designated Fund to fund the project with the proceeds from the land sale of the Animal Shelter in Lindsay and anticipated donations being planned for reimbursement to said fund.

Documentation: Resolution No. 04-2024

Disposition: Approved.

6. FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the Financial Status Reports as presented.

Documentation: M.O. 04-020624

Disposition: Approved.

7. QUARTERLY INVESTMENT PORTFOLIO

Recommendation: That the City Council accept the quarterly Investment Portfolio Summary Report.

Documentation: M.O. 05-020624

Disposition: Approved.

8. REQUEST FOR PROCLAMATION - RED CROSS MONTH - MARCH 2024

Recommendation: That the City Council consider approval of the request to proclaim the month of March 2024, as "Red Cross Month" in the City of Porterville.

Documentation: M.O. 06-020624

Disposition: Approved.

9. APPROVAL OF COMMUNITY CIVIC EVENT - PORTERVILLE CHAMBER OF COMMERCE - SPRING FESTIVAL - APRIL 13, 2024

Recommendation: That the City Council approve the Community Civic Event Application submitted by the Porterville Chamber of Commerce to hold the Porterville Chamber Spring Festival event on April 13, 2024, subject to the restrictions and requirements contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 07-020624

Disposition: Approved.

10. AUTHORIZATION OF TEMPORARY OVERFLOW PARKING AT THE SPORTS COMPLEX FOR EAGLE MOUNTAIN CASINO SPECIAL EVENTS

Recommendation: That the City Council authorize City staff to approve Eagle Mountain Casino requests for temporary use of the Sports Complex parking lot during special events based on conditions set forth by the City.

Documentation: M.O. 08-020624

Disposition: Approved.

11. 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. 09-020624

Disposition: Approved.

SCHEDULED MATTERS

12. CONSIDERATION OF APPOINTMENT TO THE PARKS & LEISURE SERVICES COMMISSION

Recommendation: That the City Council consider the appointment of Blain Smothermon to the Parks & Leisure Services Commission to serve the remainder of a three-year term to expire October 2027.

City Manager Hildreth introduced the item and Acting Administrative Services Director Yuliana Andrade presented the staff report.

COUNCIL ACTION: MOVED by Mayor Flores, SECONDED by Vice Mayor Carrillo that the City Council appoint Blain Smothermon to the Parks and Leisure Services Commission . The motion carried unanimously.

Documentation: M.O. 10-020624

Disposition: Approved.

13. CONSIDERATION OF ADOPTION OF DRAFT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AFFIRMING ITS COMMITMENT TO THE PRINCIPLES OF LIBERTY AND MEDICAL FREEDOM

Recommendation: That the City Council consider the draft Resolution of the City Council of the City of Porterville Affirming its Commitment to the Principles of Liberty and Medical Freedom.

City Manager Hildreth introduced the item and City Attorney Lew presented the staff report.

Council Member Meister commended City Attorney Lew for drafting the resolution and suggested amendments to the second paragraph.

Several council members voiced their concerns about the resolution, stating that it was irrelevant to city matters and that the Attorney time could have been more effectively utilized to tackle pressing city issues.

COUNCIL ACTION: MOVED by Council Member Meister, SECONDED by Council Member Beltran that the City Council approve the item with the added amendment noted by Council Member Meister.

AYES: Meister, Beltran
NOES: Weyhrauch, Carrillo, Flores
ABSTAIN: None
ABSENT: None

Documentation: M.O. 11-020624

Disposition: Motion Failed

14. CONSIDERATION OF THE WALL OF FAME POLICY

Recommendation: That the City Council consider the Wall of Fame Policy and provide direction to staff.

City Manager Hildreth introduced the item and Parks and Leisure Services Director Donnie Moore presented the staff report.

During their conversation, the Council members came to a consensus that a one-time exception would be voted on and that Fire Captain Raymond Figueroa and Firefighter Patrick Jones would be considered for the Wall of Fame. Furthermore, the policy would be revisited in a future meeting to explore the potential of incorporating a Public Safety section.

COUNCIL ACTION: MOVED by Mayor Flores, SECONDED by Council Member Beltran that the City Council approve the one-time exemption to allow for the inclusion of Fire Captain Raymond Figueroa and Firefighter Patrick Jones to the Wall of Fame. The motion carried unanimously.

Documentation: M.O. 12-020624

Disposition: Approved.

15. STATUS AND REVIEW OF DECLARATION OF LOCAL FLOOD 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.

City Manager Hildreth introduced the item and presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Carrillo, SECONDED by Council Member Beltran that the City Council approve the continuance of the Declaration of Local Flood Emergency. The motion carried unanimously.

Documentation: M.O. 13-020624

Disposition: Approved.

AB 1234 REPORTS

1. Tulare County Task Force on Homelessness - January 17, 2024

Mayor Flores provided a report on the attendees, the approval of the Minutes, an update on the Task Force on Homelessness members, and updates from the community.

2. Tulare County Association of Governments (TCAG) - January 22, 2024

Mayor Flores provided a report on the attendees, the Transportation Consent Calendar, and the approval of various resolutions.

3. Tulare County Economic Development Corp. (TCEDC) - January 24, 2024

Mayor Flores reported on those in attendance, the approval of minutes and financials, and project and client services update.

4. The Mighty 190 Committee - January 24, 2024

Council Member Meister reported on those in attendance, the review of expenditures and funding, a discussion of marketing strategies, road closure updates, and a roundtable discussion related to saving the red woods.

5. Internal City Audit Committee - January 24, 2024

Mayor Flores reported on the approval of minutes, the review and update on the investment policy, and the review of the process by which community civic events are held within the city.

6. TCAG Sustainable Corridor Committee - January 25, 2024

Deputy City Manager Ridenour stated that the meeting was a roundtable discussion of updates about the sustainable corridor projects within the City of Porterville.

7. Tulare County Regional Transit Authority (TCRTA) - January 29, 2024

Council Member Weyhrauch stated there was discussion of Porterville's withdrawal from the TCRTA and several reports from the safety committee, as well as a presentation on organizational issues.

8. Eastern Tule Groundwater Sustainability Agency (ETGSA) – February 1, 2024

Council Member Weyhrauch reported on public comments, announcements, the approval of the Minutes, the ratification of pending bills, and various administrative action items and updates.

ORAL COMMUNICATIONS

None.

OTHER MATTERS

- Council Member Beltran expressed gratitude towards city staff for their efforts during the recent heavy rainstorm, spoke of his attendance to the Porterville Library's 115th Anniversary, and the Fire Department's Badge Pinning Ceremony. He also commented on the pleasure of seeing Strathmore High School earlier in the meeting, and indicated his desire to review the Porterville Little League's agreement.
- Council Member Weyhrauch expressed gratitude to all family members who offer support to City of Porterville employees. Additionally, he inquired whether the city's Facebook page shares chamber information and extended appreciation to the public for attending council meetings and voicing their concerns. Council Member Weyhrauch also reported that he had not observed a significant amount of debris on the roads following the storm, and suggested that the city should consider reviewing the charter and look to increasing the Mayor's salary to recognize the extensive business responsibilities she handles.
- Council Member Meister indicated that he supported Council Member Weyhrauch's idea of reviewing the charter and added that the people should be able to vote in the mayor, stated he would also like to review the Porterville Little League agreement, and spoke of his attendance to a chamber Black Tie Event, Fire Department and Police Department Badge Pinning Ceremony, and a police ride along. In addition, Council Member Meister asked the council if they would appoint him to the Flag Day Committee and consider the appointment at a future meeting.

COUNCIL ACTION: MOVED by Mayor Flores, SECONDED by Council Member Beltran that the City Council approve Council Member Meister's request to bring an item to a future meeting to consider his appointment to the Flag Day Committee. The motion carried unanimously.

Documentation: M.O. 14-020624

Disposition: Approved.

- Vice Mayor Carrillo expressed her appreciation for Mayor Flores for her involvement in city business, congratulated new City Manager Patrice Hildreth, spoke of her attendance to the Libraries 115th year celebration, and stated she would also like to review the current Porterville Little League fees.
- Mayor Flores congratulated the new Finance Director Janie Rodriguez, congratulated all Porterville Chamber Award recipients, and spoke of her attendance to the Fire & Police Department Badge Pinning Ceremonies, the Porterville College Facilities Master Plan meeting, the Tule River Tribe Council Swearing In Ceremony, a Special City Council Meeting, and the Library 115th year celebration.
- City Manager Patrice Hildreth expressed her gratitude towards the city council for their trust in her abilities and for their dedication to the city and its community. City Manager Hildreth also mentioned that she feels humbled and honored to work with such skilled individuals.

CLOSED SESSION

None.

ADJOURNMENT

The Council adjourned at 9:02 p.m. to the meeting of February 20, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor

