

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 5, 2024, 5:30 PM**

Call to Order: 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

- Ed McKervery, Porterville, expressed his ongoing concern about the selection of a City Manager before the upcoming election.
- Stan Green, Porterville, hopes that the City Council will postpone their decision on a City Manager until the new city council is in place.
- Josh Flowers, Strathmore, believes that the council should interview all six candidates but ultimately let the new council choose the next City Manager.
- Jesse Vasquez, Porterville, agrees that the new council should be responsible for selecting the City Manager.
- AJ Rivas, Porterville, questioned why the council cannot wait until the new council is seated to decide the new City Manager.

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: Porterville Municipal Airport, Lot 9. Agency Negotiator: Julia Lew. Negotiating Parties: City of Porterville and Arrow Falcon Industries. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Khamphouk Inthavong. 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)(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)(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.

7 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant exposure to Litigation: Five (5) cases in which facts are not yet known to potential plaintiffs.

8 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two (2) cases.

9 - Government Code Section 54957 - Public Employment: City Manager.

6:36 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

Council Member Greg Meister left the meeting at the end of Closed Session.

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

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

Documentation: M.O. 01-110524

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Weyhrauch.

Invocation – a member of the public came forward to speak.

PRESENTATIONS

Employee of the Month - Dratin Wood
Outstanding Business Honoree

ORAL COMMUNICATIONS

- Kathleen Harris, Porterville, provided the council with an Animal Control Commission report.
- Brock Neeley, Porterville, spoke of his recent participation and experience at the Porterville Police Department Trunk or Treat event.
- Porterville Exchange Club gave introductions and presented the City Council with the donation of the Veterans Day Parade Banner.

REPORTS

- I. Staff Informational Reports

1. Charitable Car Washes Quarterly Report Calendar Year 2024
2. Code Enforcement Quarterly Report Fiscal Year 2024-2025 (July - September 2024)
3. City Council Member Appointments Attendance Quarterly Report FY 2024-2025 (July - September 2024)
4. City Commission And Committee Attendance Quarterly Report FY 2024-2025 (July - September 2024)
5. Building Permit Activity Quarterly Report FY 2024-2025 (July - September 2024)
6. Golf Course Quarterly Report Fiscal Year 2024-2025 (July - September 2024)
7. Street Performance Measure Quarterly Report FY 2024-2025 (July - September 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. 1-25.

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

1. APPROVAL OF DRAFT MINUTES OF OCTOBER 15, 2024

Recommendation: That the Council approve the draft Minutes of October 15, 2024.

Documentation: M.O. 02-110524

Disposition: Approved.

2. APPROVAL OF REPAIRS TO FIRE ENGINE

Recommendation: That the City Council approve payment to Burton's Fire, Inc. for a total cost of \$11,531.11 for repairs to a Porterville Fire Department Fire Engine.

Documentation: M.O. 03-110524

Disposition: Approved.

3. AUTHORIZATION TO UPFIT POLICE VEHICLE

Recommendation: That the City Council authorize payment to Cook's Communication for the listed upfit equipment in the amount of \$17,272.73.

Documentation: M.O. 04-110524

Disposition: Approved.

4. AUTHORIZATION TO PURCHASE VEHICLE TO SUPPORT ENCAMPMENT ABATEMENT

Recommendation: That the City Council authorize the purchase of a 2024 Chevrolet Silverado 1500, to support encampment abatement, from American Chevrolet for \$48,772.72.

Documentation: M.O. 05-110524

Disposition: Approved.

5. AUTHORIZATION TO PURCHASE SIDELOADER GRIPPER ASSEMBLY

Recommendation: That the City Council:

1. Authorize the purchase of the side loader lower gripper assembly from One Source Parts at a cost not to exceed \$7,854 (inclusive of all parts, taxes, freight, and a 10% contingency); and
2. Authorize payment upon receipt of parts.

Documentation: M.O. 06-110524

Disposition: Approved.

6. AUTHORIZATION TO PURCHASE AN AUTO THEFT INVESTIGATION VEHICLE

Recommendation: That the City Council:

1. Authorize staff to identify and enter negotiations for the purchase of a vehicle up to a cost of \$50,000 with a 10% contingency. If needed, the 10% contingency would be funded by the police department's vehicle depreciation account.
2. Authorize payment upon satisfactory delivery of the vehicle.

Documentation: M.O. 07-110524

Disposition: Approved.

7. AUTHORIZATION TO PURCHASE VETERANS DAY RUN PARTICIPANT SHIRTS

Recommendation: That the City Council approve the purchase of the Veterans Day Run race shirts from Axiom Graphics at a cost of \$11.20 per unit, plus an

\$2.00 more per unit for any size above extra large.

Documentation: M.O. 08-110524

Disposition: Approved.

8. AUTHORIZATION TO PURCHASE TECHNOLOGY EQUIPMENT FOR THE COUNCIL CHAMBERS

Recommendation: That City Council approve the purchase of the technology equipment from GovConnection, Inc., to support the technology upgrades in the Council Chambers, at a cost of \$12,664.72, with an additional ten percent (10%) contingency of \$1,266.47, for a total of \$13,931.19.

Documentation: M.O. 09-110524

Disposition: Approved.

9. AUTHORIZATION TO DISTRIBUTE REQUEST FOR PROPOSALS - IMPACT AND CONNECTION FEE NEXUS STUDY

Recommendation: That the City Council authorize staff to distribute a Professional Services Request for Proposals for an Impact and Connection Fee Nexus Study.

Documentation: M.O. 10-110524

Disposition: Approved.

10. REIMBURSEMENT FOR MASTER PLAN IMPROVEMENTS (ADULT DAY HEALTHCARE CENTER LOCATED AT 262 N SECOND ST)

Recommendation: That the City Council authorize a reimbursement to Golden Valley Pipeline in a total amount not to exceed \$80,000 from Water Revolving funds upon completion of the work and receipt of an approved invoice from the Engineering & Project Management Director.

Documentation: M.O. 11-110524

Disposition: Approved.

11. INTENT TO SET A PUBLIC HEARING - PARKS IMPACT FEES

Recommendation: That City Council direct the City Clerk to notice a Public Hearing to consider the implementation of the City of Porterville's Parks Impact Fees update at the meeting of January 21, 2025.

Documentation: M.O. 12-110524

Disposition: Approved.

12. CITY EASEMENT CONVEYANCE TO SOUTHERN CALIFORNIA EDISON
(SCE) COMPANY - WELL NO. 34

Recommendation: That the City Council:

1. Approve the draft Resolution Authorizing a Grant Deed of Easement to Southern California Edison Company;
2. Accept Southern California Edison's request to have the City convey an easement to extend electrical service and related facilities down Redondo Street to the Well No. 34 site;
3. Authorize the Mayor to sign the Grant of Easement; and
4. Authorize the City Engineer to mail the signed Grant of Easement to Southern California Edison company for recordation.

Documentation: Resolution No. 81-2024

Disposition: Approved.

13. AUTHORIZATION TO EXECUTE AGREEMENT - NAVIGATION CENTER
EXPANSION PROJECT

Recommendation: That the City Council:

1. Finds that construction and operation of the expansion of the Porterville Navigation Center as proposed herein is categorically exempt from the California Environmental Quality Act under CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.
2. Authorizes the Mayor to execute the project contract with TMJ Construction, Inc of Bakersfield (as a "Joint Venture" with Andrew Goodwin Design) for the design and installation of the expansion to the Porterville Navigation Center in the amount of \$2,459,994;
3. Authorizes progress payments up to one hundred percent (100%) of the contract amount; and
4. Directs staff to bring an item back to City Council at a future meeting to allocate the additional \$305,994 needed to fully fund the construction portion of the project.

Documentation: M.O. 13-110524

Disposition: Approved.

14. AUTHORIZATION TO EXECUTE CONSULTANT AGREEMENT -
EMERGENCY OPERATIONS CENTER & PUBLIC SAFETY
HEADQUARTERS DESIGN

Recommendation: That the City Council:

1. Authorize the Engineering & Project Management Director to

- execute the Consultant Service Agreement for the design of the Emergency Operations Center & Public Safety Headquarters Project with COAR Design Group in the amount of \$1,172,500;
2. Authorize a design contract contingency in the amount of \$77,500; and
 3. Authorize progress payments up to one hundred percent (100%) of the contract amount.

Documentation: M.O. 14-110524

Disposition: Approved.

15. RENEWAL OF AIRPORT LEASE - SEWER OPERATING FUND

Recommendation: That the City Council approve the renewal of the Lease Agreement between the Sewer Operating Fund and the Airport Enterprise Fund and authorize the Mayor to sign said Lease Agreement.

Documentation: M.O. 15-110524

Disposition: Approved.

16. RENEWAL OF AIRPORT LEASE - SPORTS COMPLEX PARKING

Recommendation: That the City Council approve the renewal of the Lease Agreement between the City of Porterville and the Airport Enterprise Fund and authorize the Mayor to sign said Lease Agreement.

Documentation: M.O. 16-110524

Disposition: Approved.

17. CONSIDERATION OF APPROVAL FOR RENEWAL OF BUXTON RETAIL RECRUITMENT SOFTWARE

Recommendation: That the City Council approve payment of the annual fee of \$36,750 for Buxton retail recruitment software services through October 11, 2025.

Documentation: M.O. 17-110524

Disposition: Approved.

18. CONSIDERATION OF APPROVAL OF SIDE LETTER AGREEMENT FOR THE MANAGEMENT CONFIDENTIAL SERIES

Recommendation: That the City Council:

1. Approve the side letter agreement amending the Employee Pay and Benefit Plan pertaining to the Management Confidential

- Series employees; and
2. Authorize staff to execute the agreement and amend the Employee Pay and Benefit Plan to reflect the change.

Documentation: M.O. 18-110524

Disposition: Approved.

19. FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the Financial Status Reports as presented.

Documentation: M.O. 19-110524

Disposition: Approved.

20. QUARTERLY INVESTMENT PORTFOLIO

Recommendation: That the City Council accept the Quarterly Investment Portfolio Summary Report.

Documentation: M.O. 20-110524

Disposition: Approved.

21. REQUEST FOR DONATION OF SURPLUS FIRE HOSE TO US & MEXICO FIREFIGHTERS UNITED FOUNDATION

Recommendation: That the City Council authorize the donation of surplus equipment to US & Mexico Firefighters United Foundation.

Documentation: M.O. 21-110524

Disposition: Approved.

22. APPROVAL OF COMMUNITY CIVIC EVENT - PORTERVILLE KIWANIS - HOLIDAY VENDOR MARKET - DECEMBER 1, 2024

Recommendation: That the City Council approve the Community Civic Event application from Porterville Kiwanis Club to hold the Holiday Vendor Market on December 1, 2024, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

Documentation: M.O. 22-110524

Disposition: Approved.

23. CONSIDERATION OF RESCHEDULING THE COMMUNITY CIVIC EVENT
- MOTHER'S UNITED AGAINST GANG VIOLENCE "UNITED BY
KINDNESS"

Recommendation: That the City Council authorize the rescheduling of the Mother's United Against Gang Violence "United by Kindness" event from Saturday, November 2, 2024, to Saturday, November 9, 2024.

Documentation: M.O. 23-110524

Disposition: Approved.

24. REQUEST FOR STREET CLOSURE: 30TH ANNUAL MYERS
CHRISTMAS MEMORIAL TREE LIGHTING - DECEMBER 10, 2024

Recommendation: That the City Council approve the closure of "E" Street, between Putnam and Cleveland Avenues, on December 10, 2024, from 5:00 p.m. to 9:00 p.m., subject to the specified conditions.

Documentation: M.O. 24-110524

Disposition: Approved.

25. 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. 25-110524

Disposition: Approved.

PUBLIC HEARINGS

26. CONSIDERING ESTABLISHMENT OF FEES ASSOCIATED WITH THE
MAIN STREET BANNER PROGRAM

Recommendation: That the City Council:

1. Conduct a Public Hearing to solicit comment on the proposed Main Street over-the-street banner fees; and
2. Consider adoption of the draft Resolution approving the new Main Street over-the-street application permit processing fee of \$20, and installation/removal fee of \$300 if performed by City staff.

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

Mayor Flores opened the Public Hearing at 7:00 p.m. and closed the Public Hearing at 7:00 p.m. when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Raymond Beltran, SECONDED by Council Member Donald Weyhrauch that the City Council adopt the draft resolution approving the new Main Street over-the-street application permit processing fees of \$20.00 for the Main Street banner application permit and \$300.00 for the installing and removal of Main Street banners.

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

Documentation: Resolution No. 82-2024

Disposition: Approved.

27. CONSIDERATION OF AMENDMENT TO SERIES 200 OF THE PORTERVILLE DEVELOPMENT ORDINANCE FOR FAMILY HEALTHCARE NETWORK

Recommendation: That the City Council:

1. Hold the noticed public hearing and consider the testimony provided;
2. Find that the proposed project is exempt from CEQA under CEQA Guidelines Sections 15061(b)(3);
3. Consider the draft ordinance, an Ordinance of the City Council of the City of Porterville Amending Series 200 of the Porterville Development Ordinance Regarding Off-Site Parking in Residential Zone Districts; and
4. If so approved, give first reading by title only, and order the Ordinance to print.

City Manager Hildreth introduced the item and Contracted City Planner Jeff O'neal presented the staff report.

Mayor Flores opened the Public Hearing at 7:06 p.m. and closed the Public Hearing at 7:06 p.m. when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Donald Weyhrauch, SECONDED by Mayor Martha A. Flores that the City Council find the the proposed project is exempt from CEQA under CEQA Guidelines Sections 15061(b)(3); and approve first reading of the ordinance being, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING SERIES 200, SECTION 201.02 OF THE PORTERVILLE DEVELOPMENT ORDINANCE REGARDING THE

RESIDENTIAL ZONE DISTRICTS, waive further reading, and order the ordinance to print.

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

Documentation: M.O. 26-110524

Disposition: Approved.

SCHEDULED MATTERS

28. AUTHORIZATION TO ADOPT THE PARKS MASTER PLAN

Recommendation: That the City Council:
1. Approve the Parks Master Plan as proposed; and
2. Approve the draft resolution authorizing the adoption of the Parks Master Plan.

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

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Vice Mayor Kellie Carrillo that the City Council adopt the draft resolution authorizing the adoption of the Parks Master Plan.

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

Documentation: Resolution No. 83-2024

Disposition: Approved.

29. CONSIDERATION OF SPONSORSHIP OF 2024 TULE RIVER TRIBE POWWOW SCHEDULED FOR NOVEMBER 7-11, 2024

Recommendation: That the City Council consider sponsorship of the 2024 Tule River Tribe Powwow.

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

COUNCIL ACTION: MOVED by Council Member Raymond Beltran, SECONDED by Mayor Martha A. Flores that the City Council approve the sponsorship of \$5,000 for the upcoming Annual TuleRiver Powwow scheduled to take

place November 7-11, 2024, at the Eagle Mountain Casino.

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

Documentation: M.O. 27-110524

Disposition: Approved.

AB 1234 REPORTS

1. Tulare County Taskforce on Homelessness - October 16, 2024 – no report was provided.
2. Tulare County Association of Governments (TCAG) - October 21, 2024
Mayor Flores stated that the meeting progressed quickly and highlighted two key items of importance: the adoption of a resolution approving the Transportation Development Act Claim for the City of Porterville and the resolution approving the Porterville UZA 5307 Split Letter.
3. Tulare County Economic Development Corporation (TCEDC) - October 23, 2024
Mayor Flores reported on those in attendance, a presentation that was provided, a project and client services update, and staff updates.

ORAL COMMUNICATIONS

None.

OTHER MATTERS

- Council Member Beltran praised Pizza Factory as the Outstanding Business Honoree, shared his happiness about the safe Halloween, and encouraged citizens to vote.
- Council Member Weyhrauch discussed the Quarterly Reports, praised the work on the Parks Master Plan, and highlighted the effective management of city resources and funds.
- Vice Mayor Carrillo congratulated Dratin Wood, the Employee of the Month recipient, as well as the Outstanding Business Honoree Pizza Factory; she expressed her excitement for the upcoming Veterans Day Run and Parade; and additionally, she addressed a comment made by a member of the public during Oral Communications, stating that the remarks were false and inaccurate.
- Mayor Flores expressed gratitude to Vice Mayor Carrillo for her comments, while also noting Carrillos' conflict of interest regarding the Tule River Tribe. The Mayor confirmed that Vice Mayor Carrillo has not participated in any related decisions. Additionally, Mayor Flores recognized several individuals for their contributions to the city, including Human Resources Aide Aileen Calderon, Acting Chief Deputy City Clerk Fernando Gabriel-Moraga, and Executive Assistant Lori Halleck. She reiterated her previous remarks at council meetings concerning candidates wishing to campaign for council

seats. The Mayor expressed pride in the city's accomplishments and mentioned her involvement in various events, such as the League of California Cities Conference, an interview with a Granite Hills High School student, and community events like the Domestic Violence Candlelight Vigil and the Día de los Muertos celebration.

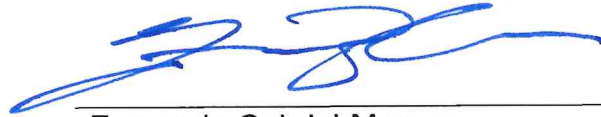
- City Manager Patrice Hildreth reminded the council of the police department's upcoming swearing-in ceremony.
- Deputy City Manager Jason Ridenour wished everyone a good evening.

CLOSED SESSION

None.

ADJOURNMENT –

The Council adjourned at 7:39 p.m. to the meeting of November 19, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor

