

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 16, 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 54956.95 – Liability Claim: Claimant: Victoria Grayson. Agency Claimed Against: City of Porterville.

2 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation: Two (2) cases in which facts are not yet known to potential plaintiff.

3 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two (2) cases.

**6:40 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

City Attorney Lew reported action pertaining to A-1, as follows:

A-1. On a MOTION made by Council Member Weyhrauch, and SECONDED by Council Member Meister the City Council unanimously rejected the claim filed by Victoria Grayson.

Documentation: M.O. 01-041624

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Meister.

Invocation – a moment of silence was observed.

ORAL COMMUNICATIONS

- Edith La Vonne, Porterville, spoke of road improvements near and around her residence.
- Brock Neeley, Porterville, provided Council with documentation in response to statements made during Other Matters at the prior meeting.
- Cathy Capone, Porterville, spoke in favor of Item No. 13, and stated that she submitted comments pertaining to Item No. 20 via email.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - April 4, 2024 – no report was provided.

2. Library & Literacy Commission - April 9, 2024

Commissioner Edith La Vonne reported on March participation statistics and highlights for Virtual Story Time, Adult Book Club, Bilingual Story Time, Bring Your Own Game Day, Young Adult Book Club, and the Thousand Books Before Kindergarten Challenge. Commissioner Edith La Vonne also mentioned the Spring Mini Reading Program and other recent events.

3. Arts Commission – no report was provided.

4. Animal Control Commission - April 11, 2024

Chair Kathy Guinn reported on public comments, stated that it was National Animal Control Officer Week, and encouraged the council to visit the new Animal Shelter.

5. Youth Commission - April 10, 2024 – no report was provided.

6. Transactions And Use Tax Oversight Committee (TUTO) – no report was provided.

II. Staff Informational Reports

1. Water Conservation Phase Iv Status Update - March 2024

2. Spring Community Clean-Up Event

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion. City Manager Patrice Hildreth noted a typographical error that would need to be amended on Item No. 11.

COUNCIL ACTION: MOVED by Council Member Weyhrauch, SECONDED by Council Member Meister that the City Council approve Items Nos. 1-17 with the

noted amendment. The motion carried unanimously.

1. AUTHORIZATION FOR EMERGENCY REPAIRS TO RESTORE
SUPERVISORY CONTROL AND DATA ACQUISITION COMMUNICATION
AT THE ROCKY HILL RESERVOIR

Recommendation: That City Council:

1. Authorize the costs of the proposal for repairs to the City SCADA System by Primex Company;
2. Direct the Finance Director to initiate a Purchase Order to Primex Company for an amount not to exceed \$17,565 (inclusive of all parts, taxes, and a 10% contingency) for the repair of Supervisory Control And Data Acquisition Communications; and
3. Direct the Finance Director to make payment to Primex Company upon receipt of the invoice approved by the Public Works Director.

Documentation: M.O. 02-041624

Disposition: Approved.

2. AUTHORIZATION TO REPLACE SHOP ROLL-UP DOOR

Recommendation: That City Council:

1. Authorize roll-up door replacement by Premier Overhead Door & Gates at a cost not to exceed \$13,147.00 (inclusive of all parts, taxes, labor, and a 10% contingency); and
2. Authorize payment of said repair upon satisfactory completion.

Documentation: M.O. 03-041624

Disposition: Approved.

3. AUTHORIZATION TO PROCEED WITH EQUIPMENT REPLACEMENT BY
NEGOTIATED PURCHASE OF REFUSE VEHICLES

Recommendation: That the City Council:

1. Consider the authorization to proceed with the purchase of five (5) Refuse Trucks at a price increase of \$185,318 over the original Purchase Order amount; and
2. Authorize the Finance Director to process payment to Municipal Maintenance Equipment for the additional cost over the initial purchase price.

Documentation: M.O. 04-041624

Disposition: Approved.

4. AUTHORIZATION TO REPAIR ELECTRIC VEHICLE CHARGER AT THE TRANSIT CENTER

Recommendation: That the City Council:

1. Authorize the repair of the Electric Vehicle Charger by EV Connect at a cost not to exceed \$14,828.00 (inclusive of all parts, labor, taxes, freight, and a 10% contingency); and
2. Authorize payment of said repair upon satisfactory completion.

Documentation: M.O. 05-041624

Disposition: Approved.

5. AUTHORIZATION TO PURCHASE LOAN SERVICING SOFTWARE TO MANAGE MORTGAGE, BUSINESS, AND PUBLIC UTILITY CONNECTION LOANS

Recommendation: That City Council:

1. Direct staff to give appropriate notice to the current loan software provider (The Mortgage Office) to terminate the contract on June 30, 2024;
2. Authorize staff to purchase loan servicing software from City Data Services for a total of \$19,960.00 for year one and \$8,160.00 for future years; and
3. Authorize the Community Development Director to sign all necessary documents for execution of the one-year contract with the option to extend it yearly as needed.

Documentation: M.O. 06-041624

Disposition: Approved.

6. CONSIDERATION OF AGREEMENT FOR WASTE DISPOSAL WITH TULARE COUNTY

Recommendation: That the City Council considers:

1. The approval of the Waste Disposal Agreement with the County of Tulare for a term of 10 years with an option to renew for up to two additional terms of 5 years; and
2. To authorize the Mayor and City Manager to sign the necessary documents.

Documentation: M.O. 07-041624

Disposition: Approved.

7. AUTHORIZE MODIFICATION TO THE EXISTING CONTRACT WITH PENA'S DISPOSAL SERVICE

Recommendation: That the City Council accept the proposal to amend the current agreement with Pena's Disposal Service and authorize the mayor to sign Amendment #5 of the agreement.

Documentation: M.O. 08-041624

Disposition: Approved.

8. COUNCIL AUTHORIZATION OF A REQUEST FOR PROPOSALS FOR THE OPERATION AND MANAGEMENT OF THE CITY OF PORTERVILLE TRANSIT SYSTEM

Recommendation: That the City Council authorize staff to distribute a Request for Proposals (RFP) for the operation and management of the City of Porterville Transit System.

Documentation: M.O. 09-041624

Disposition: Approved.

9. SIERRA VALLEY TSM 2-2010 EXTENSION

Recommendation: That the City Council adopts the draft Resolution approving the 24-month map extension.

Documentation: Resolution No. 17-2024

Disposition: Approved.

10. SECOND WATER CONNECTION - 1720 E SUCCESS DRIVE

Recommendation: That the City Council find that the project is exempt from the California Environmental Quality Act (CEQA) under (CEQA Guidelines §15268(b)(4)) and adopt the draft resolution approving the second water service connection.

Documentation: Resolution No. 18-2024

Disposition: Approved.

11. RENEWAL OF AIRPORT LEASE AGREEMENT LOT NO. 34A

Recommendation: That the City Council approve the renewal of the Lease Agreement between the City and Dustin H. Lessley for Lot No. 34A at the Porterville Municipal Airport for a term of five (5) years.

Documentation: M.O. 10-041624

Disposition: Approved.

12. AUTHORIZATION OF OUT-OF-STATE TRAVEL

Recommendation: That the City Council:

1. Authorize out-of-state travel for Porterville Fire Department employee Matt Doney to the International Fire Rescue Training Conference; and
2. Approve up to \$250 in anticipated travel expenses from the Fire Department's annual budget.

Documentation: M.O. 11-041624

Disposition: Approved.

13. APPROVAL OF COMMUNITY CIVIC EVENT - SEQUOIA FAMILY MEDICAL CENTER - SEQUOIA ARBOR DAY 5K RUN/WALK AND HEALTH FAIR - APRIL 27, 2024

Recommendation: That the City Council approve the Community Civic Event application from Sequoia Family Medical Center to hold the Sequoia Arbor Day 5k Run/Walk and Health Fair on Saturday, April 27, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 12-041624

Disposition: Approved.

14. APPROVAL OF COMMUNITY CIVIC EVENT - PORTERVILLE KIWANIS CLUB - MOTHER'S DAY FOOD TRUCKS IN THE PARK - MAY 4, 2024

Recommendation: That the City Council approve the Community Civic Event application submitted by the Porterville Kiwanis Club to hold the "Mother's Day Food Trucks in the Park" event on May 4, 2024, at Veterans Park, subject to the restrictions and requirements contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 13-041624

Disposition: Approved.

15. APPROVAL OF COMMUNITY CIVIC EVENT - COMISION HONORIFICA MEXICANA AMERICANA INC - ANNUAL CINCO DE MAYO CELEBRATION PARADE AND FIESTA - MAY 4-5, 2024

Recommendation: That the City Council approve the Community Civic Event application from the Comision Honorifica Mexicana Americana, Inc. to hold the Annual Cinco de Mayo Celebration Parade and Fiesta on May 4 and

5, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 14-041624

Disposition: Approved.

16. APPROVAL OF COMMUNITY CIVIC EVENT - PORTERVILLE CHAMBER OF COMMERCE - SPRING FESTIVAL RESCHEDULING - MAY 11, 2024

Recommendation: That the City Council approve the Porterville Chamber of Commerce's request to reschedule the Spring Festival to Saturday, May 11, 2024, subject to the restrictions and requirements contained in the Community Civic Event Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 15-041624

Disposition: Approved.

17. 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.

Documentation: M.O. 16-041624

Disposition: Approved.

PUBLIC HEARINGS

18. POLICE USE OF MILITARY EQUIPMENT ANNUAL REVIEW (AB 481)

Recommendation: That the City Council, per the requirements of Assembly Bill 481:

1. Allow public comment and questions concerning the annual report and the funding, acquisition, and use of the equipment;
2. Review and renew PPD Policy 704 – Military Equipment (Attachment 1);
3. Review the AB 481 Military Equipment Annual Report 2023 (Attachment 2); and
4. By opting not to modify or rescind, affirm Ordinance No. 1892.

City Manager Hildreth introduced the item and Assistant Police Chief Dominic Barteau presented the staff report.

Mayor Flores opened the Public Hearing at 7:15 p.m. and closed the Public Hearing at

7:15 p.m. when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Beltran, SECONDED by Vice Mayor Carrillo that the City Council that the city council conducted the Public Hearing to hear public testimony and reaffirmed Ordinance No. 1892. The motion carried unanimously.

Documentation: M.O. 17-041624

Disposition: Approved.

19. COMMUNITY DEVELOPMENT BLOCK GRANT 2024/25 ACTION PLAN

Recommendation: That the City Council:

1. Adopt the draft Resolution approving the 2024/25 Action Plan; and
2. Direct staff to submit the 2024/25 Action Plan to HUD.

City Manager Hildreth introduced the item and Acting Community Development Director Claudia Calderon presented the staff report.

Mayor Flores opened the Public Hearing at 7:27 p.m.

- Cathy Capone, Porterville, stated that she emailed both the Council and the City Manager with information related to the Action Plan and stated she was disheartened at how much is being spent directly on low-income housing and services to the homeless, and stated she looked back to find out what the grant is to be used for.

Mayor Flores closed the Public Hearing at 7:32 p.m. when no one else came forward to speak.

COUNCIL ACTION: MOVED by Mayor Flores, SECONDED by Council Member Meister that the City Council adopt the draft resolution approving the 2024/25 Community Development Block Grant Action Plan. The motion carried unanimously.

Documentation: Resolution No. 19-2024

Disposition: Approved.

SECOND READINGS

20. SECOND READING - ORDINANCE NO. 1905, REGULATING UNSAFE CAMPING

Recommendation: That the City Council give Second Reading to Ordinance No. 1905, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Vice Mayor Carrillo, SECONDED by Council Member Meister that the City Council give Second Reading to Ordinance No. 1905, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE REPEALING ARTICLE VII OF CHAPTER 18 (SECTIONS 18-76 THROUGH 18-83) OF THE CITY OF PORTERVILLE MUNICIPAL CODE AND REPLACING IT WITH CHAPTER 18, ARTICLE VII, REGULATING UNSAFE AND UNAUTHORIZED CAMPING AND STORAGE OF PERSONAL PROPERTY, THE PROTECTION OF CRITICAL INFRASTRUCTURE, AND MITIGATION OF HARM TO THE PUBLIC HEALTH, SAFETY AND WELFARE, waive further reading, and adopt said Ordinance. The motion carried unanimously.

Documentation: Ordinance No. 1905

Disposition: Approved.

SCHEDULED MATTERS

21. AUTHORIZATION TO APPLY AND RECEIVE FINANCING FOR THE CONSOLIDATION OF HOPE SCHOOL WATER SYSTEM

Recommendation: That the City Council:

1. Authorize the Funding Application with the State Water Resources Control Board to consolidate the Hope Elementary School Water System into the City of Porterville's Water Distribution System;
2. Adopt the draft Resolution authorizing the Mayor or Designee, the Public Works Director, to apply for and receive financing from the California State Water Resources Control Board for the planning, design, and construction of the Hope Elementary School Water System Consolidation Project;
3. Authorize the Mayor or Designee, the Public Works Director, to execute the funding agreement with the State Water Resources Control Board and any other necessary documents to effect the transaction; and
4. Direct the City Attorney as General Counsel to provide a legal opinion letter in regard to the proposed project once a funding agreement is received.

City Manager Hildreth introduced the item and Assistant City Manager Michael Knight presented the staff report.

COUNCIL ACTION: MOVED by Mayor Flores, SECONDED by Council Member Meister that the City Council authorize the Funding Application with the State Water Resources Control Board to consolidate the Hope Elementary School Water System into the City of Porterville's Water Distribution

System; adopt the draft resolution authorizing the Mayor or Designee, the Public Works Director, to apply for and receive financing from the California State Water Resources Control Board for the planning, design, and construction of the Hope Elementary School Water System Consolidation Project; and direct the City Attorney as General Counsel to provide a legal opinion letter in regard to the proposed project once a funding agreement is received. The motion carried unanimously.

Documentation: Resolution No. 20-2024

Disposition: Approved.

AB 1234 REPORTS

1. LINC Committee Meeting - April 3, 2024

Council Member Beltran provided updates on several items of interest such as the budget, Navigation Center, and the LINC Services Subcommittee.

2. Eastern Tule Groundwater Sustainability Agency - April 4, 2024

Council Member Weyhrauch reported on announcements, the approval of the Minutes, the ratification of pending bills, and several reports and action items.

3. Porterville Area Development Authority - April 5, 2024

Council Member Beltran reported on the approval of Minutes, several reports, and action items related to the City's reimbursement to the Tule River Tribe for eligible expenses related to both the Tertiary Treatment Wastewater Facility and Storm Drain Retention Basin surrounding the Porterville Airport Area.

4. Tulare County Water Commission - April 8, 2024 – cancelled.

5. Tulare County Association of Governments (TCAG) - April 15, 2024

Mayor Flores stated that she would continue this report to the next meeting.

6. Tulare County Regional Transit Agency - April 15, 2024

Council Member Weyhrauch stated the meeting was postponed to a future date still to be considered.

ORAL COMMUNICATIONS

- Cathy Capone, Porterville, stated that she is a member of the Measure R Citizens Oversight Committee and spoke about their recent meeting and an upcoming tour.

OTHER MATTERS

- Council Member Beltran discussed the recent bike rodeo, the CDBG parks study, a police chase that occurred over the weekend, and a recent incident in which a student was caught with drugs at school. Beltran expressed his frustration that the

school does not always report on campus issues.

- Council Member Weyhrauch inquired about handicap parking in the parking lot where the temporary library is located, and spoke about homeless issues within the city limits.
- Council Member Meister echoed the sentiments expressed by Council Member Beltran regarding the school reporting issues, lauded the efforts of the Police Department staff in assisting those experiencing homelessness, and commended Fire Captain Matt Doney for being selected to represent Porterville at the International Fire Rescue Training Conference. Council Member Meister requested that a Letter of Support for Senate Bill 1414 (Grove), be considered at the next Council meeting, as a Scheduled Matter.

COUNCIL ACTION: MOVED by Council Member Meister, SECONDED by Council Member Weyhrauch that the City Council approve Council Member Meister's request to bring an item at the next Council meeting to consider a Letter of Support for Senate Bill 1414. The Motion carried unanimously.

Documentation: M.O. 18-041624

Disposition: Approved.

- Vice Mayor Carrillo acknowledged the presence of Transportation Director Rich Tree in the audience, and commended the work of the staff in ensuring that the city moves forward.
- Mayor Flores commended the I.T. Department, spoke of the Police Officer Swearing In Ceremony, and thanked various members of City Staff.
- City Manager Hildreth welcomed Transportation Director Richard Tree back to the City of Porterville.

CLOSED SESSION

None.

ADJOURNMENT

The Council adjourned at 8:36 p.m. to the meeting of May 7, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor

