

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 19, 2024, 5:30 PM**

Call to Order at 5:30 p.m.

Roll Call: Council Member Raymond Beltran, Council Member Donald Weyhrauch, Vice Mayor Kellie Carrillo, Mayor Martha A. Flores

Absent: Council Member Greg Meister

ORAL COMMUNICATIONS

None.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.95 – Liability Claim: Claimant: Guadalupe Herrera. Agency claimed against: City of Porterville.

2 - 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, and related cross-action.

3 - 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.

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Amber Moreno v. City of Porterville et al., U.S. District Court, Eastern District, Fresno Division, Case No. 1:21-CV-00865-JLT-BAM.

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: Two (2) cases.

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

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

A-1. On a MOTION made by Council Member Raymond Beltran, and SECONDED by Vice Mayor Kellie Carrillo the City Council rejected the claim filed by Guadalupe Herrera.

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

Documentation: M.O. 01-111924

Disposition: Claim rejected.

The Pledge of Allegiance was led by Vice Mayor Carrillo.

Invocation – a moment of silence was observed.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, expressed his concern regarding the city's potential purchase of a holiday banner, emphasizing that it should be non-secular in nature.
- Ador Cardenas, Porterville Chamber of Commerce, spoke of upcoming events that will be hosted by the Chamber.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - November 7, 2024

Vice Chair Arlene Pena reported on several recent events, including the Halloween Home Decorating Contest and the Veterans Day Run. She also provided information about upcoming events, such as the 45th Annual Christmas Tree Lighting Ceremony, Youth Arena Soccer Registration, the Zalud House Candlelight Tours, and the Annual Senior Christmas Luncheon.

2. Library & Literacy Commission - November 12, 2024

Commissioner Edith La Vonne reported on an art project that was conducted by Porterville College, and reported on participation statistics for October for various events such as Virtual Story Time, Adult Book Club, Bilingual Story Time, Family Literacy Services, Bring your own day game, and several other programs that were also held.

3. Arts Commission – September 10, 2024

Commissioner Bonnie Boyd reported on a discussion regarding public engagement and design standards for Main Street and its intersections. The conversation focused on various ideas and art concepts that the commission believes should be incorporated into the reconstruction of Main Street.

4. Animal Control Commission – No report was provided.

5. Youth Commission - November 13, 2024 – No report was provided.

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

II. Staff Informational Reports

1. Water Conservation Phase IV Status Update - October 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.

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

1. APPROVAL OF DRAFT MINUTES OF NOVEMBER 5, 2024

Recommendation: That the Council approve the draft Minutes of November 5, 2024.
Documentation: M.O. 02-111924
Disposition: Approved.

2. AUTHORIZATION TO REPAIR CITY WELL NO.15

Recommendation: That City Council:
1. Direct the Finance Director to initiate a Purchase Order to Carver Pump for an amount not to exceed \$11,518 (inclusive of all parts, taxes, and contingency) for the replacement parts for City Well No. 15; and
2. Direct the Finance Director to make payment to Carver Pump upon receipt of the invoice approved by the Public Works Director.

Documentation: M.O. 03-111924
Disposition: Approved.

3. AUTHORIZATION TO REPLACE POLICE VEHICLE

Recommendation: That the City Council:
1. Authorize staff to purchase one 2024 Ford Explorer Police Interceptor for \$48,460.00 plus tax, license, and fees; and
2. Authorize staff to purchase emergency equipment, including Motorola radio, for \$23,932.29 and provide payments upon satisfactory delivery of the police vehicle and upfit of the emergency equipment.

Documentation: M.O. 04-111924
Disposition: Approved.

4. AUTHORIZATION TO AMEND APPROVED PURCHASE OF ROUTEWARE WASTE COLLECTION EQUIPMENT IN-CAB TECHNOLOGY AND BILLING SYSTEMS

Recommendation: That the City Council:

1. Approve the updated and corrected annual project cost of in-cab technology and billing systems for the Refuse Division at an initial one-time cost of \$150,871.60 (including a 10% contingency), and a recurring annual subscription fee of \$226,899.84;
2. Approve the purchase of the Routeware portion of the project (hardware, professional services, and monthly subscriptions) through the Houston-Galveston Area Council (HGACBuy) cooperative purchasing program, with a total purchase order amount of \$320,951.60 for the first year (one-time cost of \$139,871.60 plus an annual recurring cost of \$181,080.00);
3. Approve the purchase of the Recyclist and ReCollect portions of the project (customer engagement, program tracker and data services) through the Sourcewell cooperative purchasing program, with a total purchase order amount of \$56,819.84 for the first year (one-time cost of \$11,000.00 plus an annual recurring cost of \$45,819.84);
4. Authorize the Public Works Director 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;
5. Approve the procurement of the in-cab technology system through the HGACBuy and Sourcewell cooperative purchasing programs, as authorized by California Government Code § 6502 and City of Porterville Resolution No. 35-93; and
6. Authorize the Finance Director to make any necessary budget amendments or transfers to effectuate this purchase.

Documentation: M.O. 05-111924

Disposition: Approved.

5. AUTHORIZATION TO REJECT ALL BIDS FOR MINI SIDE LOAD REFUSE TRUCK RFP NO. 24-25-SR1985 AND REISSUE WITH REVISED SPECIFICATIONS

Recommendation: That the City Council:

1. Reject all bids submitted for RFP No. 24-25-SR1985; and
2. Direct staff to reissue the RFP with updated project specifications to align with budgetary requirements.

Documentation: M.O. 06-111924

Disposition: Approved.

6. AMENDMENT NO. 1 TO 4CREEKS, INC. NEWCOMB STREET & MULBERRY AVENUE TRAFFIC SIGNAL DESIGN SERVICE AGREEMENT

Recommendation: That the City Council:

1. Authorize the Engineering & Project Management Director to execute Addendum No. 1 to the 4 Creeks, Inc. Service Agreement at an agreed upon fee of \$10,861 for the services described herein; and
2. Authorize progress payments up to one hundred percent (100%) of the fee amount.

Documentation: M.O. 07-111924

Disposition: Approved.

7. AUTHORIZATION TO ENTER INTO GENERAL SERVICES AGREEMENT WITH WESTERN PUMP, INC. FOR FUEL SYSTEM UPGRADES

Recommendation: That the City Council:

1. Approve the General Services Agreement between the City of Porterville and Western Pump, Inc. for the Fuel System Upgrades Project at a total project cost not to exceed \$365,000; 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. 08-111924

Disposition: Approved.

8. AUTHORIZATION TO ENTER INTO GENERAL SERVICES AGREEMENT WITH NORTHERN UNITED FENCE FOR SECURITY FENCING PROJECT

Recommendation: That the City Council:

1. Approve the General Services Agreement between the City of Porterville and Northern United Fence for the Security Fencing Project at a total project cost not to exceed \$150,000; 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. 09-111924

Disposition: Approved.

9. AUTHORIZATION TO ENTER INTO GENERAL SERVICES AGREEMENT WITH BIGBELLY SOLAR, LLC FOR TRASH RECEPTACLES PROJECT

Recommendation: That the City Council:

1. Approve the General Services Agreement between the City of Porterville and Bigbelly Solar, LLC for the Trash Receptacles Project at a total project cost not to exceed \$270,000; 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. 10-111924

Disposition: Approved.

10. 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 fixed-route and ADA paratransit services until June 30, 2025;
2. Authorize staff to adjust operational procedures as needed and communicate the program's continuation to the public; and
3. Direct staff to monitor the program's impacts and provide a final report at the end of the extension period.

Documentation: M.O. 11-111924

Disposition: Approved.

11. REAUTHORIZATION OF PROFESSIONAL SERVICES AGREEMENT WITH CLEAN ENERGY FOR COMPRESSED NATURAL GAS (CNG) FUELING STATION MAINTENANCE SERVICES WITH FTA TERMS AND CONDITIONS

Recommendation: That the City Council:

1. Approve the revised professional services agreement with Clean Energy for the maintenance of the City's CNG fueling station, incorporating all required FTA terms and conditions; and
2. Authorize the Mayor, or designee, to execute the revised agreement and any related documents on behalf of the City of Porterville.

Documentation: M.O. 12-111924

Disposition: Approved.

12. UPDATE AND APPROVAL OF FY 2023 AND FY 2024-25 TRANSIT PROGRAMS AND TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIMS

Recommendation: That the City Council:

1. Rescind Resolution No. 54-2024 from August 6, 2024, and approve the updated FY 2023 TDA Claim; and
2. Approve the updated allocations for the FY 2024-25 Transit Program of Projects; and
3. Direct staff to implement these changes and ensure compliance with funding and program requirements.

Documentation: Resolution No. 84-2024

Disposition: Approved.

13. COOPERATIVE AGREEMENT WITH TULARE COUNTY ASSOCIATION OF GOVERNMENTS (TCAG) FOR SB 125 PROGRAM FUNDING

Recommendation: That the City Council:

1. Approve the attached Cooperative Agreement with the Tulare County Association of Governments (TCAG) for SB 125 Program funding; and
2. Authorize the City Manager or designee to execute the agreement on behalf of the City.

Documentation: M.O. 13-111924

Disposition: Approved.

14. REQUEST FOR WILL SERVE LETTER - 1065 E. CLEO AVE.

Recommendation: That the City Council adopt the draft resolution approving the second water service connection at 1065 E. Cleo Avenue.

Documentation: Resolution No. 85-2024

Disposition: Approved.

15. APPROVAL OF COMMUNITY CIVIC EVENT - ROTARY CLUB OF PORTERVILLE AND PORTERVILLE CHAMBER OF COMMERCE - CHILDREN'S CHRISTMAS PARADE – DECEMBER 5, 2024 (ALTERNATIVELY ON DECEMBER 12, 2024, IN THE EVENT OF RAIN)

Recommendation: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Rotary Club of Porterville and the Porterville Chamber of Commerce to hold the

Children's Christmas Parade on December 5, 2024, or alternatively on December 12, 2024, in the event of rain, subject to the requirements and restrictions that are listed on the attached copy of the Application and Agreement, Exhibit A, Exhibit B and Exhibit C.

Documentation: M.O. 14-111924

Disposition: Approved.

16. COUNCIL MEMBER REQUESTED AGENDA ITEM - CONSIDERATION OF "MERRY CHRISTMAS" BANNER FOR MAIN STREET

Recommendation: That the City Council approve Council Member Beltran's request to consider the purchase and installation of a "Merry Christmas" banner for Main Street as a scheduled matter at its meeting of December 3, 2024.

Documentation: M.O. 15-111924

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. 17-111924

Disposition: Approved.

SECOND READINGS

18. SECOND READING - ORDINANCE NO. 1908, AMENDING SERIES 200 OF THE PORTERVILLE DEVELOPMENT ORDINANCE

Recommendation: That the City Council give Second Reading to Ordinance No. 1908, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Council Member Donald Weyhrauch that the City Council give Second Reading to Ordinance No. 1908, 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 adopt said Ordinance.

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

Documentation: Ordinance No. 1908
Disposition: Approved.

SCHEDULED MATTERS

19. CONSIDERATION OF ESTABLISHING A STANDING CANNABIS COMMITTEE

Recommendation: That the City Council:
1. Abolish the Ad Hoc Cannabis Committee; and
2. Provide direction to staff concerning the establishment of a standing Cannabis Committee.

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

Members of council reached a consensus that the Ad Hoc Cannabis Committee has fulfilled its intended purpose and should be abolished. Council agreed that a standing committee should be established to function on a long-term basis, with more consistent mandates and be a Brown Act body, that would convene on an as needed basis. Furthermore, the council members concurred that the composition of this standing committee should be limited to members of the council and city staff assigned by the City Manager or their designee.

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Council Member Donald Weyhrauch that the City Council approve abolishing the Ad Hoc Cannabis Committee and directed staff to bring forward a draft resolution to establish a standing cannabis committee to be comprised members of council and city staff.

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

Documentation: M.O. 17-111924
Disposition: Approved.

AB 1234 REPORTS

1. Local Initiatives Navigation Center (LINC) - November 6, 2024

Council Member Beltran provided updates on several items of interest such as the approval of the Minutes, the budget, Navigation Center, a Halloween Event hosted by Kingsview, and the Winter Coat giveaway.

2. CalVANS – November 14, 2024

No report was provided as there was no meeting held.

2. Porterville Area Development Authority (PADA)- November 15, 2024

Council Member Beltran reported on the approval of Minutes, several reports, and action items related to the City's reimbursement to the Tule River Tribe for eligible expenses related to both the Tertiary Treatment Wastewater Facility and Storm Drain Retention Basin surrounding the Porterville Airport Area.

3. Tulare County Association of Governments (TCAG) - November 18, 2024

No report was provided as there was no meeting held.

ORAL COMMUNICATIONS

None.

OTHER MATTERS

- Council Member Beltran expressed gratitude to the staff for the evening's agenda, thanked the community for a successful Veterans Day Parade, mentioned his attendance at the Elks Lodge Veterans Dinner, and wished everyone Happy Holidays.
- Council Member Weyhrauch shared echoed the sentiments expressed by Council Member Beltran regarding the Veterans Day Parade. He also inquired about the color scheme of the city logo in relation to a transit item in the agenda. Additionally, he recounted an experience he had with an E-bike rider and emphasized that it is a wonderful time to celebrate the holidays and extended his wishes for a Happy Thanksgiving to everyone.
- Vice Mayor Carrillo noted that November is Native American Heritage Month and acknowledged the hard work of various city departments in serving the community and spoke about the upcoming Veterans Day Run. She also thanked Council Member Beltran for his updates on LINC and expressed gratitude to Assistant City Manager Mike Knight for his efforts in promoting water conservation. Additionally, she recognized her daughter, Jenny, who was in attendance at the meeting.
- Mayor Martha A. Flores discussed her recent participation in several events, including the police department's Badge Pinning Ceremony, the Southern California Edison Multicultural Event, the Mothers Against Gang Violence event, the Veterans Day Parade, the Elks Lodge Veterans Dinner, and an upcoming Homeless Task Force Meeting and Annual Awards Banquet.

CLOSED SESSION

None.

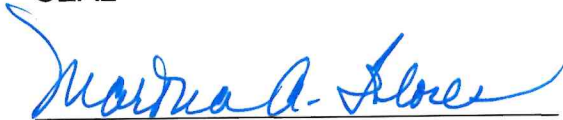
ADJOURNMENT

The Council adjourned at 7:31 p.m. to the meeting of December 3, 2024, at 5:30 p.m.



Fernando Gabriel-Moraga,
Acting Chief Deputy City Clerk

SEAL



Martha A. Flores, Mayor

