

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 20, 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

- Diane, Haven Representative (the communication provided has been moved to the second Oral Communications on the agenda.)

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1 - Government Code Section 54956.8 – Conference With Real Property Negotiators/Property: Apn: 253-160-064, 253-160-065, 253-160-068, 253-160-069, 253-160-070, 261-125-018, 261-125-019, And 261-125-020. Agency Negotiator: Patrice Hildreth And Jason Ridenour. Negotiating Parties: City Of Porterville And James Gregory Shelton. Under Negotiation: Terms And Price.
- 2 - Government Code Section 54956.8 – Conference With Real Property Negotiators/Property: Apn: 253-174-004. Agency Negotiator: Patrice Hildreth And Jason Ridenour. Negotiating Parties: City Of Porterville And Rhode Island Suburban Newspapers. Under Negotiation: Terms And Price.
- 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Salvador Rosales. Agency Claimed Against: City Of Porterville.
- 4 - Government Code Section 54956.95 – Liability Claim: Claimant: Celina Boelter. Agency Claimed Against: City Of Porterville.
- 5 - Government Code Section 54956.9(D)(1) – Conference With Legal Counsel -- Existing Litigation: Hill International, Inc. V. City Of Porterville, Tulare County Superior Court Case No. Pcu309701.
- 6 - 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.
- 7 - 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 action pertaining to A-3 and A-4, as follows:

A-3. On a MOTION made by Mayor Martha A. Flores, and SECONDED by Council Member Greg Meister the City Council unanimously rejected the claim filed by Salvador Rosales.

Documentation: M.O. 01-082024

Disposition: Claim rejected.

A-4. On a MOTION made by Council Member Donald Weyhrauch, and SECONDED by Vice Mayor Kellie Carrillo the City Council unanimously rejected the claim filed by Celina Boelter.

Documentation: M.O. 02-082024

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Meister.

Invocation – a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Larry Segovia

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, presented information pertaining to Agenda Item No. 18 and expressed concerns about the restrictive nature of the proposed flag policy draft.
- Bonnie Boyd, Porterville, formally introduced herself as the candidate to be considered for the Arts Commission.
- Diane, a Haven Representative, formally introduced herself and delivered an overview of the services and contributions that Haven store provides to the local community.
- Kristy Martin, Porterville Chamber of Commerce, spoke of upcoming events,
- Giovanni Escuredo, Porterville, expressed his frustration regarding the language of the current city sign policy, citing that it hinders his ability to display signs for his business.

REPORTS

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - (Summer Hiatus)
 2. Library & Literacy Commission - (Summer Hiatus)
 3. Arts Commission - July 23, 2024 – No report.
 4. Animal Control Commission – No report.

5. Youth Commission - (Summer Hiatus)
6. Transactions And Use Tax Oversight Committee (TUTOC) – No report.

II. Staff Informational Reports

1. Water Conservation Phase III Status Update - July 2024

CONSENT CALENDAR

Item No. 14 was pulled for further discussion at the request for Council Member Greg Meister.

COUNCIL ACTION: MOVED by Vice Mayor Kellie Carrillo, SECONDED by Council Member Raymond Beltran that the City Council approve Items Nos. 1-13. The motion carried unanimously.

1. APPROVAL OF DRAFT MINUTES OF AUGUST 6, 2024, AND AUGUST 9, 2024

Recommendation: That the Council approve the draft Minutes of August 6, 2024, and August 9, 2024.

Documentation: M.O. 03-082024

Disposition: Approved.

2. REQUEST TO PURCHASE FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT.

Recommendation: That the City Council approve the purchase of six sets of turnouts from LN Curtis for \$22,444.32 with an added ten percent (10%) contingency of \$2,244.43, for the total purchase and not to exceed amount of \$24,688.75

Documentation: M.O. 04-082024

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE SPECIALIZED EQUIPMENT - ULTRAPURE WATER PURIFICATION SYSTEM

Recommendation: That the City Council:

1. Approve the purchase of an Ultrapure Water System from Fisher Scientific for an amount not to exceed \$7,018, (which includes the Ultrapure Water System, taxes, freight, and a ten percent (10%) contingency);
2. Direct the Finance Director to initiate a Purchase Order for Fisher Scientific for an amount not to exceed \$7,018,(which includes the

- Ultrapure Water System, taxes, freight, and a ten percent (10%) contingency), and
3. Direct the Finance Director to make payment to Fisher Scientific upon receipt of an invoice approved by the Public Works Director.

Documentation: M.O. 05-082024

Disposition: Approved.

4. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS
FOR LOW CARBON FUEL STANDARD MANAGEMENT SERVICES

Recommendation: That the City Council:

1. Approve the draft Request for Proposals;
2. Authorize staff to advertise for proposals on the project; and
3. Authorize staff to negotiate with the most responsive and responsible Proposer who has demonstrated the ability to perform the project in an acceptable manner and is most advantageous to the City.

Documentation: M.O. 06-082024

Disposition: Approved.

5. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS
FOR SOLAR MAINTENANCE SERVICES

Recommendation: That the City Council:

1. Approve the draft Request for Proposals;
2. Authorize staff to advertise for proposals on the project; and
3. Authorize staff to negotiate with the most responsive and responsible Proposer who has demonstrated the ability to perform the project in an acceptable manner and is most advantageous to the City.

Documentation: M.O. 07-082024

Disposition: Approved.

6. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS
FOR TWO MINI SIDE LOADING REFUSE TRUCKS

Recommendation: That the City Council:

1. Approve the draft Request for Proposals;
2. Authorize staff to advertise for proposals on the project; and
3. Authorize staff to negotiate with the most responsive and responsible Proposer who has demonstrated the ability to perform

the project in an acceptable manner and is most advantageous to the City.

Documentation: M.O. 08-082024

Disposition: Approved.

7. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS FOR TRASH RECEPTACLES

Recommendation: That the City Council:

1. Approve the draft Request for Proposal;
2. Authorize staff to advertise for proposals on the project; and
3. Authorize staff to negotiate with the most responsive and responsible Proposer who has demonstrated the ability to perform the project in an acceptable manner and is most advantageous to the City.

Documentation: M.O. 09-082024

Disposition: Approved.

8. CONSIDERATION OF ACQUISITION OF REAL PROPERTY

Recommendation: That City Council:

1. Authorize and execute the Draft Purchase Agreement with the O'Sullivan Family Revocable Trust for the acquisition of Land and Ditch Company Stock as detailed in the agreement;
2. Authorize and execute the Draft Lease Agreement for Water Rights with the O'Sullivan Family Revocable Trust for the lease of Ditch Company Stock; and
3. Approve the Purchase Agreement for the purchase of land and ditch company shares as outlined in the agreement and authorize the Mayor and City Manager to execute all necessary documents to complete the transaction.

Documentation: Resolution No. 61-2024

Disposition: Approved.

9. MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION/CITY OF PORTERVILLE HAZARD MITIGATION PLAN ANNEX RESOLUTION

Recommendation: That the City Council approve the draft resolution adopting the City of Porterville Local Hazard Mitigation Plan Annex E.

Documentation: Resolution No. 62-2024

Disposition: Approved.

10. APPROVAL OF COMMUNITY CIVIC EVENT - CENTRAL CALIFORNIA
BLOOD CENTER - CULTURE BLOOD DRIVE - SEPTEMBER 1, 2024

Recommendation: That the City Council approve the Community Civic Event application submitted by the Central California Blood Center to hold the "Culture Blood Drive" event in the Culture Cannabis Club parking lot at 230 North Main Street, on September 1, 2024, subject to the restrictions and requirements contained in the Application and Agreement, Exhibit A, and Exhibit B.

Documentation: M.O. 10-082024

Disposition: Approved.

11. APPROVAL OF COMMUNITY CIVIC EVENT - PORTERVILLE KIWANIS
- END OF SUMMER VENDOR MARKET - SEPTEMBER 15, 2024

Recommendation: That the City Council approve the Community Civic Event application from Porterville Kiwanis Club to hold the Vendor Market on September 15, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 11-082024

Disposition: Approved.

12. APPROVAL OF COMMUNITY CIVIC EVENT - AMERICAN
CONSERVATORY - PARKING LOT PARTY/CORNHOLE
TOURNAMENT - SEPTEMBER 28, 2024

Recommendation: That the City Council approve the Community Civic Event application from the American Conservatory to hold the "Parking Lot Party - Cornhole Tournament" event on September 28, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 12-082024

Disposition: Approved.

13. 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. 13-082024
Disposition: Approved.

SCHEDULED MATTERS

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

Recommendation: That the City Council consider the appointment of Catherine Capone to the Parks & Leisure Services Commission to serve the remainder of a four-year term to expire October 2025.

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 Donald Weyhrauch that the City Council appointed Catherine Capone to the Parks and Leisure Services Commission to serve the remainder of a four-year term to expire October 2025. The motion carried unanimously.

Documentation: M.O. 14-082024
Disposition: Approved.

16. CONSIDERATION OF APPOINTMENT TO THE ARTS COMMISSION

Recommendation: That the City Council consider the appointment of Bonnie Boyd to the Arts Commission to serve the remainder of a three-year term to expire July 2026.

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 appoint Bonnie Boyd to the Arts Commission to serve the remainder of a three-year term to expire July 2026. The motion carried unanimously.

Documentation: M.O. 15-082024
Disposition: Approved.

17. CONSIDERATION OF MEDIA SPONSORSHIP FOR THE 2024 PORTERVILLE VETERANS HOMECOMING DAY PARADE

Recommendation: That the City Council:

1. Consider media sponsorship of the 2024 Porterville Veterans Day Parade; and
2. Authorize the expenditure of up to \$12,500 from the Community Promotions fund.

City Manager Hildreth introduced the item and Deputy City Manager Jason Ridenour presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Kellie Carrillo, SECONDED by Council Member Greg Meister that the City Council approve the sponsorship of the 2024 Porterville Veterans Day Parade; and authorize the expenditure of up to \$12,000 from the Community Promotions fund. The motion carried unanimously.

Documentation: M.O. 16-082024

Disposition: Approved.

18. CONSIDERATION OF CITY COUNCIL POLICY ON THE EXHIBITION OF FEDERAL, STATE, AND CITY FLAGS, AND BANNERS; FROM CITY BUILDINGS AND FACILITIES – ALL OCCASIONS

Recommendation: That the City Council consider and approve the City Council Policy on the Exhibition of Federal, State, and City Flags, and Banners; from City Buildings and Facilities – All Occasions

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

During the Council's discussion, members expressed their agreement with the language of the draft policy. Subsequently, it was suggested that the policy should also allow the display of U.S. Armed Forces flags, in accordance with relevant federal laws and regulations.

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Council Member Greg Meister that the City Council approve the draft flag policy, with the addition of flags of branches of the U.S. Military, consistent with applicable federal laws and regulations; and adopted the draft resolution. The motion carried unanimously.

Documentation: Resolution No. 63-2024

Disposition: Approved.

14. CITY COUNCIL MEMBER REQUESTED AGENDA ITEM -
CONSIDERATION OF NAMING CITY FACILITY

Recommendation: That the City Council approve Council Member Weyhrauch's request to add an item to the next regular City Council meeting's agenda to consider the naming of the City's animal shelter.

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

Council Member Weyhrauch addressed the process of naming the new animal shelter and indicated that while the city generally does not name buildings after individuals, there might be an opportunity to establish a memorial in honor of Animal Shelter Manager Augie Gonzales.

During the initial stages of planning for the Animal Shelter, it was noted by staff that the Porterville Police Department had already intended to incorporate a memorial for Augie Gonzales within the premises of the animal shelter.

The council agreed that the Porterville Police Department proceed with its intentions to include a memorial for Mr. Gonzales.

Documentation: None.

Disposition: Direction given.

AB 1234 REPORTS

1. Local Initiatives Navigation Center (LINC) Committee - August 7, 2024
Council Member Beltran provided updates on several items such as the approval of the Minutes, the budget, a Navigation Center Update, and the LINC Services Subcommittee.
2. Library Facility Planning Committee - August 15, 2024
Vice Mayor Carrillo presented and reported on the approval of the Minutes, and an overview of the new library design options along with an update on library services.
3. Porterville Area Development Authority - August 16, 2024 - Canceled
4. Tulare County Association Of Governments (TCAG)/Tulare County Transportation Authority (TCTA) - August 19, 2024
Mayor Flores provided a report on a Workshop, the Transportation Consent Calendar, the approval of various resolutions, and an upcoming Board Retreat.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, stated that if the council considers using military flags, it should not forget about the merchant marines.

- Rafaela Woods, Porterville, expressed commendation to the council for their efforts in acknowledging Augie Gonzalez.

OTHER MATTERS

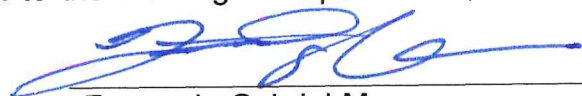
- Council Member Beltran expressed gratitude to the fire crews actively engaged in suppressing a nearby fire, extended appreciation to the two individuals for their participation in the commissions, extended best wishes to the new city council candidates, and encouraged them to acquaint themselves with the city.
- Council Member Weyhrauch acknowledged the educators and school administrators in the city as the school year has commenced. Additionally, he emphasized the importance of road safety and encouraged all residents to exercise caution while driving.
- Council Member Meister reported his recent birthday celebration, the Supreme Court's decision regarding Title 9, expressed gratitude to Huntington Beach Mayor Gracey Van Der Mark for her work on an ordinance pertaining to AB1955, his participation in a Veterans Car Show, commendations for Larry Segovia's Employee of the Month Recognition, and his attendance at a Retirement Party for Sergeant Carl Jordan.
- Vice Mayor Carrillo expressed gratitude to the two individuals appointed to the commissions. Vice Mayor Carrillo also highlighted an upcoming council candidate forum and extended appreciation to the library committee for their dedicated efforts that have brought them to their current stage of progress. Additionally, she acknowledged her brother, Shane Santos, for his recent promotion and shared her reasoning for not pursuing reelection to the City Council.
- Mayor Flores expressed her gratitude to those in attendance at the Team California consultant meeting and also highlighted her participation in the Tulare Kings Hispanic Chamber Ambassador Luncheon, the firefighter badge pinning ceremony, and the retirement celebration for Sergeant Carl Jordan. Mayor Flores also mentioned the Porterville Exchange Club Treasure Trove.

CLOSED SESSION

The Council took a five minute recess and reconvened in Closed Session at 8:00 p.m.

ADJOURNMENT –

The Council adjourned at 8:40 p.m. to the meeting of September 3, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor