

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 17, 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: Javier Hamilton. Agency Claimed Against: City of Porterville.

2 - Government Code Section 54956.95 – Liability Claim: Claimant: Karina Villareal. Agency Claimed Against: City of Porterville.

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Curtis Tillery. Agency Claimed Against: City of Porterville.

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Pastor Isabel Vela v. Porterville Police Department, Tulare County Superior Court Case No. PCU311765.

5 - 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.

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

**6:33 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

City Attorney Lew reported action pertaining to A-1, and A-2 as follows:

A-1. On a MOTION made by Council Member Beltran, and SECONDED by Mayor Flores the City Council unanimously rejected the claim filed by Javier Hamilton.

Documentation: M.O. 01-091724

Disposition: Claim rejected.

A-2. On a MOTION made by Council Member Weyhrauch, and SECONDED by Vice Mayor Carrillo the City Council unanimously rejected the claim filed by Karina Villareal.

Documentation: M.O. 02-091724

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Weyhrauch.

Invocation – a moment of silence was observed.

PRESENTATIONS

2025 CDBG Con Plan and AI

ORAL COMMUNICATIONS

- Felipe Martinez, Porterville, presented the council with photos of a banner that the Porterville Exchange Club would like to donate to the City for the Veterans Parade.
- Cathy Capone, Porterville, highlighted the Tule River Parkway gardens, emphasizing the opportunity for individuals to adopt plants.
- Yolanda Aguillon, Porterville, is concerned about the programs and services provided for the homeless and spoke of her concerns about activities at the Armory.
- Josh Flowers, Strathmore, asserts that the city is not facing a water crisis, but rather a water management crisis; and briefly commented on the application process for the City Manager position.
- Rafaela Woods, Porterville, expressed her support that the current city council should have the authority to determine the future City Manager.
- Alexis Espinoza, Porterville, spoke in support of Item No. 9, 17, and 20.
- Carly Ladrigna, Porterville Chamber of Commerce, provided the Council with updates from the Porterville Chamber of Commerce.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - September 5, 2024

Commissioner Cathy Capone presented a update encompassing current and upcoming events, including the Porterville Corporate Games, Youth Adult Sports, Movie in the Park, and Pioneer Days.

2. Library & Literacy Commission - September 10, 2024

3. Arts Commission - September 10, 2024

4. Animal Control Commission

5. Youth Commission - September 11, 2024

6. Transactions and Use Tax Oversight Committee (TUTOC) - August 27, 2024

II. Staff Informational Reports

1. WATER CONSERVATION PHASE III STATUS UPDATE - AUGUST 2024

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 SEPTEMBER 3, 2024

Recommendation: That the Council approve the draft Minutes of September 3, 2024.

Documentation: M.O. 03-091724

Disposition: Approved.

2. AUTHORIZATION TO PURCHASE ROUTEWARE WASTE COLLECTION EQUIPMENT IN-CAB TECHNOLOGY AND BILLING SYSTEMS

Recommendation: That the City Council:

1. Approve the purchase of in-cab technology and billing system for the Refuse Division at an initial cost of \$192,514.32, including a 10% contingency, and a monthly subscription fee of \$15,090.00;
2. Authorize the City Manager to enter into a contract for a three-year term with an automatic renewal clause for successive one-year terms, with the option for the City to opt out by providing written notice 30 days prior to renewal;
3. Approve the procurement of the in-cab technology system through a cooperative purchasing program, as authorized by California Government Code § 6502 and City of Porterville Resolution No. 35-93; and
4. Authorize the Finance Director to make any necessary budget amendments or transfers to effectuate this purchase.

Documentation: M.O. 04-091724

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE SIDELOADER ELEVATOR

Recommendation: That the City Council:

1. Authorize the purchase of the sideloader elevator and components from One Source Parts at a cost not to exceed

- \$10,394.56 (inclusive of all parts, taxes, freight, and a 10% contingency); and
2. Authorize payment upon receipt of parts.

Documentation: M.O. 05-091724

Disposition: Approved.

4. RENEWAL OF PUBLIC SAFETY DELL SERVER WARRANTIES

Recommendation: That the City Council authorize the purchase of two Dell ProSupport 4-Hour 7x24 Onsite Service warranties for \$6,634.12, plus applicable sales tax.

Documentation: M.O. 06-091724

Disposition: Approved.

5. AUTHORIZATION TO DISTRIBUTE REQUEST FOR PROPOSALS -
PURCHASE OF TRUCK FOR ENCAMPMENT ABATEMENT
ACTIVITIES

Recommendation: That the City Council authorize staff to distribute Request for Proposals for the purchase of a truck for the encampment abatement activities associated with enforcement of Ordinance 1905 to regulate unsafe camping.

Documentation: M.O. 07-091724

Disposition: Approved.

6. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS
(RFP) FOR ARCHITECTURAL AND ENGINEERING DESIGN AND
SUPPORT SERVICES FOR A ZERO-EMISSION MAINTENANCE
FACILITY

Recommendation: That the City Council:

1. Approve the draft Request for Proposals;
2. Authorize the distribution of a Request for Proposals (RFP) to provide Architectural and Engineering Design and Support Services for a Zero-Emission Maintenance Facility, including the preparation of all required environmental documents such as CEQA and NEPA; 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. 08-091724

Disposition: Approved.

7. AUTHORIZATION TO ADVERTISE FOR BIDS - FOUNDATION AND DRAINAGE SYSTEM PROJECT FOR FUTURE DRAEGER PROP INSTALLATION

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 materials testing services with one of the on-call firms as approved by Council MO#09-081523.

Documentation: M.O. 09-091724

Disposition: Approved.

8. AUTHORIZATION TO AWARD CONTRACT - EMERGENCY BOARD-UP SERVICES

Recommendation: That the City Council award emergency board-up services contracts on a rotating on-call basis to MTZ Building Solutions, Benevento's Cleaning & Restoration Service, Inc., and The Lopez Construction Family LLC.

Documentation: M.O. 10-091724

Disposition: Approved.

9. ACCEPTANCE OF PROJECT - ANIMAL SHELTER 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. 11-091724

Disposition: Approved.

10. ACCEPTANCE OF PROJECT - HAYES FIELD LIGHTING PROJECT

Recommendation: That 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 remaining \$64,747.23 in General Fund Capital Construction/Improvement Designated Funds be earmarked for

needed improvements to the storm drain connections in and around Hayes Field.

Documentation: M.O. 12-091724

Disposition: Approved.

11. APPROVAL OF AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND TULARE COUNTY HEALTH AND HUMAN SERVICES AGENCY

Recommendation: That the City Council authorize the Mayor, or designee, to sign the Agreement with Tulare County Health and Human Services Agency.

Documentation: M.O. 13-091724

Disposition: Approved.

12. APPROVAL OF MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT - SANTA FE BYWAY

Recommendation: That the City Council:

1. Approve the attached draft Resolution in support of the Program Supplement to the Cooperative Agreement;
2. Authorize the Mayor and City Clerk to execute the Program Supplement, and
3. Authorize staff to forward the executed Program Supplement to TCAG for approval.

Documentation: Resolution No. 68-2024

Disposition: Approved.

13. APPROVAL OF AGREEMENT WITH ENTERPRISE RENT-A-CAR COMPANY OF SACRAMENTO, LLC FOR RIDESHARE SERVICES

Recommendation: That the City Council approve an Agreement between Enterprise Rent-A-Car Company of Sacramento, LLC and the City of Porterville for ridesharing services.

Documentation: M.O. 14-091724

Disposition: Approved.

14. REQUEST FOR AUTHORIZATION TO EXTEND THE ZERO-FARE PROGRAM FOR PUBLIC TRANSPORTATION SERVICES

Recommendation: That the City Council:

1. Approve the extension of the Zero-Fare Program for an additional 90 days, effective September 30, 2024, and ending December 31, 2024;
2. Authorize staff to make necessary adjustments and communicate the program extension details to the public; and
3. Direct staff to monitor the program's ongoing impact and provide an updated report to the City Council at the end of the extended period.

Documentation: M.O. 15-091724

Disposition: Approved.

15. APPROVAL OF COMMUNITY CIVIC EVENT - WORD OF VICTORY CHURCH - COMMUNITY OUTREACH - SEPTEMBER 28, 2024

Recommendation: That the City Council approve the Community Civic Event application from Word of Victory Church, to hold the Community Outreach event on September 28, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 16-091724

Disposition: Approved.

16. CONFLICT OF INTEREST CODE AMENDMENT

Recommendation: That the City Council adopt the draft Resolution approving the amended City of Porterville Conflict of Interest Code for 2024.

Documentation: Resolution No. 69-2024

Disposition: Approved.

17. APPOINTMENT IN-LIEU OF ELECTION FOR DISTRICT 5 - CITY COUNCIL MEMBER STAN GREEN

Recommendation: That the City Council appoint in-lieu of election Mr. Stan Green to the seat of the Office City Council Member representing District 5.

Documentation: Resolution No. 70-2024

Disposition: Approved.

18. 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. 17-091724

Disposition: Approved.

PUBLIC HEARINGS

19. PUBLIC HEARING ON THE PUBLIC HEALTH & SAFETY ELEMENT UPDATE AND ADOPTION OF THE ENVIRONMENTAL JUSTICE ELEMENT FOR THE PORTERVILLE 2030 GENERAL PLAN

Recommendation: That the City Council:

1. Hold a public hearing to receive comments on the Public Health & Safety Element Update and adoption of the Environmental Justice Element for the Porterville 2030 General Plan; and
2. Adopt the Draft Resolution, amending the General Plan to reflect the Public Health and Safety Element Update and adopt the new Environmental Justice Element as part of the Porterville 2030 General Plan.

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

Mayor Flores opened the Public Hearing at 7:32 p.m.

- Cathy Capone, Porterville, believes that the council should consider extending the time to receive public input.

Mayor Flores closed the Public Hearing at 7:33 p.m. when no one else came forward to speak.

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Vice Mayor Kellie Carrillo that the City Council adopt the draft resolution amending the General Plan to reflect the Public Health and Safety Element update and adopt the new Environmental Justice Element as part of the Porterville 2030 General Plan. The motion carried unanimously.

Documentation: Resolution No. 71-2024

Disposition: Approved.

SCHEDULED MATTERS

20. APPROVAL OF COAR DESIGN GROUP'S RECOMMENDATION FOR EMERGENCY OPERATIONS CENTER & PUBLIC SAFETY HEADQUARTERS LOCATION

Recommendation: That the City Council:

1. Approve COAR Design Group's recommended location for the Emergency Operations Center & Public Safety Headquarters as Centennial Plaza; and
2. Direct staff to negotiate a design contract with COAR Design Group for step two of the design process for the approved location.

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

COUNCIL ACTION: MOVED by Council Member Raymond Beltran, SECONDED by Vice Mayor Kellie Carrillo that the City Council approved COAR Design Group's recommended location for the Emergency Operations Center & Public Safety Headquarters as Centennial Plaza; and directed staff to negotiate a design contract with COAR Design Group for step two of the design process for the approved location. The motion carried unanimously.

Documentation: M.O. 18-091724

Disposition: Approved.

AB 1234 REPORTS

1. Local Initiatives Navigation Center (L.I.N.C.) - September 4, 2024
Council Member Beltran provided updates on several items of interest such as a welcoming introduction, the approval of the Minutes, a budget report, a report on the Navigation Center, and several upcoming events.
2. Eastern Tule Groundwater Sustainability Agency- September 5, 2024
Council Member Weyhrauch indicated his intention to defer this report to the subsequent meeting.
3. Tulare County Association of Governments (TCAG)- September 16, 2024
Mayor Flores reported that the meeting proceeded quickly, with minimal action items on the agenda.

ORAL COMMUNICATIONS

None.

OTHER MATTERS

- Council member Beltran spoke of an upcoming Police Department Promotion Ceremony, spoke of items on the Consent Calendar, and stated the activity surrounding the Armory will be looked into.
- Council Member Weyhrauch addressed the provision of mutual aid by firefighters, public concerns regarding speeding near several schools, expressed gratitude to the consultants for providing valuable information to the city, and commended the Parks and Leisure Commission for their reports.

- Council Member Meister expressed gratitude to Felipe Martinez for presenting the Banner rendition for the Veterans Parade. Additionally, Council Member Meister addressed public feedback on the City Manager selection process, discussed Porterville Police Department Facebook posts concerning school-related safety concerns, and referenced a letter written by him, to the Huntington Beach Mayor.
- Vice Mayor Carrillo expressed appreciation to Council Member Beltran for his active involvement in the LINC events and updates. Additionally, Vice Mayor Carrillo emphasized the considerable efforts dedicated to succession planning for the future City Manager position and emphasized the importance of not obstructing the progress achieved thus far.
- Mayor Flores expressed gratitude to the staff for their longstanding dedication to the city and acknowledged her participation in an event hosted by the Comision Honorifica Mexicana Americana.
- City Manager Patrice discussed the upcoming badge pinning ceremony, a Porterville Area Development Authority meeting scheduled for Friday, and a Special City Council Meeting the following week.

CLOSED SESSION

None.

ADJOURNMENT

The Council adjourned at 8:15 p.m. to a Special City Council Meeting of September 24, 2024, at 5:00 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor