

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 3, 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: Eva Lizeth Torres Jimenez. Agency Claimed Against: City of Porterville.
- 2 - Government Code Section 54956.95 – Liability Claim: Claimant: Melanie Rodriguez. Agency Claimed Against: City of Porterville.
- 3 - 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 plaintiffs.
- 4 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of litigation: Two (2) 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-2, as follows:

- A-2. On a MOTION made by Council Member Donald Weyhrauch, and SECONDED by Council Member Raymond Beltran the City Council unanimously rejected the claim filed by Melanie Rodriguez.

Documentation: M.O. 01-090324

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Beltran.

Invocation – a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Tori Berry
Outstanding Business Honoree – Imagine Art Center

ORAL COMMUNICATIONS

- Edith Lavonne, Porterville, expressed her opposition to a design for a small library and advocated for the construction of a larger building.
- Alexis Espinoza, Porterville, expressed support for the construction of a sizable library.
- Renee Curtley, Porterville, expressed support for the construction of a sizable library.
- Cathy Guinn, Porterville, expressed her belief that the Animal Shelter should be named after Augie Gonzalez.
- Julie Ann McGliden, Porterville, expressed support for the construction of a new library.
- Brock Neeley, Porterville, expressed his concerns regarding the transition from the Library Board of Trustees to the Library and Literacy Commission. He asserted that he believed this transition was executed in violation of the law.
- Kristy Martin, Porterville Chamber of Commerce, provided the Council with updates from the Porterville Chamber of Commerce.
- Vikki Cervantes, Porterville, expressed support for the forthcoming library and the second option for the library's design.

REPORTS

- I. Staff Informational Reports
 1. Porterville Rescue Mission Update

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Vice Mayor Kellie Carrillo, SECONDED by Council Member Raymond Beltran that the City Council approve Items Nos. 1-17. The motion carried unanimously.

1. APPROVAL OF DRAFT MINUTES OF AUGUST 20, 2024

Recommendation: That the Council approve the draft Minutes of August 20, 2024.

Documentation: M.O. 02-090324

Disposition: Approved.

2. AUTHORIZATION TO REPAIR/UPGRADE TRAFFIC SIGNAL AT OLIVE AVENUE & E STREET

Recommendation: That the City Council:

1. Approve the purchase of a new traffic signal cabinet and controller from Econolite for an amount not to exceed \$25,196, which includes the components, taxes, and a ten percent (10%) contingency;
2. Direct the Finance Director to initiate a Purchase Order to Econolite for an amount not to exceed \$25,196, which includes the components, taxes, and a ten percent (10%) contingency; and
3. Direct the Finance Director to make payment to Econolite upon receipt of an invoice approved by the Public Works Director.

Documentation: M.O. 03-090324

Disposition: Approved.

3. AUTHORIZATION TO ENTER INTO AGREEMENT FOR THE LEASE AND MAINTENANCE OF PRINTER/COPY MACHINES

Recommendation: That the City Council:

1. Authorize the Finance Director to execute an agreement with California Business Machines for the lease and maintenance of 19 Kyocera copiers for a 60-month term; and
2. Authorize the Finance Director to add or delete copiers to this agreement as they are identified, without modifying the terms and conditions of this agreement.

Documentation: M.O. 04-090324

Disposition: Approved.

4. AUTHORIZATION TO PURCHASE SPECIALIZED EQUIPMENT - HEADWORKS GRINDERS

Recommendation: That the City Council:

1. Award the purchase of the grinders to Duperon for an amount not to exceed \$240,350, which includes freight, taxes, and a ten percent (10%) contingency;
2. Direct the Finance Director to initiate a Purchase Order to Duperon for an amount not to exceed \$240,350, which includes freight, taxes, and a ten percent (10%) contingency; and
3. Direct the Finance Director to make payment to Duperon upon receipt of invoice approved by the Public Works Director.

M.O. 05-090324

Documentation:

Disposition: Approved.

5. AUTHORIZATION TO PURCHASE HVAC FOR PORTERVILLE

NAVIGATION CENTER

Recommendation: That the City Council authorize the purchase of a HVAC unit from 559 Heating & Cooling for \$12,600.

Documentation: M.O. 06-090324

Disposition: Approved.

6. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR QUALIFICATIONS FOR A PERMITTING SOFTWARE SYSTEM

Recommendation: That City Council authorize staff to distribute a Request for Qualifications for a Permitting Software System and to negotiate a fee with the highest ranking firm.

Documentation: M.O. 07-090324

Disposition: Approved.

7. AUTHORIZATION TO EXECUTE AN AGREEMENT FOR GOLF COURSE MANAGEMENT SERVICES

Recommendation: That the City Council:

1. Authorize staff to execute a golf course management services agreement with Mr. Casey Butler subject to the City Attorney's approval; and
2. Authorize the Mayor to sign all contract documents when completed.

Documentation: M.O. 08-090324

Disposition: Approved.

8. AUTHORIZATION TO EXECUTE A CONSULTANT AGREEMENT WITH GHD, INC – ACTIVE TRANSPORTATION (AT) PLAN

Recommendation: That the City Council:

1. Authorize the Mayor to execute the Consultant Service Agreement for the development of the City's Active Transportation Plan with GHD, Inc. at a price of \$203,136;
2. Authorize a ten percent (10%) contingency for the contract; and
3. Authorize progress payments up to one hundred percent (100%) of the fee amount.

Documentation: M.O. 09-090324

Disposition: Approved.

9. AUTHORIZATION REQUEST FOR THE PREPARATION OF THE FY 2023-2024 ANNUAL COMPREHENSIVE FINANCIAL REPORT

Recommendation: That the City Council authorize the Finance Department to utilize CliftonLarsonAllen LLP to prepare the City's FY 2023-2024 Annual Comprehensive Financial Report at a cost of \$9,140.00.

Documentation: M.O. 10-090324

Disposition: Approved.

10. IRREVOCABLE OFFER OF DEDICATION FROM BURTON SCHOOL DISTRICT, A CALIFORNIA PUBLIC SCHOOL DISTRICT

Recommendation: That City Council:

1. Approve the draft resolution accepting the Irrevocable Offer of Dedication from Burton School District, a California Public School District; and
2. Direct the City Clerk to record the Irrevocable Offer of Dedication in the office of the Tulare County Recorder upon the City receiving the final subdivision map for the Brookside Subdivision.

Documentation: Resolution No. 64-2024

Disposition: Approved.

11. ACCEPTANCE OF FINAL SUBDIVISION MAP - BROOKSIDE, PHASE 1 (PRESIDIO JJR BROOKSIDE 110 LLC AND PRESIDIO JJR LAURELWOOD 110 LLC)

Recommendation: That the City Council:

1. Approve the final subdivision map of Brookside, Phase 1; and
2. Accept all offers of dedication shown on the final map or by separate deed document.

Documentation: M.O. 11-090324

Disposition: Approved.

12. REQUEST FOR WILL SERVE LETTER - 831 E. DATE AVE.

Recommendation: That the City Council adopt the draft resolution approving the second water service connection at 831 E. Date Avenue.

Documentation: Resolution No. 65-2024

Disposition: Approved.

13. AUTHORIZATION FOR STREET CLOSURE - PIONEER DAYS & RIB

COOK-OFF

Recommendation: That the City Council authorize the temporary closure of Main Street from Morton Avenue to Putnam Avenue, and on Harrison Avenue, Thurman Avenue and Cleveland Avenue from Division Street to the alley just east of Main Street, on October 5, 2024, from 6:00 AM to 4:00 PM, during Pioneer Days.

Documentation: M.O. 12-090324

Disposition: Approved.

14. APPROVAL OF COMMUNITY CIVIC EVENT - CENTRAL CALIFORNIA FAMILY CRISIS CENTER - 24TH ANNUAL DOMESTIC VIOLENCE CANDLELIGHT VIGIL - OCTOBER 24, 2024

Recommendation: That the City Council approve the Community Civic Event application from Central California Family Crisis Center to hold the 24th Annual Domestic Violence Candlelight Vigil on October 24, 2024 at Centennial Park, subject to the requirements and restrictions contained in the Application and Agreement, and Exhibit A.

Documentation: M.O. 13-090324

Disposition: Approved.

15. CITY OF PORTERVILLE CONFLICT OF INTEREST CODE - 2024 BIENNIAL REPORT AND PROPOSED AMENDMENT

Recommendation: That the City Council:

1. Accept the Conflicts and Disclosure Monitor Agency 2024 Biennial Report; and
2. Direct staff to amend said report for Council's approval within ninety (90) days.

Documentation: M.O. 14-090324

Disposition: Approved.

16. REQUEST FOR PROCLAMATION - CONSTITUTION WEEK - SEPTEMBER 17 - 23, 2024

Recommendation: That the City Council consider approval of the request to proclaim September 17th - 23rd, 2024, as "Constitution Week" in the City of Porterville.

Documentation: M.O. 15-090324

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. 16-090324

Disposition: Approved.

PUBLIC HEARINGS

18. CONSIDERATION OF VESTING TENTATIVE SUBDIVISION MAP FOR WESTFIELD RESIDENTIAL DEVELOPMENT

Recommendation: That the City Council:

1. Hold a Public Hearing to receive comments on the Westfield Residential Development Project; and
2. Adopt the draft resolution approving the vesting Tentative Subdivision Map with conditions.

City Manager Hildreth introduced the item and City Planner Jell O'Neal presented the staff report.

Mayor Flores opened the Public Hearing at 7:08 p.m.

- Pastor Troy Sawyers, Porterville, expressed his concern regarding the potential impact of the proposed project on the traffic flow to their church, and highlighted the possibility of limited accessibility to the road once the project commences. Additionally, he raised privacy concerns pertaining to the future residents of the proposed residential development.

Mayor Flores closed the Public Hearing at 7:11 p.m., when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Greg Meister, SECONDED by Vice Mayor Kellie Carrillo that the City Council adopt the draft resolution approving the Vesting Tentative Subdivision Map. The motion carried unanimously.

Documentation: Resolution No. 66-2024

Disposition: Approved.

19. 2023-2024 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

- Recommendation: That the City Council:
1. Conduct the Public Hearing and consider any comments received;
 2. Consider the Draft 2023-2024 Consolidated Annual Performance Evaluation Report; and
 3. Direct staff to submit said report to the Department of Housing and Urban Development by the required deadline of September 30, 2024.

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

Mayor Flores opened the Public Hearing at 7:27 p.m., and closed the Public Hearing at 7:28 p.m., when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Raymond Beltran, SECONDED by Vice Mayor Kellie Carrillo that the City Council approve the draft 2023-2024 Consolidated Annual Performance Evaluation Report for submission to the Department of Housing and Urban Development by the required deadline of September 30, 2024. The motion carried unanimously.

Documentation: M.O. 17-090324

Disposition: Approved.

SCHEDULED MATTERS

20. VACATION OF A PORTION OF COLLEGE AVENUE

- Recommendation: That the City Council:
1. Consider adoption of the draft Resolution of Vacation of a portion of College Avenue, and if approved;
 2. Authorize the City Clerk to record said Resolution of Vacation.

City Manager Hildreth introduced the item and Engineering and Project Management Director Javier Sanchez presented the staff report.

COUNCIL ACTION: MOVED by Council Member Greg Meister, SECONDED by Council Member Donald Weyhrauch that the City Council adopt the draft resolution of Vacation of a portion of College Avenue and authorize the City Clerk to record the Resolution of Vacation. The motion carried unanimously.

Documentation: Resolution No. 67-2024

Disposition: Approved.

21. CONSIDERATION THE LIBRARY FACILITY PLANNING COMMITTEE'S DESIGN RECOMMENDATIONS FOR THE PORTERVILLE PUBLIC

LIBRARY PROJECT

Recommendation: That the City Council:

1. Review and consider the recommendations of the Library Planning Facility regarding design options; and
2. Direct staff to research and bring back for consideration options for funding of the project.

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

The Council was provided a list of library designs, provided by the consultant, which were as follows:

Option 1:

Construct full build-out.

Size - 40,000sf. Cost \$40,915,500.

Option 2:

Reduction of area across the entire program, such that most (if not all) programmatic areas can be constructed initially within the \$30 million budget without requiring future construction or tenant improvements. The design and site layout would provide the potential for future expansion at a later stage. Includes all areas of the program with a 30% reduction of everything.

Size - 24,600sf Cost \$30,000,000

Option 3:

Reduction of programmatic area with the potential for future phases. The initial phase would include an approximately 24,000sf building consisting of the core spaces and those programmatic areas identified in the public survey as middle to high priority. Build-out of core spaces with the ability to add future phases to include remaining spaces.

Size - 24,000sf Cost \$30,000,000

Option 4:

Reduction of programmatic area by constructing the entire shell of the full proposed library program, and then only completing the portion of the interior spaces afforded by the remaining budget. The remaining square footage (unfinished interior) would be completed during future phases. (6,900sf finished interior, 33,100sf unfinished interior.)

Size - 40,000sf shell Cost \$30,000,000

Option 5:

Reduction of area across the entire program to meet a \$20,000,000 budget, with site development reduced proportionally. The proposed budget would allow for a 16,100sf library with full programming.

Size - 16,100sf Cost \$20,000,000

Option 6:

Construction of a 30,000sf library with site development to meet a \$30,000,000 budget. The proposed budget would allow for a 30,000sf shell building only; no interior build-out would be possible.

Size - 30,000sf shell Cost \$33,300,000

Option 7:

Construction of 30,000sf library with full interior build-out and proportional reduction of the site improvements.

Size - 30,000sf Cost \$37,300,000

Staff indicated that the above options were presented to the Library Facility Planning Committee at their regularly scheduled meeting on August 15, 2024, to ascertain their preferences for said options and their top rankings of the options were as follows:

1. Option 2
2. Option 1 @ Option 3 (tie)
3. Option 4

Following extensive deliberation among the Council members, it was determined that Option #2 from the provided recommendations should be chosen. The Council directed the staff to prepare alternative funding options for the project's consideration.

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Vice Mayor Kellie Carrillo that the City Council considered and selected option #2, of the listed recommendations; and directed staff to research and bring back for consideration options for funding of the project. The motion carried unanimously.

Documentation: M.O. 18-090324

Disposition: Approved.

AB 1234 REPORTS

1. Tulare County Task Force on Homelessness - August 21, 2024
Mayor Flores provided a report on the approval of Minutes, updates from various committees and subcommittees, and an update to the bylaws.
2. Tulare County Economic Development Corp. (TCEDC) - August 28, 2024
No report was provided.
3. Eastern Tule Groundwater Sustainability Agency - August 29, 2024
Council Member Weyhrauch reported on the approval of Minutes, the ratification of pending bills, and several reports and action items.

ORAL COMMUNICATIONS

- Alexis Espinoza, Porterville, shared her perspective on the deliberations concerning the

library and the ensuing recommendations that influenced their decision.

- Vikki Cervantes, Porterville, stated that Mayor Flores and Vice Mayor Carrillo are setting great examples for your women, and spoke of an event she recently attended.
- Dr. Primavera Monnarez, Interim Porterville College President, acknowledged and thanked city staff for their partnering with the Porterville College.

OTHER MATTERS

- Council Member Beltran recognized Tori Berry as the Employee of the Month and offered congratulations to the Imagine Art Center for being honored as an Outstanding Business, suggested for the public to familiarize themselves with the City Charter, particularly regarding the responsibilities of the Library and Literacy Commission, and discussed the Brookside development and appreciation expressed to the city council for their efforts related to the encampment ordinance.
- Council Member Weyhrauch praised the Fire Department for their help with the Shelly Fire, thanked the Library and Literacy Commission for their support with library improvements, and acknowledged Torry Berri as the employee of the month.
- Council Member Meister extended congratulations to Shannon Grove and the Council Members for their support in the passing of SB1414, and acknowledged the dedication of city employees to serving the community.
- Vice Mayor Carrillo discussed the recommendations pertaining to the new Library designs and expressed optimism about the potential expansion of the library what will be on the property. Vice Mayor Carrillo expressed gratitude to all those involved in the Library Facility Planning Committee.
- Mayor Flores conveyed her gratitude for the assistance provided by Administrative Analyst Yuriko Velarde, who accompanied her to a radio interview and addressed public comments.

CLOSED SESSION

None.

ADJOURNMENT –

The Council adjourned at 8:40 p.m. to the meeting of September 17, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor

