

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JUNE 18, 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 54956.8 – Conference with Real Property Negotiators/Property: 23611 Road 196, Lindsay, CA. Agency Negotiator: Jason Ridenour. Negotiating Parties: City of Porterville and County of Tulare. Under Negotiations: Terms and Price.
- 2 - Government Code Section 54956.95 – Liability Claim: Claimant: Matthew Carroll. Agency Claimed Against: City of Porterville.
- 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Gary Sell, Jr. Agency Claimed Against: City of Porterville.
- 4 - 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.
- 5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Three (3) cases.

**6:34 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

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

A-2. On a MOTION made by Mayor Martha A. Flores, and SECONDED by Vice Mayor Kellie Carrillo the City Council unanimously rejected the claim filed by Matthew Carroll.

Documentation: M.O. 01-061824

Disposition: Claim rejected.

A-3. On a MOTION made by Council Member Greg Meister, and SECONDED by Council Member Raymond Beltran the City Council unanimously rejected the claim filed by Gary Sell Jr.

Documentation: M.O. 02-061824

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Beltran.

Invocation – a member of the public came forward and gave an invocation.

PRESENTATIONS

July Employee of the Month - Rachel Ginsberg

Police Department Recognition for Policy Updates and Training

ORAL COMMUNICATIONS

- Cathy Capone, Porterville, hopes for more communication between the City and the Tule River Parkway Association regarding trail projects.
- Brock Neeley, Porterville, presented council with documentation related to Pride Month.
- Gail Nuckols, Porterville, concerned about the traffic that will occur around the Sports Complex during Freedom Fest.
- Adonis Nuckols, Porterville, concerned about the traffic that will occur around the Sports Complex during Freedom Fest.
- Ed McKervey, Porterville, stated the importance of building a library that can serve the underserved community, including those who are homeschooled and need resources.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - (On summer hiatus)
2. Library & Literacy Commission - (On summer hiatus)
3. Arts Commission
4. Animal Control Commission
5. Youth Commission - (On summer hiatus)
6. Transactions and Use Tax Oversight Committee (TUTOC) - May 28, 2024

II. Staff Informational Reports

Water Conservation Phase IV Status Update - May 2024

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Greg Meister, SECONDED by Mayor Martha A. Flores that the City Council approve Items Nos. 1-23. The motion carried unanimously.

1. APPROVAL OF DRAFT MINUTES OF JUNE 4, 2024

Recommendation: That the Council approve the draft Minutes of June 4, 2024.
Documentation: M.O. 03-061824
Disposition: Approved.

2. AUTHORIZATION TO NEGOTIATE THE PURCHASE OF POLICE VEHICLES

Recommendation: That the City Council;
1. Authorize staff to negotiate for the purchase of four (4) Police Interceptor Ford Explorers up to a total cost not to exceed \$238,500, which is based on the Manufacturer's Suggested Retail Price plus tax, license, and applicable fees, as well as upfit of emergency equipment. Due to the unique purchasing parameters requested, staff is further requesting a ten percent (10%) contingency for the total purchase; and
2. Authorize payment to respective vendors upon receipt of listed equipment.

Documentation: M.O. 04-061824
Disposition: Approved.

3. AUTHORIZATION TO PURCHASE BLEACHERS FOR THE SANTA FE SPORTSPLEX THROUGH CDBG PARK IMPROVEMENT FUNDS

Recommendation: That the City Council authorize the purchase of bleachers for the future Santa Fe Sportsplex through Community Development Block Grant Park Improvement Funds from WillyGoat for \$57,092.71.

Documentation: M.O. 05-061824
Disposition: Approved.

4. AUTHORIZATION TO PURCHASE APPLICANT TRACKING SOFTWARE AND SERVICES WITH NEOGOV

Recommendation: 1. Approve a contract with NEOGOV for the applicant tracking software and services at a cost of \$4,800 for start-up, \$35,299 for the first two years, and \$25,000 annually thereafter; and
2. Authorize the Administrative Services Director to sign the agreement on behalf of the City.

Documentation: M.O. 06-061824

Disposition: Approved.

5. ICE MACHINE REPLACEMENT AT FIRE STATION 72 TRAINING FACILITY

Recommendation: That the City Council approve the replacement and installation of a new commercial-grade ice machine for the Fire Department Training Facility and Station 72, at a cost not to exceed \$10,120 from Mike Woods Air conditioning.

Documentation: M.O. 07-061824

Disposition: Approved.

6. AUTHORIZATION TO PARTICIPATE IN COOPERATIVE PURCHASING PROGRAMS ON EXISTING ASPHALT CONTRACTS

Recommendation: That the City Council authorize the purchase of asphalt mix utilizing the contracts between the County of Tulare and Jaxon Enterprises.

Documentation: M.O. 08-061824

Disposition: Approved.

7. AUTHORIZATION TO DISTRIBUTE REQUEST FOR PROPOSALS - GOLF COURSE MANAGEMENT SERVICES

Recommendation: That the City Council authorize staff to distribute request for proposals for golf course management services at the Porterville Municipal Golf Course.

Documentation: M.O. 09-061824

Disposition: Approved.

8. ACCEPTANCE OF PROJECT - MAIN STREET RECONSTRUCTION PROJECT (PUTNAM AVENUE TO MORTON AVENUE)

Recommendation: That the City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion by the City Clerk; and
3. Authorize the release of the five percent (5%) retention thirty-five (35) days after recordation, provided no stop notices have been filed.

Documentation: M.O. 10-061824

Disposition: Approved.

9. ACCEPTANCE OF PROJECT - SKATEPARK IMPROVEMENT PROJECT

Recommendation: That the City Council:
1. Accept the project as complete; and
2. Authorize the filing of the Notice of Completion by the City Clerk.

Documentation: M.O. 11-061824

Disposition: Approved.

10. EXTENSION OF FUNDING AGREEMENT WITH KERN COMMUNITY COLLEGE DISTRICT (PORTERVILLE COLLEGE) FOR A PART-TIME RESERVE POLICE OFFICER

Recommendation: That the City Council:
1. Approve the Extension Agreement with Kern Community College District for funding for a part-time Reserve Police Officer for the period of July 1, 2024, through June 30, 2025; and
2. Authorize the Chief of Police to execute the agreement on behalf of the City of Porterville.

Documentation: M.O. 12-061824

Disposition: Approved.

11. HERITAGE CENTER LAND ACQUISITION GENERAL PLAN CONSISTENCY DETERMINATION

Recommendation: That the City Council:
1. Adopt the draft Resolution detailing the results of its investigations pursuant to Public Resources Code Section 21151.2 and Government Code Section 65402(c); and
2. Direct staff to forward a copy of said Resolution to the Porterville Unified School District.

Documentation: Resolution No. 31-2024

Disposition: Approved.

12. AMENDMENT NO. 2 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. 2 to the 4 Creeks, Inc. Service Agreement at an agreed upon fee of \$26,377.32 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. 13-061824

Disposition: Approved.

13. PERMANENT LOCAL HOUSING ALLOCATION (PLHA) YEAR 4 APPLICATION

Recommendation: That the City Council:

1. Authorize the Mayor to sign the streamlined application for the 2022 PLHA funding allocation for submittal to HCD; and
2. Authorize staff to submit the streamlined application in response to the 2023 PLHA NOFA to HCD for 2022 (Fourth year of PLHA 5-Year Plan) funds.

Documentation: Resolution No. 32-2024

Disposition: Approved.

14. APPROVE REVISED FTA PROCUREMENT AND CONTRACT ADMINISTRATION MANUAL

Recommendation: That the City Council adopt the draft resolution approving the revised Procurement and Contract Administration Manual.

Documentation: Resolution No. 33-2024

Disposition: Approved.

15. REQUEST FOR APPROVAL OF A 90-DAY ZERO-FARE PROGRAM FOR PUBLIC TRANSPORTATION SERVICES TRANSITION

Recommendation: That the City Council:

1. Approve the 90-day zero-fare program for fixed route and ADA paratransit services, effective July 1, 2024, and ending September 29, 2024;
2. Authorize staff to make necessary adjustments and communicate the program details to the public; and
3. Direct staff to monitor the program's impact and provide a report to the City Council upon completion of the 90-day period.

Documentation: M.O. 14-061824

Disposition: Approved.

16. AUTHORIZATION FOR OUT-OF-STATE TRAVEL FOR FEMA OPERATIONS SECTION CHIEF CLASS

Recommendation: That the City Council authorize out-of-state travel for Battalion Chief Chris Pisani to attend the FEMA L-958 All-Hazard Operations Section Chief course in Carson City, Nevada, from June 25th to June 28th, 2024, with travel expenses not to exceed \$500.

Documentation: M.O. 15-061824

Disposition: Approved.

17. STATE SENATE BILL 1205 ANNUAL FIRE DEPARTMENT INSPECTION REPORTING

Recommendation: That the City Council consider adoption of the draft Resolution acknowledging receipt of the Fire Chief's annual report regarding the Porterville Fire Department's inspection of specific buildings and occupancies pursuant to Section 13146.2 and 13146.3 of the California Health and Safety Code.

Documentation: Resolution No. 34-2024

Disposition: Approved.

18. RATIFICATION OF NEW CLASSIFICATION AND APPROVAL OF JOB DESCRIPTION FOR ENCAMPMENT MAINTENANCE WORKER FULL AND PART-TIME POSITIONS

Recommendation: That the City Council:

1. Affirm the establishment of the classification of Full-Time Encampment Maintenance Worker at a salary range of 171 (\$3,610-\$4,405) to be funded from the General Fund;
2. Affirm the establishment of the classification of Part-Time Encampment Maintenance Worker at \$17.00 per hour; and
3. Approve the proposed Job Descriptions for Full and Part-Time Encampment Maintenance Workers.

Documentation: M.O. 16-061824

Disposition: Approved.

19. APPROVAL OF COMMUNITY CIVIC EVENT - PARENTING NETWORK - SUMMER PICNIC - JUNE 21, 2024

Recommendation: That the City Council approve the Community Civic Event application from the Parenting Network to hold the "Summer Picnic" event on Friday, June 21, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, and Exhibit B.

Documentation: M.O. 17-061824

Disposition: Approved.

20. APPROVAL OF COMMUNITY CIVIC EVENT - PARENTING
NETWORK - GRILLING WITH DADS - JUNE 29, 2024

Recommendation: That the City Council approve the Community Civic Event application from the Parenting Network to hold the “Grilling with Dads” event on Saturday, June 29, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, and Exhibit B.

Documentation: M.O. 18-061824

Disposition: Approved.

21. APPROVAL OF COMMUNITY CIVIC EVENT - PORTERVILLE
KIWANIS CLUB - WATERMELON FESTIVAL - JULY 28, 2024

Recommendation: That the City Council approve the Community Civic Event application submitted by the Porterville Kiwanis Club to hold the "Watermelon Festival" event on July 28, 2024, at Veterans Park, subject to restrictions and requirements contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 19-061824

Disposition: Approved.

22. APPROVAL OF COMMUNITY CIVIC EVENT - PARENTING
NETWORK - BACK TO SCHOOL PARTY - AUGUST 2, 2024

Recommendation: That the City Council approve the Community Civic Event application from the Parenting Network to hold the “Back to School” event on Friday, August 2, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, and Exhibit B.

Documentation: M.O. 20-061824

Disposition: Approved.

23. 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. 21-061824

Disposition: Approved.

PUBLIC HEARINGS

24. ADOPTION OF FISCAL YEAR 2024-2025 BUDGET

Recommendation: That the City Council conduct the Public Hearing; and consider for adoption the proposed 2024-2025 Fiscal Year Budget, including any modifications.

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

Mayor Flores opened the Public Hearing at 7:18 p.m.

- Ed Mckervey, Porterville, expressed his hope for the resolution of traffic issues on Lombardi; acknowledged and appreciated the efforts put into the street resurfacing projects; and suggested the inclusion of a memorial for fallen firefighters in the fire station redesign. He also emphasized the need for innovative thinking regarding the library design.

Mayor Flores closed the Public Hearing at 7:24 p.m. when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Greg Meister, SECONDED by Council Member Donald Weyhrauch that the City Council adopt the proposed 2024-2025 Fiscal Year Budget, as presented. The motion carried unanimously.

Documentation: Resolution No. 35-2024, Resolution No. 36-2024

Disposition: Approved.

SCHEDULED MATTERS

25. CONSIDERATION OF CALLING NOVEMBER 5, 2024, GENERAL ELECTION; REQUESTING CONSOLIDATION OF ELECTION; AND SETTING SPECIFIED SERVICES

Recommendation: That the City Council:

1. Adopt the draft Resolution calling the Election for November 5, 2024; requesting and consenting to the consolidation of the election; and setting specifications of the election order;
2. Adopt the draft Resolution requesting that the Board of Supervisors permit the Registrar of Voters to render specified services to the City for the November 5, 2024, Election;
3. Make a determination on whether candidate statements of 200 words or less will be allowed with no additional mailings, and if so, who shall be responsible for the estimated cost per candidate - the City or the candidate;
4. Authorize that the County Election Department, 5300 W. Tulare Ave.

Suite 105, Visalia, California 93277, be designated as the Central Counting Place for the November 5, 2024, General Municipal Election; and
5. Authorize payment to the Tulare County Registrar of Voters upon the completion of the requested services.

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

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Council Member Greg Meister that the City Council adopt the draft resolution calling the election for November 5, 2024; requesting and consenting to the consolidation of the election; and setting specifications of the election order; adopt the draft resolution requesting that the Board of Supervisors permit the Registrar of Voters to render specified services to the City for the November 5, 2024. Election; allow candidate statements of 200 words or less with no additional mailings, with responsibility of costs be that of the candidate; authorize the County Election Department, 5300 W. Tulare Ave., Suite 105, Visalia, California 93277, be designated as the Central Counting Place for the November 5, 2024, General Municipal Election; and authorize payment to the Tulare County Registrar of Voters upon the completion of the requested services. The motion carried unanimously.

Documentation: Resolution No. 37-2024, Resolution No. 38-2024

Disposition: Approved.

26. AUTHORIZATION TO EXECUTE TRANSPORTATION SERVICES AGREEMENT - TRANSIT MANAGEMENT, OPERATIONS, AND MAINTENANCE OF PORTERVILLE TRANSIT

Recommendation: That the City Council:

1. Authorize the Mayor to execute the Transportation Services Agreement with Tree's Sierra Management, Inc (dba SM Transit) for the Transit Management, Operations, and Maintenance of Porterville Transit per the scope of services defined in the Request for Qualifications (RFP) for this agreement at a price not to exceed those listed in the agreed upon "Multi-Year Price Plan" incorporated as "Attachment B" in the agreement; and
2. Authorize progress payments up to one hundred percent (100%) of the fee amounts for services rendered upon receipt of invoices approved by the Assistant City Manager.

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

City Attorney Lew made a formal statement regarding the recusal of Transportation Director Rich Tree from the Council Chambers. City Attorney Lew also stated that Mr. Tree has gone on record to state that he has zero financial interests in Tree's Sierra Management, Inc. (dba SM Transit), and that he has refrained from involvement in the procurement process, review of received responses, as well as any negotiations or recommendations pertaining to the contract concerning transit

management, operations, and maintenance for Porterville Transit.

COUNCIL ACTION: MOVED by Council Member Raymond Beltran, SECONDED by Council Member Greg Meister that the City Council approve the Transportation Services Agreement with Tree's Sierra Management, Inc. The motion carried unanimously.

Documentation: M.O. 22-061824

Disposition: Approved.

AB 1234 REPORTS

1. Local Initiatives Navigation Center (LINC) Committee - June 5, 2024
Council Member Beltran provided updates on several items of interest such as the approval of the Minutes, the budget, a Navigation Center Update, and the LINC Services Subcommittee.
2. Eastern Tule Groundwater Sustainability Agency (ETGSA) - June 6, 2024
Council Member Weyhrauch reported on the approval of the Minutes, the ratification of pending bills, and several reports and action items.
3. Tulare County Water Commission - June 10, 2024
Mayor Flores provided updates on the approval of Minutes, a presentation from Environmental Health on Well Construction Ordinance Proposed Changes, a Drought and Project Funding update, and several other reports and Commissioner vacancies. Mayor Flores also stated that she made an announcement to the Commission that she will no longer serve as the TCAG representative and provided the commission with the new representatives who will serve.
4. Flag Day Committee - June 11, 2024
Council Member Meister stated he would cover this report during Other Matters.
5. Local Initiatives Navigation Center (LINC) Committee - June 12, 2024
Council Member Beltran stated he had covered this during his first report.
5. Tulare County Association Of Governments (TCAG)/Tulare County Transportation Authority (TCTA) - June 17, 2024
Mayor Flores asked for this report to be carried to the next council meeting.

ORAL COMMUNICATIONS

- Robert Tree, CEO, of Sierra Management, stated he looks forward to working with the City of Porterville to re-establish transit services in the city and thanked the transit employees for their patience and understanding during the last few months.

OTHER MATTERS

- Council Member Beltran spoke of the Freedom Fest events, the traffic concerns in the area of the Sports Complex during the Freedom Fest Event, and the financial aspects of the many items that are on the agenda.
- Council Member Weyhrauch spoke of his attendance to a recent 8th grade promotion ceremony, a Porterville Unified School District Board Meeting, congratulated GIS Supervisor Rachel Ginsberg and Police Sergeant Oscar Ibarra on their recognitions, and spoke of upcoming events that he will attend.
- Council Member Meister stated staff does a great job at thinking outside of the box, congratulated GIS Supervisor Rachel Ginsberg and Police Sergeant Oscar Ibarra on their recognitions, and spoke of several items that were on the agenda. Council Member Meister also spoke of the traffic concerns surrounding the Sports Complex and thanked Tree Sierra Management for their service to the community.
- Vice Mayor Carrillo spoke of the budget item that was approved, acknowledged the efforts of Cathy Capone and her wishes of communication between the City and the Tule River Parkway Association, spoke of the many recreation related projects within the City, and expressed her thoughts on no longer being a part of the Tulare County Regional Transit Agency. Vice Mayor Carrillo also spoke the upcoming 4th of July holiday and addressed the concerns of the Nuckols family on traffic in the area of the Sports Complex.
- Mayor Flores expressed how proud she is of all who work for the City, spoke of her attendance at the Resident Physicians Graduation Ceremony that was hosted by the Sierra View Medical Center, and spoke of upcoming events that she will be attending.
- City Manager Hildreth spoke of the upcoming Summer Night Lights events, Freedom Fest event, and reminded everyone that the City Council Meeting of July 2nd was cancelled.

CLOSED SESSION

None.

ADJOURNMENT

The Council adjourned at 8:42 p.m. to the meeting of July 16, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Handwritten signature of Martha A. Flores in blue ink.

Martha A. Flores, Mayor

