

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 15, 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: APN: 260-300-030. Agency Negotiator: Patrice Hildreth and Jason Ridenour. Negotiating Parties: City of Porterville and Self-Help Enterprises. Under Negotiation: Terms and Price.

2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Patrice Hildreth and Yuliana Andrade. Employee Organizations: Management & Confidential Series.

3 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. Tulare County Regional Transit Agency and Abul Hassan, Tulare County Superior Court Case No. VCU312913.

4 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant exposure to Litigation: Three (3) 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: Two (2) cases.

**6:29 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

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

The Pledge of Allegiance was led by Council Member Beltran.

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

ORAL COMMUNICATIONS

- Rafaela Woods, Porterville, expressed her belief that the current City Council should not delay in fulfilling their responsibilities regarding the appointment of a new City Manager.
- David Horowitz, Porterville, expressed his concerns about trash accumulation and trash servicing in the area of downtown Main Street.
- Ed McKervey, Porterville, stated that the selection process for the City Manager is very important, and he would like the process and succession plan to be transparent.
- Brock Neeley, Porterville, expressed his thoughts on Item No. 25 and noted that certain individuals are making the process political.
- AJ Rivas, Porterville, believes that the selection for the next City Manager should be done after elections have concluded.
- John Duran, Porterville, spoke in favor of the next city Council being the ones to choose the new City Manager.
- Stan Green, Porterville, stated that the new incoming city council should be the ones to select the City Manager.
- Edith La Vonne, Porterville, reminded everyone that Item No. 25 is to consider a process on the selection of a new City Manager, not to select a new City Manager.
- Jesse Vasquez, Porterville, believes the current council should wait until after elections to select a new City Manager.
- Teresa Gonzalez, Porterville, would like the council to consider adding crosswalks near Plaza De Santa Fe to help senior residents cross the streets safely.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - October 3, 2024

Vice Chair Arlene Peña reported on several events that occurred such as Pioneer Days, Corporate Games, Youth Sports, Halloween Home Decorating Contest, and the upcoming Veterans Day Parade.

2. Library & Literacy Commission - October 8, 2024

Commissioner Edith La Vonne reported on a reorganization of the Commission, resulting in Sonya Lopez as the Chair, and Irene Ortega as the Vice Chair. The report included participation statistics for August & September for various events such as Virtual Story Time, Adult Book Club, Bilingual Story Time, Family Literacy Services, Bring your own game day, Young Adult Book Club, a Tropical Health Fair, Summer Reading Finale, First Chapter Friends, Back to School Car Show, and National Night Out.

3. Arts Commission – No report was provided.

4. Animal Control Commission - October 10, 2024 – No reported was provided.

5. Youth Commission - October 9, 2024

Commissioner Andre Dante introduced himself, the school he went to, and the reason as to why he joined the commission.

6. Transactions and Use Tax Oversight Committee (TUTOC) – No report was provided.

II. Staff Informational Reports

1. Water Conservation Phase III Status Update - September 2024

2. Fall Community Clean Up Event

3. Proclamation Issuance Report (September 2024)

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion. City Attorney Lew noted an amendment to be made to the recommendation of Item No. 6.

COUNCIL ACTION: MOVED by Vice Mayor Kellie Carrillo, SECONDED by Council Member Greg Meister that the City Council approve Items Nos. 1-21, with the noted corrections to Item No. 6. The motion carried unanimously.

1. APPROVAL OF DRAFT MINUTES OF OCTOBER 1, 2024

Recommendation: That the Council approve the draft Minutes of October 1, 2024.

Documentation: M.O. 01-101524

Disposition: Approved.

2. AUTHORIZATION FOR POLICE TRUCK ENGINE REPLACEMENT

Recommendation: That the City Council:

1. Authorize Police truck engine replacement by Merle Stone Chevrolet at a cost not to exceed \$15,580.05, (inclusive of all parts, taxes, labor, and a 10% contingency); and
2. Authorize payment of said repair upon satisfactory completion.

Documentation: M.O. 02-101524

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE MATERIALS FOR THE ZALUD PARK PIPE PROJECT

Recommendation: That the City Council:

1. Authorize the purchase of 1,300 feet of 12" C900 pipe from Core & Main for a total project amount not to exceed \$63,272.14, which includes piping, shipping, taxes, and 10% contingency;
2. Direct the Finance Director to initiate a Purchase Order to Core & Main for a total project amount not to exceed \$63,272.14, which includes piping, shipping, taxes, and 10% contingency; and
3. Direct the Finance Director to make payment to Core & Main upon receipt of the invoice approved by the Public Works Director.

Documentation: M.O. 03-101524

Disposition: Approved.

4. AUTHORIZATION TO PURCHASE AN AIR CONDITIONING UNIT

Recommendation: That City Council:

1. Award the replacement and installation of a 3.5-ton unit to TAM-N-TJ'Z Cooling-N-Heating Inc. for a total project amount not to exceed \$10,450, which includes one (1) air conditioning unit, installation, taxes, and 10% contingency;
2. Direct the Finance Director to initiate a Purchase Order to TAM-N-TJ'Z Cooling-N-Heating Inc. for a total project amount not to exceed \$10,450, which includes one (1) air conditioning unit, installation, taxes, and 10% contingency; and
3. Direct the Finance Director to make payment to TAM-N-TJ'Z Cooling-N-Heating Inc. upon receipt of the invoice approved by the Public Works Director.

Documentation: M.O. 04-101524

Disposition: Approved.

5. FLEET MANAGEMENT SOFTWARE RENEWAL

Recommendation: That the City Council:

1. Approve the software contract with Ron Turley Associates for one year in the amount of \$13,763.20; and
2. Authorize payment for these services from the Equipment Maintenance Shop Operating Budget.

Documentation: M.O. 05-101524

Disposition: Approved.

6. CONSIDERATION OF APPROVAL OF CONTRACT RENEWAL WITH CIVICPLUS

Recommendation: That the City Council approve the proposed contract renewal with CivicPlus, at the rate of \$10,638.11, and the following year at the rate of \$11,955.21, with a five percent (5%) annual increase each renewal term and automatic renewals, for the web-based agenda management system.

Documentation: M.O. 06-101524

Disposition: Approved.

7. AUTHORIZATION TO ENTER AGREEMENT WITH DATA PILOT

Recommendation: That the City Council:

1. Accept the grant funds from the 2024 Mobile Forensics LTP Grant Program in the amount of \$7,195.00 and;
2. Approve staff to enter the two (2) year contract with Data Pilot for the amount of \$7,085.08.

Documentation: M.O. 07-101524

Disposition: Approved.

8. AUTHORIZATION TO ADVERTISE FOR BIDS - COMMUNITY CENTER & PARK PROJECT

Recommendation: That the City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project; and
3. Authorize the City Engineer to negotiate surveying services with one of the firms as approved by Council MO #04-041922.

Documentation: M.O. 08-101524

Disposition: Approved.

9. AUTHORIZATION TO DISTRIBUTE REQUEST FOR QUALIFICATIONS - CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE COMMUNITY CENTER & PARK PROJECT

Recommendation: That the City Council authorize staff to distribute a Request for Qualifications for Construction Management and Inspection Services for the Community Center & Park Project.

Documentation: M.O. 09-101524

Disposition: Approved.

10. AUTHORIZATION TO EXECUTE FUNDING AGREEMENT
AMENDMENT NO. 1 - AKIN/CENTRAL WATER CONSOLIDATION
PROJECT

Recommendation: That the City Council:

1. Approve Amendment No. 1 to the funding agreement with the State Water Resources Control Board;
2. Adopt the draft Resolution identifying the Mayor and/or the Public Works Director as the City's authorized representatives concerning said Funding Agreement No. 1 with the California State Water Resources Control Board; and
3. Authorize the Public Works Director to execute Amendment No. 1 to the funding agreement.

Documentation: Resolution No. 78-2024

Disposition: Approved.

11. AWARD OF CONTRACT - CONTRACT PLANNING SERVICES

Recommendation: That the City Council:

1. Authorize staff to negotiate an on-call contract with Provost & Pritchard;
2. Authorize the Mayor to sign contract documents; and
3. Authorize staff to make payments up to 100% upon satisfactory completion of tasks.

Documentation: M.O. 10-101524

Disposition: Approved.

12. AWARD OF PROFESSIONAL SERVICES AGREEMENT TO MAAS
ENERGY WORKS FOR RENEWABLE NATURAL GAS SUPPLY AND
CREDIT MANAGEMENT SERVICES

Recommendation: That the City Council:

1. Approve the award of a ten-year Professional Service Agreement to Maas Energy Works for Renewable Natural Gas Supply and Credit Management Services; and
2. Authorize the Transportation Director to execute the agreement and any related documents.

Documentation: M.O. 11-101524

Disposition: Approved.

13. AWARD OF PROFESSIONAL SERVICES AGREEMENT TO CLEAN
ENERGY FOR COMPRESSED NATURAL GAS (CNG) FUELING
STATION MAINTENANCE SERVICES

Recommendation: That the City Council:

1. Approve the draft professional services agreement with Clean Energy for the maintenance of the City's CNG fueling station at an estimated monthly cost of \$2,245 and a one-time fee of \$10,370 for remote monitor software and equipment; and
2. Authorize the Mayor, or designee, to execute the agreement and any related documents on behalf of the City of Porterville.

Documentation: M.O. 12-101524

Disposition: Approved.

14. AWARD OF PROFESSIONAL SERVICES AGREEMENT TO ENERGY MISSION CONTROL, INC. FOR LOW CARBON FUEL STANDARD CREDIT SERVICES

Recommendation: That the City Council:

1. Approve a Professional Services Agreement between the City of Porterville and Energy Mission Control, Inc for Low Carbon Fuel Standard (LCFS) services; and
2. Authorize the Mayor, or designee, to execute the agreement and any related documents, subject to final review by the City Attorney.

Documentation: M.O. 14-101524

Disposition: Approved.

15. INTENT TO SCHEDULE A PUBLIC HEARING TO CONSIDER MAIN STREET BANNER APPLICATION FEE

Recommendation: That the City Council schedule a Public Hearing for November 5, 2024, to allow for public comment and to consider the Main Street banner application fee.

Documentation: M.O. 14-101524

Disposition: Approved.

16. A RESOLUTION APPROVING THE APPLICATION FOR THE ZERO-EMISSION LANDSCAPING EQUIPMENT GRANT PROGRAM THROUGH THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Recommendation: That the City Council adopt a Resolution approving the application for the Zero-Emission Landscaping Equipment Grant Program through the San Joaquin Valley Air Pollution Control District.

Documentation: Resolution No. 79-2024

Disposition: Approved.

17. ACCEPTANCE OF FUNDING FROM THE DEPARTMENT OF ENERGY'S ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM FOR THE PURCHASE OF THREE ZERO-EMISSION VEHICLES

Recommendation: That the City Council:

1. Accept funding from the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) Program in the amount of \$121,930;
2. Authorize the Mayor, or designer, to execute all necessary documents related to the acceptance of the funding and the implementation of the approved project;
3. Authorize staff to prepare and submit Clean Energy Tax Credits in the amount of \$7,500 per vehicle;
4. Appropriate \$8,726.08 in Transit Local Transportation Funds (LTF) as local match funding; and
5. Approve the purchase of three Tesla Model 3 vehicles in the amount of \$153,156.08.

Documentation: M.O. 15-101524

Disposition: Approved.

18. NOTIFICATION OF PFAS LEVEL EXCEEDANCE

Recommendation: That City Council:

1. Accept this report as meeting General Order No. DW-2024-0002-DDW requirement for notification of PFAS Notification Level Exceedance in five (5) wells within the City of Porterville Water System;
2. Accept the PFAS Notification Letter of Notification Level Exceedance for the five (5) wells within the City of Porterville Water System.

Documentation: M.O. 16-101524

Disposition: Approved.

19. REQUEST FOR WILL SERVE LETTER - 14534 ROAD 274

Recommendation: That the City Council adopt the draft resolution approving the second water service connection at 14534 Road 274.

Documentation: Resolution No. 80-2024

Disposition: Approved.

20. REQUEST FOR PROCLAMATION - 75TH ANNIVERSARY OF COURT REGINA COELI #1521

Recommendation: That the City Council consider approval of a request for the 75th Anniversary of Court Regina Coeli #1521, in the City of Porterville.

Documentation: M.O. 17-101524

Disposition: Approved.

21. 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. 18-101524

Disposition: Approved.

SECOND READINGS

22. SECOND READING - ORDINANCE NO. 1906, AMENDING THE OFFICIAL CITY OF PORTERVILLE ZONING MAP

Recommendation: That the City Council give Second Reading to Ordinance No. 1906, waive further reading, and adopt said Ordinance.

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 give Second Reading to Ordinance No. 1906, being an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE OFFICIAL CITY OF PORTERVILLE ZONING MAP TO REZONE APPROXIMATELY 447 ACRES (19 PARCELS) WITHIN THE PROPOSED SOUTH OF TULE RIVER (SOTU) DISTRICT MASTER PLAN AREA (REZONE 2024-001) TO RESIDENTIAL NEIGHBORHOOD (RN) ZONE DISTRICT CONSISTENT WITH THE PORTERVILLE 2030 GENERAL PLAN AS AMENDED, waive further reading, and adopt said Ordinance. The motion carried unanimously.

Documentation: Ordinance No. 1906

Disposition: Approved.

23. SECOND READING - ORDINANCE NO. 1907, AMENDING SERIES 200 AND 300 OF THE PORTERVILLE DEVELOPMENT ORDINANCE

Recommendation: That the City Council give Second Reading to Ordinance No. 1907, waive further reading, and adopt said Ordinance.

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 Raymond Beltran that the City Council give Second reading to Ordinance No. 1907, being an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SERIES 200 AND 300 OF THE PORTERVILLE DEVELOPMENT ORDINANCE REGARDING THE EMPLOYMENT ZONE DISTRICTS IS (GENERAL INDUSTRIAL) AND IP (INDUSTRIAL PARK), waive further reading, and adopt said Ordinance. The motion carried unanimously.

Documentation: Ordinance No. 1907

Disposition: Approved.

SCHEDULED MATTERS

24. CONSIDERATION OF APPOINTMENTS TO THE ANIMAL CONTROL COMMISSION

Recommendation: That the City Council consider the reappointment requests of Lacie Goodlett and Shawn Schwartzenberger for terms expiring in September 2028.

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

COUNCIL ACTION: MOVED by Council Member Greg Meister, SECONDED by Mayor Martha A. Flores that the City Council approve the reappointment of Lacie Goodlett and Shawn Schwartzenberger to the Animal Control Commission to terms expiring in September 2028. The motion carried unanimously.

Documentation: M.O. 19-101524

Disposition: Approved.

25. CONSIDERATION OF PROCESS FOR SELECTION OF CITY MANAGER

Recommendation: That the City Council consider and determine the selection process for hiring the successor City Manager and provide direction to staff.

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

Council Member Beltran expressed his support for utilizing an executive-level recruitment panel and requested to see a shortlist of potential candidates. He also mentioned that he is not bothered by when the selection is made, whether it occurs before or after the election, stating, "it is what it is."

Council Member Weyhrauch endorsed the idea of having a panel of qualified professionals on the recruitment panel, expressed interest in the number of candidates, and inquired with the City Attorney about the background check process.

Council Member Meister expressed his discomfort with increasing the salary. He believes that the selection process should not occur before the elections and that the Council be allowed to interview all candidates who applied to the position. Additionally, he supports a six-month limited-term contract for the City Manager position, allowing the individual to demonstrate their capabilities in that role.

Vice Mayor Carrillo stated that the city has been very transparent about the selection process for a new City Manager and supports both a professional panel and the proposed new salary for the position.

Mayor Flores emphasized that this discussion is not about who will be elected to the next council. She mentioned that the interview process has been very transparent and expressed support of the recommended salary increase, supports the use of a professional panel to evaluate candidates and agrees with a shortlist of the top three qualified individuals being presented to Council. Additionally, she stated that she is not concerned about the timing of the selection of the new City Manager.

After discussing the matter, council members decided to opt for a professional panel to interview all six qualified candidates. The panel will identify the top three candidates, and the council will then conduct interviews of the top three candidates. Additionally, the council agreed that the recommended salary range is suitable for the position, and the timing of the selection will depend on the duration of the overall process.

COUNCIL ACTION: MOVED by Council Member Raymond Beltran, SECONDED by Mayor Martha A. Flores that the City Council approved a professional panel to interview all six candidates for the City Manager position and said panel will provide the top three recommendations to the council to interview; and approved the annual salary range at \$200,000-225,000.

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

Documentation: M.O. 20-101524

Disposition: Approved.

AB 1234 REPORTS

1. Local Initiatives Navigation Center (LINC)- October 2, 2024

Council Member Beltran provided updates on several items of interest such as the budget, Navigation Center, and the upcoming Winter Coat giveaway.

2. Eastern Tule Groundwater Sustainability Agency (ETGSA) - October 3, 2024

Council Member Weyhrauch reported on a public hearing that was held, the ratification of pending bills, and several reports and action items.

3. Military Banner Committee Meeting - October 9, 2024

Vice Mayor Carrillo reported on the approval of the minutes and the renewal process for banners. She also provided statistics on various types of service calls regarding military banners and shared the program outlook for 2025.

ORAL COMMUNICATIONS

None.

OTHER MATTERS

- Council Member Beltran highlighted several upcoming events, including the Fall Clean Up event, the Apple Festival, and the ADA Public Outreach initiative. He also reminded the community about the Water Conservation Transition and shared his experiences at various events, such as a 4-H breakfast, and extended wishes for everyone to stay safe on Halloween.
- Council Member Weyhrauch expressed gratitude to city committee members, discussed current job openings in the city, elaborated on his reasoning for voting no on Item No. 25, and urged all community members to drive safely.
- Council Member Meister commented on the decisions that were made by other council members related to Item No. 25, spoke of border security, and spoke of a call he received from the public regarding the city's micro-transit system.
- Vice Mayor Carrillo stated she had no comments for the evening.
- Mayor Flores discussed her participation on a Spanish-speaking radio station, of her attendance at an employee luncheon, and at a Sierra View District Hospital fundraising event.
- City Manager Hildreth stated she had no comments for the evening.

CLOSED SESSION

None.

ADJOURNMENT –

The Council adjourned at 8:02 p.m. to the meeting of November 5, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor

