



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 4, 2025, 5:30 PM**

The City of Porterville provides access to view city council meetings electronically. Please note that this service is offered as a courtesy and may not always be accessible to the public. To ensure the opportunity to participate in public comments and scheduled public hearings, individuals must attend in person.

This meeting will be available for viewing via YouTube at
<https://www.youtube.com/@cityofporterville4149>,

Please direct any questions to the Office of City Clerk at 559-782-7464.

Call to Order

Roll Call

ORAL COMMUNICATIONS

This is the opportunity to address the City Council on any matter scheduled for Closed Session. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 269-050-063, 269-050-064, and 269-050-065. Agency Negotiator: Richard Tree. Negotiating Parties: City of Porterville and State of California Department of General Services, Real Estate Division. Under Negotiation: Terms and Price.
- 2**- Government Code Section 54956.95 – Liability Claim: Claimant: Jesus Ortiz. Agency claimed against: City of Porterville.
- 3** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Sell, Gary Lee Jr. v. City of Porterville, et al., Tulare County Superior Court Case No. VCU313488.
- 4**- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Pouncey v. Silva et al., Fresno Superior Court Case No. 24CECG03764.

5- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Big Bidness LLC, a Delaware Limited Liability Corporation et al v. City of Porterville, Tulare County Superior Court Case No. PCU 327136

6- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Nagle Earthworks v. S&B Sons Inc., et al., Kern County Superior Court Case No. BCV-25-100682

7 - Government Code Section 54956.9(d) (2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two (2) Cases: 1) One case in which facts are not yet known to potential plaintiff, and 2) Letter from Attorney Brent McManigal dated 10/02/2025.

8 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One (1) case.

6:30 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Mayor Meister

Invocation

PRESENTATIONS

Employee of the Month - Alexis Ayon

Outstanding Business Honoree - Calico Mermaid

ORAL COMMUNICATIONS

This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

REPORTS

This is the time for all and staff informational items.

I. Staff Informational Reports

1. Building Permit Activity Quarterly Report – First Quarter FY 2025–2026 (July–September 2025)
2. Code Enforcement Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)
3. City Commission and Committee Attendance Quarterly Report – First Quarter FY 2025–2026 (July–September 2025)

4. City Council Member Appointments Attendance Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)
5. Golf Course Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)
6. Streets Performance Measure Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)

CONSENT CALENDAR

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar. All items removed from the Consent Calendar for further discussion will be heard at the end of Scheduled Matters.

1. **Authorization to Purchase FY 2025–2026 Replacement Equipment by Negotiation**
Re: Consideration to purchase by negotiation of equipment scheduled for replacement in Fiscal Year 2025–2026.
2. **Authorization to Purchase Cradlepoint Routers and Three-Year NetCloud Plan**
Re: Consideration to approve the purchase of thirteen (13) Cradlepoint R1900-5GB routers and three-year NetCloud Mobile Performance Essentials Plans from CDW Government (CDW-G) in an amount not to exceed \$28,864.00 under Sourcewell Contract No. 121923-CDWG.
3. **Authorization to Repair Parks Aerial Truck (Unit No. 5310)**
Re: Consideration of the repair of the Parks Aerial Truck (Unit No. 5310) by Porterville Ford in an amount not to exceed \$12,093.62.
4. **Authorization to Repair Refuse Truck (Unit No. 6612)**
Re: Consideration of the repair of Refuse Truck (Unit No. 6612) by American Truck LLC in an amount not to exceed \$25,104.10.
5. **Authorization to Replace Airport Mower**
Re: Consider the purchase of a replacement mower from California Turf Equipment & Supply in an amount not to exceed \$79,064.61, inclusive of delivery, sales tax, and a ten percent contingency.
6. **Authorization to Replace Airway Café Kitchen Exhaust Fan**
Re: Consideration to replace the Airway Café kitchen exhaust fan by Emcor Services for \$21,162.90, including a ten percent contingency.
7. **Authorization of Annual Renewal for Fleet Management Software Service**
Re: Consideration to approve the annual renewal for Fleet Management Software Service with Ron Turley Associates in the amount of \$15,965.31.
8. **Adoption of the Updated Public Transportation Agency Safety Plan (PTASP)**
Re: Consider a draft resolution approving the City of Porterville’s Updated Public Transportation Agency Safety Plan (PTASP).
9. **Authorization to Issue Letter of Support for The Foundry Affordable Housing Project**

Re: Consideration for the Mayor to issue a Letter of Support for The Foundry Affordable Housing Project, a proposed Self-Help Enterprises development to accompany its funding application to the California Department of Housing and Community Development.

10. Authorization to Continue Participation in the Litter Abatement Program in Partnership with TCAG and CalTrans

Re: Consider the authorization to continue participation in the Litter Abatement Program in partnership with TCAG, Caltrans, and CSET, and approval of related agreements and funding allocations.

11. Authorization to Submit HOME Investment Partnerships Program Income Application

Re: Consideration to submit a HOME Investment Partnerships Program Income Application to the California Department of Housing and Community Development to continue the City's First-Time Homebuyer Program.

12. Authorization to Schedule a Public Hearing for Consideration of Revocation of Business License

Re: Consideration to authorize the City Clerk to notice a public hearing for November 18, 2025, to consider the revocation of a business license issued for a Home Occupation Permit.

13. Approval of Community Civic Event – St. Anne's School Centennial Celebration

Re: Consideration to approve the Community Civic Event Application submitted by St. Anne's Church to hold the St. Anne's School Centennial Celebration on Saturday, November 8, 2025, from 2:00 PM to 9:00 PM.

14. Approval of Community Civic Event – Children's Christmas Parade

Re: Consideration to approve the Community Civic Event Application submitted by the Rotary Club of Porterville and the Porterville Chamber of Commerce to hold the annual Children's Christmas Parade along Main Street on Thursday, December 4, 2025, or on Thursday, December 11, 2025, in the event of rain, from 7:00 p.m. to 9:00 p.m.

15. Authorization of Street Closure for the 31st Annual Myers Christmas Memorial Tree Lighting

Re: Council to consider the closure of "E" Street between Putnam and Cleveland Avenues on December 9, 2025, from 5:00 p.m. to 9:00 p.m., for the 31st Annual Myers Christmas Memorial Tree Lighting event.

16. Acceptance of Quarterly Financial Status Reports – September 30, 2025

Re: Acceptance of Quarterly Financial Status Reports for the period ending September 30, 2025, including Measure H and Measure I sales tax performance update.

17. Acceptance of Quarterly Investment Portfolio Report as of September 30, 2025

Re: Acceptance of the City's Quarterly Investment Portfolio Report as of September 30, 2025, confirming compliance with state law and the City's Investment Policy.

18. Request for Proclamation - National Family Caregivers Month

Re: Considering approval of a proclamation request to proclaim the month of November 2025 as "National Family Caregivers Month" in the City of Porterville.

19. Reappointment to the Library and Literacy Commission

Re: Consider the reappointment of Susan Uptain to the Library and Literacy Commission for a term expiring October 31, 2028.

20. Cancellation of First City Council Meetings in January and July 2026

Re: Consideration to cancel the regularly scheduled City Council meetings of January 6, 2026, and July 7, 2026, due to the New Year's and Independence Day holiday periods.

21. Status and Review of Declaration of Local Flood Emergency

Re: Review of the Declaration of Local Emergency made on March 13, 2023, concerning the significant weather event and impacts relative to flood event.

A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible

PUBLIC HEARINGS

22. Adoption of the 2025 California Fire Code

Re: Public Hearing to receive public testimony and consider the first reading of an Ordinance amending Chapter 12, Article 1 of the Porterville Municipal Code to adopt by reference the 2025 Edition of the California Fire Code and associated appendices.

SECOND READINGS

23. Second Reading - Ordinance No. 1919, Approving an Amended and Restated Development Agreement between the City of Porterville and Cannabis Express, Inc.

Re: Adoption of an ordinance approving an amended and restated development agreement between the City of Porterville and Cannabis Express, Inc. for the continued operation of a commercial cannabis dispensary located at 200 North Main Street, Porterville, California.

SCHEDULED MATTERS

24. Selection of Preferred Fixed-Route Service Design

Re: Consideration to approve Concept 6 as the preferred fixed-route service design for implementation effective January 2, 2026, or to provide direction on an alternative preferred design.

25. Authorization of Monthly American Flag Replacement and Ceremonial Distribution Program

Re: Consideration to authorize the monthly replacement of the American flag displayed at the front of City Hall, beginning December 1, 2025; direct staff to label and preserve each retired flag with its corresponding month and year of display for presentation at future City ceremonial events, including the Annual Wall of Fame ceremony and recognitions of past mayors; and authorize the allocation of \$2,000 annually from the Community Promotion Budget to support this program.

26. Authorization of Stuff the Bus Community Food Drive Event

Re: Consideration of the Stuff the Bus Community Food Drive and companion Stuff the Truck events in partnership with the Fire and Police Departments to collect food and essential items during the 2025 holiday season.

27. Consideration of Amendments to the City Council Procedural Handbook

Re: Consideration of potential amendments to the City Council Procedural Handbook to provide clear and consistent guidance on the use of City facilities, staff support, official branding, and City-managed social media platforms for community outreach and informational meetings.

AB 1234 REPORTS

This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

1. Tulare County Economic Development Corp. (TCEDC) - October 22, 2025
2. Downtown Porterville Committee - October 23, 2025
3. Porterville Developmental Center Advisory Board - October 24, 2025
4. Tule Sub Basin Policy Meeting - October 24, 2025
5. Military Banner Committee - October 30, 2025

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

Any Closed Session Items not completed prior to 6:30 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of November 18, 2025, at 5:30 p.m.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, requesting electronic participation as an accommodation, or to be able to access this agenda and documents in the agenda packet, please contact the Office of City Clerk at (559) 782-7464. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection during normal business hours at the Office of City Clerk, 291 N. Main Street, Porterville, CA 93257, and on the City's website at www.ci.porterville.ca.us.



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: 1. Building Permit Activity Quarterly Report – First Quarter FY 2025–2026 (July–September 2025)

SOURCE: Engineering and Project Management

COMMENT: The Building Permit Activity Report provides a quarterly summary of residential and commercial building permit activity within the City of Porterville. This report covers the first quarter of Fiscal Year 2025–2026, which includes the months of July, August, and September 2025. The data presented reflect ongoing development trends and provide a snapshot of local construction activity compared to the same period in the previous fiscal year.

During the first quarter of FY 2025–2026, the City issued 38 new residential building permits, representing a 17.39% decrease from 46 permits issued in the first quarter of FY 2024–2025. Conversely, 3 new commercial permits were issued, reflecting a 200% increase compared to 1 commercial permit during the same period last year.

Overall, building permit activity remains consistent with the City’s multi-year development trends, with continued interest in both residential infill and small-scale commercial development. Staff will continue to monitor trends in building activity and provide quarterly updates to the City Council.

RECOMMENDATION: Information Only

ATTACHMENTS:

1. July 2025- Building Activity Report
2. August 2025- Building Activity Report
3. September 2025- Building Activity Report

Appropriated/Funded:

Review By:

Department Director:
Javier Sanchez, Engineering & Project Management Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

CITY OF PORTERVILLE - BUILDING DIVISION
REPORT FOR THE PERIODS OF
7/1/2024 - 7/31/2024 AND
7/1/2025 - 7/31/2025

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	JULY 2025	JULY 2024	THIS YEAR TO DATE	LAST YEAR TO DATE	JULY 2025	JULY 2024	THIS YEAR TO DATE	LAST YEAR TO DATE	JULY 2025	JULY 2024	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	16	17	16	17	6,137,729	5,119,476	6,137,729	5,119,476	47,211.30	33,595.43	47,211.30	33,595.43
NEW COMM	0	1	0	1	0	162,500	0	162,500	0.00	4,856.64	0.00	4,856.64
RESID IMPROV	11	10	11	10	314,618	144,131	314,618	144,131	4,378.00	4,750.98	4,378.00	4,750.98
COMM IMPROV	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
OTHER	33	33	33	33	649,213	849,303	649,213	849,303	7,282.00	8,586.70	7,282.00	8,586.70
ELECT	57	61	57	61	1,072,610	1,145,547	1,072,610	1,145,547	10,958.00	12,247.00	10,958.00	12,247.00
PLUMB	69	67	69	67	419,158	190,465	419,158	190,465	11,186.00	9,518.00	11,186.00	9,518.00
TOTALS	186	189	186	189	8,593,327	7,611,421	8,593,327	7,611,421	81,015.30	73,554.75	81,015.30	73,554.75

	NEW DWELLING UNITS TOTALS			
	JULY 2025	JULY 2024	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	14	17	14	17
MULTI FAMILY	4	0	4	0
TOTAL	18	17	18	17



 CHIEF BUILDING OFFICIAL

CITY OF PORTERVILLE - BUILDING DIVISION
REPORT FOR THE PERIODS OF
7/1/2024 - 8/31/2024 AND
7/1/2025 - 8/31/2025

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	AUGUST 2025	AUGUST 2024	THIS YEAR TO DATE	LAST YEAR TO DATE	AUGUST 2025	AUGUST 2024	THIS YEAR TO DATE	LAST YEAR TO DATE	AUGUST 2025	AUGUST 2024	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	12	6	28	23	3,310,450	945,285	9,448,179	6,064,761	31,385.95	12,332.23	78,597.25	45,927.66
NEW COMM	2	0	2	1	971,000	0	971,000	162,500	6,089.85	0.00	6,089.85	4,856.64
RESID IMROV	12	15	23	25	107,200	508,745	421,818	652,876	4,053.97	9,485.66	8,431.97	14,236.64
COMM IMPROV	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
OTHER	31	22	64	55	968,847	247,203	1,618,059	1,096,506	6,941.00	4,992.35	14,223.00	13,579.05
ELECT	75	53	132	114	1,244,983	963,333	2,317,593	2,108,880	13,933.80	10,791.00	24,891.80	23,038.00
PLUMB	45	48	114	115	167,941	133,329	587,099	323,794	7,420.00	6,918.00	18,606.00	16,436.00
TOTALS	177	144	363	333	6,770,421	2,797,895	15,363,748	10,409,317	69,824.57	44,519.24	150,839.87	118,073.99

	NEW DWELLING UNITS TOTALS			
	AUGUST 2025	AUGUST 2024	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	12	6	26	23
MULTI FAMILY	0	0	4	0
TOTAL	12	6	30	23


 CHIEF BUILDING OFFICIAL

CITY OF PORTERVILLE - BUILDING DIVISION
REPORT FOR THE PERIODS OF
7/1/2024 - 9/30/2024 AND
7/1/2025 - 9/30/2025

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	SEPTEMBER 2025	SEPTEMBER 2024	THIS YEAR TO DATE	LAST YEAR TO DATE	SEPTEMBER 2025	SEPTEMBER 2024	THIS YEAR TO DATE	LAST YEAR TO DATE	SEPTEMBER 2025	SEPTEMBER 2024	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	10	23	38	46	3,432,661	6,723,357	12,880,840	12,788,118	26,625.06	64,055.70	105,222.31	109,983.36
NEW COMM	1	0	3	1	800,000	0	1,771,000	162,500	7,366.50	0.00	13,456.35	4,856.64
RESID IMPROV	13	9	36	34	395,109	83,854	816,927	736,730	7,993.91	3,059.00	16,425.88	17,295.64
COMM IMPROV	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
OTHER	33	26	97	81	637,210	5,428,746	2,255,270	6,525,253	6,918.00	5,745.00	21,141.00	19,324.05
ELECT	43	72	175	186	803,125	3,957,626	3,120,718	6,066,506	8,524.00	15,260.70	33,415.80	38,298.70
PLUMB	58	50	172	165	264,799	249,456	851,898	573,250	9,227.00	9,168.00	27,833.00	25,604.00
TOTALS	158	180	521	513	6,332,904	16,443,040	21,696,652	26,852,357	66,654.47	97,288.40	217,494.34	215,362.39

	NEW DWELLING UNITS TOTALS			
	SEPTEMBER 2025	SEPTEMBER 2024	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	10	23	36	46
MULTI FAMILY	0	0	4	0
TOTAL	10	23	40	46


 CHIEF BUILDING OFFICIAL



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: 2. Code Enforcement Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)

SOURCE: Fire

COMMENT: This informational report utilizes data from the “myPorterville” application for tracking code enforcement activity between July 1, 2025, through September 30, 2025. During the 1st quarter of fiscal year 2025/2026, each department of the City contributed towards recording 1066 code enforcement issues. Of these, 960 were corrected and 106 were continued into the 2nd quarter of 2025/2026 for additional corrective action. The Code Enforcement Division issued 33 Administrative Citations.

At its meeting on July 20, 2021, the City Council reviewed its Ordinance related to the parking and storing of recreational vehicles, boats, and trailers. During the past quarter, Code Enforcement received five (5) complaints specific to recreational vehicles, boats, and trailers, of which three (3) had been completed at the time of this report.

RECOMMENDATION: Informational only

ATTACHMENTS: 1. Code Enforcement FY 25-26 Q1

Appropriated/Funded:

Review By:

Department Director:
Bryan Cogburn, Fire Chief

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

Code Enforcement Report, Quarter 1, FY 25-26

Q1 Code Enforcement Activity	# Requests	# Completed	% Closed
Abandoned Vehicle (Street)	58	56	96.55%
Animals- agricultural animals	1	0	0.00%
Animals- barking dogs	8	8	100.00%
Animals- keeping too many or unauthorized species	5	0	0.00%
Animals- kept for commercial purposes	3	1	33.33%
Animals- roosters	2	2	100.00%
Building Department/ Permits	9	2	22.22%
CEO, Building permit check	1	1	100.00%
CEO, Business License	1	1	100.00%
CEO, Shopping Carts	135	135	100.00%
CEO, Sign Removal	284	284	100.00%
Code Enforcement, General	30	26	86.67%
Community Development, General or MULTIPLE violations	2	0	0.00%
Engineering	2	0	0.00%
Fences and freestanding walls	8	1	12.50%
Fire Hazard	1	1	100.00%
Fire Information, Reporting of	0	0	0.00%
Fireworks	3	1	33.33%
Garbage Collection/Illegal Dumping	14	13	92.86%
Graffiti	33	33	100.00%
Health Hazard	5	2	40.00%
Homeless Encampments	63	63	100.00%
Housing Issue (Structure Related)	5	1	20.00%
Itinerant Vendor, Solicitor, Peddler	6	6	100.00%
Landscaping/trees- private property	25	24	96.00%
Meter Request	100	94	94.00%
Neglected property/trash & debris	18	7	38.89%
Noise Complaint	1	1	100.00%
Outdoor Storage	2	1	50.00%
Parking Issue	0	0	0.00%
Parks	14	12	85.71%
Police/ Traffic Enforcement	26	26	100.00%
Potholes	12	5	41.67%
Refuse Can Replacement / Repair	13	8	61.54%
Report Leak	75	69	92.00%
Sheds or second units	1	0	0.00%
Sidewalk Condition	8	2	25.00%
Signs- In Public Right of Way	1	0	0.00%
Signs- Maintenance Issues	2	0	0.00%

Administrative Citations	Q1	Q2	Q3	Q4	Total
\$100	6	0	0	0	\$600
\$200	0	0	0	0	\$0
\$500	2	0	0	0	\$1,000
\$1,000	1	0	0	0	\$1,000
\$2,500	24	0	0	0	\$60,000
FY 25-26 Total Assesment	33	0	0	0	\$62,600

Shopping Carts	Q1	Q2	Q3	Q4	Total
Collected	135	0	0	0	135
Disposed (Lbs.)	0	0	0	0	0

Private Property Vehicle Abatements	Q1	Q2	Q3	Q4	Total
Voluntary Abatement	20	0	0	0	20
Certified Voluntary Abatement	1	0	0	0	1
Towed	10	0	0	0	10
Total Vehicles Abated	31	0	0	0	31

Weed Abatement	Q1	Q2	Q3	Q4	Total
Properties Noticed	39	0	0	0	0
Completed by Owner	15	0	0	0	15
Assigned to Contractor (private)	0	0	0	0	0
Assigned to Contractor (city owned)	24	0	0	0	24
Completed by Contractor	24	0	0	0	24
Admin Citations	0	0	0	0	0

Code Enforcement Report, Quarter 1, FY 25-26

Signs- Temporary	1	0	0.00%
Stop Light Issue	11	9	81.82%
Storm Water	1	1	100.00%
Street Light Issue	3	2	66.67%
Street Sweeping	1	1	100.00%
Vehicles- inoperable vehicles	22	20	90.91%
Vehicles- Parked on lawn	13	8	61.54%
Vehicles- RVs/boats/etc	5	3	60.00%
Water Waste	16	16	100.00%
Water Waste NOV	0	0	0.00%
Weed Abatement	17	15	88.24%
Yard Sales, Frequent	1	1	100.00%
Q1 Total	1066	960	90.06%



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: 3. City Commission and Committee Attendance Quarterly Report – First Quarter FY 2025–2026 (July–September 2025)

SOURCE: Administrative Services

COMMENT: The purpose of this report is to provide the City Council with an update on attendance records for City commissions and committees as of the first quarter of Fiscal Year 2025–2026, covering the period of July through September 2025.

Regular monitoring of attendance ensures that all appointed members are actively participating in meetings and contributing to the work of their respective bodies. Attendance is tracked and reported quarterly in accordance with City policy and provides transparency regarding participation across City boards and commissions.

The following commissions and committees are included in this quarterly report:

- Animal Control Commission
- Arts Commission
- Library & Literacy Commission
- Parks & Leisure Services Commission
- Transactions and Use Tax Oversight Committee
- CDBG Advisory and Housing Opportunities Committee

The attached reports summarize each member's attendance through September 30, 2025. Staff will continue to monitor attendance and report to the City Council quarterly.

RECOMMENDATION: Information Only

ATTACHMENTS:

1. Animal Control Commission Attendance
2. Arts Commission Attendance

Item No.

3. Library & Literacy Commission Attendance
4. Parks and Leisure Services Commission Attendance
5. Transactions and Use Tax Oversight Committee Attendance
6. CDBG Advisory and Housing Opportunities Committee Attendance

Appropriated/Funded:

Review By:

Department Director:

Yuliana Andrade, Administrative Services Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

**Animal Control Commission
Attendance Records**

As of September 30, 2025

	2025 10-Apr	2025 14-Aug						Notes:
Kathy Guinn	P	P						
Jerry Hall	P	P						
Kat Harris	P	P						
Shawn Schwartzenberger	P	A						
Lacie Goodlett	A	A						

*Meeting cancelled due to lack of quorum.

**Meeting cancelled due to holiday and/or scheduling.

	2023 13-Jul	2023 12-Oct	2024 11-Jan	2024 11-Apr	2024 11-Jul	2024 21-Oct	2025 9-Jan	Notes:
Kathy Guinn	P	A	*	P	P	A	P	
Jerry Hall	P	P	*	P	P	P	P	
Kat Harris	P	P	*	P	P	P	A	
Shawn Schwartzenberger	P	A	*	P	P	P	P	
Lacie Goodlett	P	P	*	A	P	A	P	

*Meeting cancelled due to lack of quorum.

**Meeting cancelled due to holiday and/or scheduling.

	2022 May	2022 June	2022 July	2022 11-Aug	2022 13-Oct	2023 12-Jan	2023 13-Apr	Notes:
Kathy Guinn	*	*	*	P	P	P	P	
Jerry Hall	*	*	*	A	P	P	P	
Art Duron	*	*	*	P				
Kat Harris	*	*	*	P	P	P	P	
Shawn Schwartzenberger		*	*	P	A	P	P	
Lacie Goodlett					P	P	P	

*Meeting cancelled due to lack of quorum.

**Meeting cancelled due to holiday and/or scheduling.

**Arts Commission
Attendance Records**

As of September 30, 2025

	2025 28-Jan	2025 10-Feb	2025 22-Apr	2025 22-Jul					
Kyree Perkins	*	P							<i>Vacated seat 4/2025</i>
Emily Luna	*	P							<i>Vacated seat 4/2025</i>
Maria Menga	*	A							<i>Vacated seat 2/2025</i>
Emilie Dummar	*	A							<i>Vacated seat 3/2025</i>
Yesenia Acscencio			*	P					
Bonnie Boyd	*	P	*	P					
George Albanez				A					
Jackie Buttice				A					
Aracelie Padilla									

* No meeting held due to lack of quorum.

** No meeting due to scheduling.

	2023 25-Jul	2023 24-Oct	2024 23-Jan	2024 19-Apr	2024 23-Apr	2024 23-Jul	2024 10-Sep	2024 22-Oct	
Kyree Perkins	*	*	P	P	P	*	P	A	
Emily Luna	*	*	P	P	P	*	P	A	
Maria Menga	*	*	A	A	A	*	A	A	
Dawn Bennett									<i>Vacated seat 7/2023</i>
Emilie Dummar		*	P	P	P	*	P	A	
Bonnie Boyd							P	P	

* No meeting held due to lack of quorum.

** No meeting due to scheduling.

	2022 Apr	2022 May	2022 June	2022 July	2022 Aug	2022 Oct	2023 Jan	2023 April	
Kyree Perkins	P	P	P	**	P	*	P	P	
Emily Luna	P	P	P	**	P	*	P	P	
Diego Monterrubio	A	A	A	**	A	*	A		
Eden Santos	A	A	P	**					<i>Vacated seat 8/2020</i>
Maria Menga	P	P	P	**	P	*	P	P	
Dawn Bennett							P	P	

* No meeting held due to lack of quorum.

** No meeting due to scheduling.

LIBRARY & LITERACY COMMISSION - Attendance Record

As of September 30, 2025

P = Present; A = Absent; E = Excused absence; T = Tardy

= Summer Hiatus

** = No meeting held

	2025 Feb	2025 Mar	2025 Apr	2025 May	2025 June	2025 July	2025 Aug	2025 Sept	2025 Oct	2025 Nov	
Kim Baumgardner	P	P	P	P				P			
Esther Figueroa	P	P	P	P				P			
Edith LaVonne	P	P	P	P				A			
Susan Uptain	E	E	E	P				A			
Fernando Serrano	P	P	A	P				P			
Sonya Lopez	P	P	P	P				P			
Irene Ortega	P	P	P	E				P			

**Attended via Zoom as non-voting member.*

	2024 Apr	2024 May	2024 June	2024 July	2024 Aug	2024 Sept	2024 Oct	2024 Nov	2024 Dec	2025 Jan	
Kim Baumgardner	P	P				P	P	P	P	P	
Esther Figueroa	P	P				P	P	E	P	P	
Edith LaVonne	P	T				P	P	P	P	P	
Susan Uptain	A	P				P	E	E	P	P	
Fernando Serrano	P	A				A	P	P	A	T	
Sonya Lopez	P	P				P	P	P	P	E	
Irene Ortega	P	P				P	P	E	P	P	

**Attended via Zoom as non-voting member.*

	2023 June	2023 July	2023 Aug	2023 Sept	2023 Oct	2023 Nov	2023 Dec	2024 Jan	2024 Feb	2024 Mar	
Kim Baumgardner				P	P	P	P	P	P	P	
Patience Christenson				E							Resigned 9/23
Esther Figueroa				P	P	P	P	P	P	P	
Edith LaVonne				P	P	P	P	P	P	P	
Susan Uptain				E	P	P	P	E	E	A	
Fernando Serrano				P	P	P	P	P	P	P	
Sonya Lopez				P	P	P	P	P	P	P	
Irene Ortega						P	P	P	P	P	

**Attended via Zoom as non-voting member.*

PARKS & LEISURE SERVICES COMMISSION
ATTENDANCE RECORDS

As of September 30, 2025

Parks & Leisure Services Commissioner's Record of Attendance

	July	Aug	Sept										
Cathy Capone	**	**	P										
Diane Graybehl	**	**	P										
Kieran Daly	**	**	P										
Janet Uresti	**	**	P										
Jason Gurrola	**	**	P										
Hannah Moore	**	**	P										
Blaine Smotherman	**	**	P										
Arlene Pena	**	**	P										

**No meeting held.

* Due to lack of quorum, an informal discussion only took place.

P = Present; E = Excused Absence; A = Absent; T = Tardy

Parks & Leisure Services Commissioner's Record of Attendance

	2024 July	2024 Aug	2024 Sept	2024 Oct	2024 Nov	2024 Dec	2025 Jan	2025 Feb	2025 Mar	2025 Apr	2025 May	2025 June	
Cathy Capone	**	**	P	A	P	P	**	P	P	P	E	**	
Diane Graybehl	**	**	P	P	P	A	**	P	P	P	E	**	
Kieran Daly	**	**	P	P	P	A	**	P	P	E	E	**	
Janet Uresti	**	**	P	P	A	P	**	E	P	P	P	**	
Jason Gurrola	**	**	P	P	P	P	**	E	P	P	P	**	
Hannah Moore					P	P	**	P	E	P	P	**	
Blaine Smotherman	**	**	P	P	P	P	**	P	P	P	P	**	
Arlene Pena	**	**	P	P	P	P	**	P	P	P	P	**	

**No meeting held.

* Due to lack of quorum, an informal discussion only took place.

P = Present; E = Excused Absence; A = Absent; T = Tardy

Parks & Leisure Services Commissioner's Record of Attendance

	2023 July	2023 Aug	2023 Sept	2023 Oct	2023 Nov	2023 Dec	2024 Jan	2024 Feb	2024 Mar	2024 Apr	2024 May	2024 June	
Phillip Duncan	**	**	P	P	P	E	A	E	Resigned				
Diane Graybehl	**	**	P	P	P	P	P	P	E	P	P	**	
Kieran Daly	**	**	P	E	P	E	P	P	P	P	P	**	
Janet Uresti	**	**	P	P	P	P	E	P	P	P	P	**	
Tom Fiormonti	**	**	P	A	Term Expired 10/18								
Jason Gurrola	**	**	P	P	P	P	E	P	P	A	P	**	
Jason Pommier	**	**	P	P	P	P	P	P	P	P	P	Res.	
Blaine Smotherman								P	P	P	P	**	
Arlene Pena	**	**	A	P	P	P	P	P	P	P	P	**	

**No meeting held.

* Due to lack of quorum, an informal discussion only took place.

P = Present; E = Excused Absence; A = Absent; T = Tardy

Transactions and Use Tax Oversight Committee
Attendance Records

As of September 30, 2025

	2024 28-May	2024 27-Aug	2024 26-Nov	2025 25-Feb	2025 27-May	2025 26-Aug	
Margaret Stinson	P	P	*	P	A	A	Apptd 05/21; Term exp 5/2028
John Billiou	P	P	*	P	A		Term expires 5/2026, Vol. Vacatec
Jerry Hall	P	P	*	P	P	P	Term expires 5/2026
Janice Kovars	P						Term ended
Shawn Byars	P	P	*	P	P	P	Term expires 5/2026
Joshua Sulier	A						Term ended
Angela Dennis	A						Term ended
Rae Dean Strawn	A	P	*	A	P	A	Apptd 07/19; Term exp 5/2026
Robert K. Falls Sr.	P	P	*	A	P	A	Apptd 05/21; Term exp 5/2028

* Meeting cancelled

	2022 25-Aug	2022 17-Nov	2023 16-Feb	2023 25-May	2023 24-Aug	2023 28-Nov	2024 27-Feb	
John Simonich	P	P	A	P	P	A	P	Resigned eff. 02/28/2024
Margaret Stinson	P	P	P	P	P	A	P	Term expires 5/2024
John Billiou	P	P	A	P	P	P	A	Term expires 5/2026
Jerry Hall	P	P	P	P	P	P	P	Term expires 5/2026
Janice Kovars	P	P	P	P	P	A	P	Term expires 5/2024
Shawn Byars	P	A	P	A	P	P	P	Term expires 5/2026
Joshua Sulier	A	P	P	P	P	P	A	Term expires 5/2024
Angela Dennis	P	A	P	A	A	P	P	Apptd 12/20; Term exp 5/2024
Rae Dean Strawn	P	P	A	P	A	P	P	Apptd 07/19; Term exp 5/2026
Robert K. Falls Sr.	A	P	P	P	P	A	P	Apptd 07/19; Term exp 5/2024

* Meeting cancelled

	2020 23-Sep	2020 18-Nov	2021 26-May	2021 25-Aug	2021 17-Nov	2022 24-Feb	2022 19-May	
John Simonich	P	P	P	P	A	P	P	Term expires 5/2026
Margaret Stinson	P	P	P	P	P	P	P	Term expires 5/2024
Russell "Buck" Fletcher	A	P	P	A	A	A	A	Term ended
John Billiou	P	P	P	P	P	P	P	Term expires 5/2026
Jerry Hall	A	P	A	A	P	P	P	Term expires 5/2026
Janice Kovars	P	P	P	P	A	P	P	Term expires 5/2024
Shawn Byars	P	A	P	P	P	P	P	Term expires 5/2026
Joshua Sulier	P	P	P	P	P	P	P	Term expires 5/2024
Angela Dennis			P	P	P	P	P	Apptd 12/20; Term exp 5/2024
Rae Dean Strawn								Apptd 07/19; Term exp 5/2026
Robert K. Falls Sr.								Apptd 07/19; Term exp 5/2024

* Meeting cancelled

**CDBG Citizens' Advisory and Housing Opportunity Committee
Attendance Records**

As of September 30, 2025

Committee Member	Reg. Mtg 4/18/2024	Reg. Mtg 2/11/2025	Reg. Mtg	Reg. Mtg	Reg. Mtg
Pat Contreras	A	P			
Linda Mendez	P	P			
Eriselda Lizarraga	P	P			
Isabel Olmos	P	P			
Rebecca Contreras	A				
Yalimar Garcia	A				
Jacqueline Verduzco Alanis	P				

Committee Member	Reg. Mtg 3/4/2020	Reg. Mtg 2/25/2021	Reg. Mtg 3/14/2022	Reg. Mtg 2/28/2023	Reg. Mtg 2/29/2024
Pat Contreras	P	P	P	P	P
Linda Mendez	P	P	P	A	P
Grace Munoz-Rios	P				
Doug Heusdens	A	A	A		
Rebecca Vigil	A	A	P		
Kelle Jo Lowe	P	P			
Maria Gonzalez	P				
Eriselda Lizarraga		P	A	A	A
Isabel Olmos			P	P	P
Rebecca Contreras			P	P	P
Yalimar Garcia				P	P
Jacqueline Verduzco Alanis				P	P

* No meeting was held due to COVID.

Committee Member	Reg. Mtg 4/27/2015	Reg. Mtg 3/28/2016	Reg. Mtg 3/1/2017	Reg. Mtg 2/28/2018	Reg. Mtg 2/26/2019
Pat Contreras	P	A	P	P	P
Linda Mendez	P	A	P	P	A
Grace Munoz-Rios	P	P	P	P	P
Doug Heusdens	P	P	P	P	A
Rebecca Vigil	P	P	A	P	P
Kelle Jo Lowe	P	P	P	P	P
Maria Gonzalez	P	A	P	P	P



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: 4. City Council Member Appointments Attendance Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)

SOURCE: Administrative Services

COMMENT: At its meeting on January 21, 2020, the City Council directed that staff prepare a quarterly report on Council Member attendance at meetings of boards and committees to which Council Members are appointed. This report represents meeting attendance during the fourth quarter of FY 2025-2026 (July through September 2025).

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. Quarterly Report (July - September 2025)

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

City Council Attendance - FY 2025-2026 First Quarter Report

July 1, 2025 through September 30, 2025

Committee/Board	Member/Alternate	July	Aug	Sept
Ad Hoc Committee- COVID-19	Greg Meister - Member Ed McKervery- Member			
Ad Hoc Library Facility Planning Committee	Raymond Beltran - Member			
Cannabis Committee	Ed McKervery - Member Raymond Beltran - Member AJ Rivas - Alternate		8/25/25 P 8/25/25 P	
Council of Cities	Greg Meister - Member Ed McKervery - Member			
Downtown Porterville Committee	Ed McKervery - Member Stan Green - Member	7/24/25 P 7/24/25 P	8/28/25 P 8/28/25 P	9/25/25 P 9/25/25 P
Eastern Tule Groundwater Sustainability Agency JPA (ETGSA)	Stan Green - Member Michael Knight-Alternate	7/10/25 P 7/10/25 P	8/7/25 P	9/4/25 P
Flag Day Committee	Greg Meister - Member			
Ad Hoc Heritage Committee	Greg Meister - Member Ed McKervery - Member	7/9/25 P 7/9/25 P		9/17/25 P 9/17/25 P
Internal City Audit Committee	Ed McKervery - Member Stan Green- Member			
Joint City/School District Committee	Greg Meister - Member Ed McKervery - Member			
Library Facility Planning Committee	Raymond Beltran - Member			
Local Initiatives Navigation Center Committee (LINC)	Raymond Beltran - Member AJ Rivas -Alternate	7/2/25 P	8/6/25 P	9/3/25 A
Mighty190 Committee	Greg Meister - Member Ed McKervery - Member AJ Rivas- Alternate Claudia Calderon- Alternate	7/14/25 P		9/8/25 P
Military Banner Committee	Greg Meister - Member			
Porterville Area Development Authority (PADA)	Raymond Beltran - Member AJ Rivas - Member	7/18/25 C	8/15/25 C	9/19/25 C
Porterville Municipal Airport Committee	Stan Green- Member AJ Rivas- Member	7/30/25 P 7/30/25 P	8/13/25 P 8/13/25 P	
PDC Advisory Board	Rich Tree - Member Ed McKervery- Alternate			
Porterville Flag Day Committee	Greg Meister - Member Stan Green - Member			
San Joaquin Valley Special City Selection Committee (Air Polution)	Greg Meister - Member Ed McKervery - Alternate			
Tulare County Association of Governments/ Transportation Planning Agency (TCAG)	Greg Meister - Member AJ Rivas - Alternate	7/21/25 C	8/18/25 A 8/18/25 P	9/15/25 P 9/15/25 P
Tulare County City Selection Committee	Mayor - City Member Designee - Alternate			
Tulare County Economic Development Corporation (TCEDC)	Greg Meister - Member Claudia Calderon - Alternate	7/23/25 C	8/27/25 P	9/24/25 P
Tulare County Local Agency Formation Commission ("LAFCO")	Rich Tree			
Tulare County Taskforce on Homelessness	AJ Rivas- Member Stan Green- Alternate	7/16/25 C	8/20/25 P	9/17/25 P
Tule River Improvement JPA (TRIJPA)	Ed McKervery - Member Stan Green - Alternate	7/7/25 P		

P = Present A = Absent C= Cancelled



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: 5. Golf Course Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)

SOURCE: Parks and Leisure Services

COMMENT: At the request of the City Council, staff is providing a report on participation numbers at the Golf Course for informational purposes. The report reflects the First Quarter FY 2025/26.

RECOMMENDATION: Informational only

ATTACHMENTS: 1. Golf Course Quarter 1 Report

Appropriated/Funded:

Review By:

Department Director:
Donnie Moore, Acting Deputy City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

PORTERVILLE GOLF COURSE STATISTICS

	Jul-25	Jul-24	Aug-25	Aug-24	Sep-25	Sep-24
Golfers	1833	935	1541	1063	1216	1653
Repeat 9/Twilight	357	338	401	343	304	605
Tickets Used	987	386	726	460	586	647
Passes Sold	17	29	25	41	10	33
Carts	769	419	710	482	575	692
Total	\$ 19,558.00	\$ 13,053.00	\$ 17,738.00	\$ 15,065.00	\$14,005.00	\$20,770.00

* **Repeat 9:** Additional 9 hole rounds after first 9

* **Twilight:** Afternoon discount rate

* **Tickets:** Surcharge with monthly play pass \$1.00 9-hole, \$2.00 18-hole



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: 6. Streets Performance Measure Quarterly Report - First Quarter FY 2025-2026 (July - September 2025)

SOURCE: Engineering and Project Management

COMMENT: The purpose of this report is to provide the City Council with an update on the City's street maintenance and rehabilitation activities for the first quarter of Fiscal Year 2025–2026, covering the period of July through September 2025.

During the first quarter, Public Works street crews focused primarily on overlay, street repairs, and pothole repair efforts. The Main Street Reconstruction Project, Phase 2A (Putnam Avenue to Garden Avenue) and the Henrahan Street Reconstruction Project (Grand Avenue to Morton Avenue) have been completed and are being prepared for acceptance. The Villa Street Reconstruction Project (Olive Avenue to Henderson Avenue) and Main Street Reconstruction Project, Phase 2B (Garden Avenue to Olive Avenue) are nearing completion.

Several additional projects are under design, including Villa Street Reconstruction (Henderson Avenue to Westfield Avenue), Henderson Avenue Rehabilitation (Westwood Street to Patsy Street), Morton Avenue Reconstruction (Westwood Street to Plano Street), Grand Avenue Reconstruction (Fourth Street to Plano Street), Montgomery Avenue Reconstruction (Jaye Street to H Street), the West Street Extension Improvements Project, and the Date Avenue (Jaye Street to H Street) and Kessing Street (Date Avenue to River Avenue) widening projects.

As reflected in the attached quarterly performance report, City street crews have completed approximately 67,903 lineal feet of overlay, 3,785 square feet of pothole repairs, and no street reconstruction or micro-surfacing work during this reporting period.

The Level of Service Report provides a visual summary of progress toward the City's annual maintenance goals and will continue to be updated and presented quarterly for City Council review.

RECOMMENDATION: Information Only

ATTACHMENTS: 1. 2025-2026 Level of Service Progress Report 1st quarter

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

1st QUARTER REPORT - July 1, 2025 - September 30, 2025



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Purchase FY 2025–2026 Replacement Equipment by Negotiation

SOURCE: Finance

COMMENT: In accordance with the City's Purchasing Policy and Procedure Manual, as amended by Resolution No. 122-87 adopted on October 20, 1987, staff requests authorization to purchase equipment scheduled for replacement in Fiscal Year 2025–2026.

The following equipment has been identified for replacement in various City departments:

<u>Department</u>	<u>Equipment Description</u>	<u>Estimated Cost</u>
Finance - IT	Misc computer equipment	\$102,000
	Microsoft Office 365	\$39,000
	Server	\$5,000
Police	Patrol units (6)	\$513,000
Parks Maintenance	18' mower	\$156,000
	Rear flail mower	\$15,000
	3/4 ton pickup truck	\$57,000
	Pickup truck	\$55,000
	Skid Steer attachments - auger, sweeper	\$20,000
	Chipper body*	\$50,000
Streets	2 axle semi truck	\$221,000
St Signals, Signs	Stencil truck	\$180,000
Golf	Sand trap groomer	\$30,000

Industrial Pre-Treatment	Autoclave	\$20,000
	Biochemical Oxygen Demand meter/stand/kit	\$5,500
	Microbiological incubater 35 deg C	\$2,500
Solid Waste	Automated containers	\$250,000
	Commercial bins and rolloff containers	\$250,000
Water Quality	Chlorine station	\$250,000
Water Distribution	Service body and crane*	\$72,000
	Service body and crane*	\$72,000
	Pickup truck	\$60,000
	Computer/miscellaneous equipment	\$5,000

*Prior approval by Council

The total estimated cost of these replacements is \$978,000, and funding is available in the Equipment Replacement Fund.

RECOMMENDATION: That the City Council authorize the purchase by negotiation of the equipment scheduled for replacement in Fiscal Year 2025–2026 and authorize payment upon satisfactory delivery.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Janie Rodriguez, Finance Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Purchase Cradlepoint Routers and Three-Year NetCloud Plan

SOURCE: Public Works

COMMENT: The City's existing Cradlepoint routers used for onboard communications have reached the end of their service life and are no longer supported by the manufacturer. Replacement of this equipment is necessary to maintain network reliability, connectivity, and operational functionality across the transit fleet.

Staff recommends the purchase of thirteen (13) Cradlepoint R1900-5GB wireless routers with three-year NetCloud Mobile Performance Essentials Plans from CDW Government (CDW-G) under Sourcewell Contract No. 121923-CDWG. The cooperative purchasing contract satisfies the City's procurement requirements and provides competitive pricing.

The quoted amount is \$26,239.50, and staff is requesting a ten percent (10%) contingency to cover any unforeseen installation or configuration costs, resulting in a total not-to-exceed amount of \$28,864.00.

Funding for this purchase is available within the Transit Division's Equipment Replacement Fund.

RECOMMENDATION: That the City Council approve the purchase of thirteen (13) Cradlepoint R1900-5GB routers and three-year NetCloud Mobile Performance Essentials Plans from CDW Government (CDW-G) in an amount not to exceed \$28,864.00.

ATTACHMENTS: 1. Cradlepoint Quote

Appropriated/Funded:

Review By:

Department Director:

Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



Thank you for choosing CDW. We have received your quote.

Hardware Software Services IT Solutions Brands Research Hub

QUOTE CONFIRMATION

ROBERT CAMPOS,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
PQRQ619	10/22/2025	R1900 AND 3 YEAR	0657199	\$26,239.50

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Cradlepoint R1900-5GB - wireless router - WWAN - LTE, Wi-Fi 6, Bluetooth - Mfg. Part#: MB03-19005GB-GA CRADLEPOINT 3-yr NetCloud Mobile Performance Essentials Plan and R1900 router with WiFi (5G modem), no AC power supply or antennas, Global Contract: Sourcewell 121923-CDWG Tech Catalog (121923)	14	6506013	\$1,874.25	\$26,239.50

SUBTOTAL	\$26,239.50
SHIPPING	\$0.00
SALES TAX	\$0.00
GRAND TOTAL	\$26,239.50

PURCHASER BILLING INFO	DELIVER TO
Billing Address: CITY OF PORTERVILLE PURCHASING DIV. 291 N MAIN ST PORTERVILLE, CA 93257-3737 Phone: (559) 782-7451 Payment Terms: Net 30 Days-Govt State/Local	Shipping Address: CITY OF PORTERVILLE PURCHASING DIV. 291 N MAIN ST PORTERVILLE, CA 93257-3737 Phone: (559) 782-7451 Shipping Method: DROP SHIP-GROUND
	Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



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CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Repair Parks Aerial Truck (Unit No. 5310)

SOURCE: Public Works

COMMENT:

On October 8, 2025, a Ford Aerial Truck (Unit No. 5310) experienced a brake module failure that resulted in the complete loss of braking ability. Diagnostic testing confirmed a failure of the ABS/Brake Module, which is essential for both anti-lock braking and power brake assist functions. The vehicle is currently unsafe to operate until repairs are completed.

Staff solicited three repair estimates for replacement of the ABS/Brake Module. Porterville Ford provided the only responsive quote in the amount of \$10,994.20, while Jim Burke Ford and Monarch Ford did not respond. Staff recommends proceeding with Porterville Ford due to its responsiveness and proximity, which reduces towing and turnaround costs. To account for potential additional repairs identified during reassembly, staff is requesting a ten percent (10%) contingency of \$1,099.42, resulting in a total not-to-exceed amount of \$12,093.62.

Although the vehicle has since been replaced, it remains in use due to its superior height capacity, which continues to meet operational needs for Parks Division maintenance activities. Funds for this repair are available and budgeted in the General Fund Equipment Replacement allocation.

RECOMMENDATION: That the City Council authorize the repair of the Parks Aerial Truck (Unit No. 5310) by Porterville Ford in an amount not to exceed \$12,093.62.

ATTACHMENTS: 1. Estimate No. 5310 – Porterville Ford

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

REPAIR ESTIMATE

RO# 638160 - 10/14/2025 10:38 AM

ST. RICHARD'S AUTO REPAIR
Johnny Cardasco
1011 N Main St
Porterville, CA 93257

PREPARED FOR
CITY OF PORTERVILLE
(559) 182-1597

PRINTED - 10/14/2025
QUOTE EXPIRES - 11/13/2025
REPAIR FACILITY ID -

2011 FORD SUPER DUTY F-750 STRAIGHT
3FBNF7C6B9F921034
Mileage 17,121

SERVICE NAME COST

[Primary]: AA01 - AA01

LABOR 2.00 hours @ \$195.00 per hour \$381.50

[Other]: ABS MODULE WITH HYDROLIC UNIT ASSEMBLY

LABOR 5.00 hours at \$195.00 per hour

\$975.00

PARTS	Qty	Description	Number	Price	Total
	1	UNIT ASY - CONTROL	9C4Z2C405A	\$7,759.52	\$7,759.52
	1	UNIT ASY - CONTROL	9C4Z2C405AC	\$1,000.00	\$1,000.00
	2	BRAKE CLEANER	PM4A	\$3.91	\$7.82
	5	FLUID - BRAKE	PM1C	\$8.87	\$44.35
				Parts and labor sub total	\$9,796.69

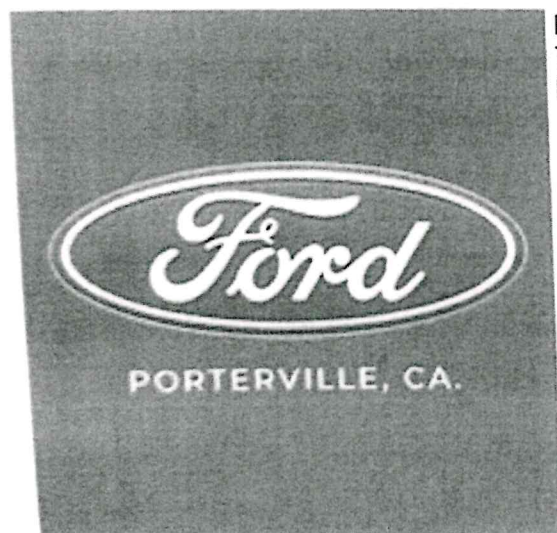
ESTIMATE DISCLAIMER

ESTIMATE RANGES

Total Labor	\$1,356.50
Total Parts	\$8,821.69
Subtotal	\$10,178.19
Shop Charges	\$0.00
Taxes	\$816.01
Total	\$10,994.20

Signature

Date



PORTERVILLE FORD
701 N MAIN ST
PORTERVILLE, CA 93257

(111) 111-1111



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Repair Refuse Truck (Unit No. 6612)

SOURCE: Public Works

COMMENT: On August 29, 2025, Vehicle No. 6612, a 2024 Peterbilt residential refuse truck, was involved in a traffic collision that caused extensive damage and rendered the vehicle inoperable. The truck remains an essential unit within the City's refuse collection fleet, with an estimated eight years of active service life remaining. Prompt repair is necessary to maintain operational continuity in refuse collection services and avoid service disruptions.

American Truck LLC has been identified as the most suitable service provider due to its proximity to Porterville, availability of Peterbilt-certified technicians, and access to the specialized equipment required for this repair. Utilizing this local facility will also eliminate the added costs and delays associated with towing the vehicle to out-of-town repair centers, where any potential savings would likely be offset by those additional expenses.

The quoted repair cost from American Truck LLC (Estimate No. EST537) is \$22,821.91, which includes all parts, labor, taxes, and shop materials. Staff is requesting a ten percent (10%) contingency of \$2,282.19 to cover any unforeseen repair needs, resulting in a total not-to-exceed amount of \$25,104.10.

Funds for the repair are available in the Solid Waste Fund, and the City is pursuing cost recovery through subrogation from the at-fault driver's insurance company.

RECOMMENDATION: That the City Council authorize the repair of Refuse Truck No. 6612 by American Truck LLC in an amount not to exceed \$25,104.10.

ATTACHMENTS: 1. Repair Estimate No. EST537 – American Truck LLC

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

AMERICAN TRUCK, LLC.

19229 Ave. 152 Porterville, CA. 93257

Tel: (559) 781-2706

Fax: (559) 781-6198

Cust #: 2992

Customer: CITY OF PORTERVILLE
291 NORTH MAIN STREET
PORTERVILLE, CA 93257

Ship To: CITY OF PORTERVILLE
291 NORTH MAIN STREET
PORTERVILLE, CA 93257

ESTIMATE
Estimate
EST537

Invoice Date: 10-03-25

559 782-7456

Tax ID:

Tax ID Date:

Page 1 of 1

Year	Make / Model		VIN	License	Mileage	Unit / Stock	Authorization
2025	PETERBILT / 520		3BPDJ0X2SF118342	1655045	12423M	6612	#AUTH#
Open Date / Time		Delivery Date	Delivery Mileage	Engine Hours	Reefer Hours	Standby Hours	P.O. Number
10-03-25 / 08:35AM				0.0	0.0	0.0	
Complete	Engine Model / Serial #			Transmission Model/Serial #		Key Tag	Service Writer
	/			/			BN*BN
Memo							

1	repair wreck damage			45.0
	X:10047005	1	Axle housing	6463.12
	P:CM10082216	1	Hub Assy	567.32
	X:157.225X825HP	2	Use 157.L225X825HP When Inv De	345.06
	P:K117632NBXW	1	CAMSHAFT	63.66
	P:K121884NBXW	1	BRACKET ASSY-CAMSHAFT	350.00
	P:K193949BXW	1	SPRING BRAKE	283.80
	X:62000-630	1	rod	150.93
	X:TMRN960	1	Torque Rod Hendrickson	90.00
	X:CM10041911	1	bearing	41.00
	X:CM10041913	1	bearing	60.00
	X:HDR57498099	1	WALKING BEAN ASSEMBLY	5004.78
	X:BS10632	1	cushions	179.77
	X:126877WEL	1	PACCAR AXLE SHAFT	442.67
	B:RK4709E2STD23M	2	REMAN SHOE KIT	140.00

Shop Supplies	500.00
Hazardous	25.00

Labor	6975.00
Parts	14182.11
Standard Mtl	500.00
Hazardous Waste	25.00
Sales Tax	1139.80
Total	22821.91

WARRANTY: AMERICAN TRUCK, LLC. WARRANTS THAT IT WILL REPLACE OR REPAIR ANY PARTS FOUND TO BE DEFECTIVE WITHIN A PERIOD OF 90 DAYS FROM DATE OF INSTALLATION. THE OBLIGATION UNDER THIS WARRANTY STATUTORY OR OTHERWISE, IS LIMITED TO THE REPLACEMENT OR REPAIR OF PARTS FOUND TO BE DEFECTIVE UPON INSPECTION AT AMERICAN TRUCK, LLC. SHOP. AMERICAN TRUCK, LLC. SHALL IN NO EVENT BE LIABLE FOR CONSEQUENTIAL DAMAGES OR CONTINGENT LIABILITIES ARISING OUT OF THE FAILURE OF PARTS TO OPERATE PROPERLY NOR THE COST OF LABOR OR TRANSPORTATION CHARGES IN CONNECTION WITH THE REPLACEMENT OF DEFECTIVE PARTS. NO EXPRESS, IMPLIED OR STATUTORY WARRANTY OTHER THAN HEREIN SET FORTH IS MADE OR AUTHORIZED BY THE MANUFACTURER. A FINANCE CHARGE OF 1.5% PER MONTH WILL BE CHARGED ON ALL PAST DUE ACCOUNTS. SHOULD COLLECTION BECOME NECESSARY BY SUIT OR OTHERWISE, THE CUSTOMER SHALL BE LIABLE FOR REASONABLE ATTORNEY'S FEE'S AND COSTS OF COLLECTION OR SUIT. JURISDICTION SHALL BE IN FRESNO, KERN OR TULARE COUNTY, CA.

RECEIVED BY : _____



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Replace Airport Mower

SOURCE: Public Works

COMMENT: The City's existing Toro Groundsmaster 580-D mower used at the Porterville Municipal Airport has reached the end of its useful life and requires replacement. The mower is used daily for maintenance of the airfield, safety zones, and open space areas, ensuring compliance with Federal Aviation Administration (FAA) requirements for vegetation management and operational safety.

Staff obtained three price quotes for a comparable replacement unit. California Turf Equipment & Supply submitted the most competitive quote in the amount of \$71,876.01, including delivery and sales tax. Additional quotes were received from Lawrence Tractor Co. (\$73,963.64) and Stotz Equipment (\$75,872.88).

Staff recommends the purchase from California Turf Equipment & Supply as the lowest responsive and responsible bidder. To accommodate potential shipping or setup adjustments, staff is also requesting a ten percent (10%) contingency, resulting in a total not-to-exceed amount of \$79,064.61.

Funding for this purchase is available within the Airport Equipment Replacement Fund.

RECOMMENDATION: That the City Council authorize the purchase of a replacement mower from California Turf Equipment & Supply in an amount not to exceed \$79,064.61, inclusive of delivery, sales tax, and a ten percent (10%) contingency.

ATTACHMENTS:

1. California Turf Quote
2. Lawrence Tractor Quote

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

Q U O T A T I O N

PAGE: 1

California Turf Equipment & Supply Inc.
956 N J STREET
TULARE, CA 93274 USA
Phone #: (559)688-2505
Fax #: (559)688-0861

PHONE #:
CELL #: (559)330-0588
ALT. #:
P.O.#: exmark 144"
TERMS: Net 30
SALES TYPE: Quote

DATE: 10/8/2025
ORDER #: 392191
CUSTOMER #: 10408
CP: JOLV
LOCATION: 1
STATUS: Active

BILL TO 10408

CITY OF PORTERVILLE
555 N PROSPECT
PORTERVILLE, CA 93257

SHIP TO

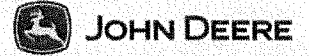
CITY OF PORTERVILLE
555 N PROSPECT
PORTERVILLE, CA 93257

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
EXM	LZS86TDYM12RW0	12FT LAZER DIESEL	1	\$88,808.93	\$66,399.00	\$66,399.00
QUOTED UNDER OMNIA CONTRACT						
EXMARK OMNIA CONTRACT# 20469						

Quotation

SUBTOTAL:	\$66,399.00
TAX:	\$5,477.92
ORDER TOTAL:	<u>\$71,876.92</u>

Authorized By: _____



Selling Equipment

Quote # 1189448
Customer CITY OF PORTERVILLE

1600 Turbo TerrainCut Commercial Wide-Area Mower with 4-Post ROPS Canopy

Qty : 1

Suggested List

Hours	---	\$94,484.00
Serial Number	---	Selling Price
Stock Number	---	\$71,438.00
PUK Parent Serial #		

Equipment Summary

Code	Description	Qty	List Price	Adjusted Selling Price
0736TC	1600 Turbo TerrainCut Commercial Wide-Area Mower with 4-Post ROPS Canopy	1	\$93,584.00	\$93,584.00

Base / Options

Code	Description	Qty	List Price	Adjusted Selling Price
001A	United States and Canada	1	\$0.00	\$0.00
0443	US English w/ Spanish (Bi-Lingual) Operator's Manual	1	\$0.00	\$0.00
183N	JDLink™ Modem	1	\$0.00	\$0.00
Total Base / Options Inc. Tax			\$93,584.00	\$93,584.00

Other Charges

Description	List Price
FREIGHT	\$600.00
Pre-Delivery/Set-Up	\$300.00
Total Adjustments Inc. Tax	\$900.00

Customer Discounts

Description	Discount Amount
Total Discounts Inc. Tax	(\$23,046.00)
Total Selling Price	\$94,484.00
	\$71,438.00

**Prepared For**

CITY OF PORTERVILLE
291 N MAIN ST
PORTERVILLE, CA 932573737
(559) 782-7451
RISOM@CI.PORTERVILLE.CA.US

Prepared By

TYLER WILSON
Lawrence Tractor Co., Inc.
2530 E Main Street
Visalia, CA 93292
5597524251

Quote Id 1189448**Creation Date** 09-Oct-2025**Expiration Date** 31-Oct-2025**Customer Notes**

Clyde
City of Porterville - Airport
abarragan@ci.porterville.ca.us
559-310-9200

Quote Summary

Equipment Summary	Suggested List	Selling Price	QTY	Extended
1600 Turbo TerrainCut Commercial Wide-Area Mower with 4-Post ROPS Canopy	\$94,484.00	\$71,438.00	1	\$71,438.00
Equipment Total				\$71,438.00

Quote Summary

Total Selling Price	\$71,438.00
Sales Tax - (9.25%)	\$6,608.02
Sub-total	\$78,046.02
*CA Tire Fee	\$7.00
Rental Applied	\$0.00
Total Amount Due	\$78,053.02
Down Payment	\$0.00
Balance Due	\$78,053.02

Salesperson : X _____

Accepted By : X _____



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Replace Airway Café Kitchen Exhaust Fan

SOURCE: City Manager's Office

COMMENT: The kitchen exhaust fan at the Airway Café, located within the Porterville Municipal Airport terminal building, has failed and requires replacement. Under the City's existing operating and lease agreement with the café operator, the City is responsible for maintenance and replacement of major building systems, including the exhaust fan.

The proposed scope of work includes disconnecting and removing the existing unit, fabricating a new transition cap and exhaust stand, setting a new fan using crane service, connecting ductwork and electrical components, and disposing of the existing equipment in compliance with environmental standards.

On August 22, 2025, the City Council awarded a contract for City facilities HVAC maintenance to Emcor Services, which provides ongoing heating, ventilation, and air conditioning (HVAC) maintenance for all City facilities. In addition to routine inspections, Emcor is responsible for recommending and quoting repair and replacement work outside of standard maintenance activities.

Emcor has submitted a replacement quote in the amount of \$19,239, with an additional 10% contingency to address potential field adjustments, for a total authorization of \$21,162.90. Funding for this replacement is available in the Airport Replacement Fund, and no General Fund impact is anticipated.

Replacement of the exhaust fan will restore safe and proper kitchen ventilation at the Airway Café and maintain compliance with building and health code standards.

RECOMMENDATION: That the City Council authorize the replacement of the Airway Café kitchen exhaust fan by Emcor Services in the amount of \$21,162.90, which includes a ten percent contingency, with funding from the Airport Replacement Fund.

ATTACHMENTS: 1. Airway Cafe Exhaust Fan Quote

Appropriated/Funded:

Review By:

Department Director:
Donnie Moore, Acting Deputy City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



3980 N Chestnut Diagonal.
Fresno, CA 93726
Service: (559) 277-7900
Fax: (559) 277-4920
CA Lic. 611215

Quote #
25-077364

Equipment Repair Estimate

October 13, 2025

SUBMITTED TO:

City of Porterville
Sarah Weaver
291 N. Main St.
Porterville Ca. 93257

JOB LOCATION:

Porterville Municipal Airport
Sarah Weaver
1843 Newcomb St.
Porterville Ca. 93257

FACILITY STATUS / URGENCY:

Rplc Exhaust Fan at Airways Café

Unit #:	Kitchen Exhaust Fan
Make:	N/A
Model #:	N/A
Serial #:	N/A

SCOPE OF WORK / DIAGNOSIS:

Customer request quote to replace kitchen exhaust fan, due to not working and falling apart.

1. Contact customer to gain access to working area., LOTO Power, disconnect all elect. and disc. all duct work.
2. Disconnect existing Swamp cooler from base cap along with sheet metal elbow and spiral duct connected to exhaust.
3. Shop fan new transition cap & new exhaust angle stand, set up crane & remove exhaust fan & set new stand & fan
4. Secure exhaust fan, set new transition cap & set cooler & new elbow and connect round duct to exhaust fan.
5. Set new disconnect and connect electrical to exhaust fan, start-up and check operation.
6. Dispose of old equip. per EPA standards, clean up all debris and notify customers of completion of work.

ADDITIONAL INFORMATION

****THIS PROPOSAL IS ONLY VALID FOR 10 DAYS*** **ALL SALES WITH MATERIALS ARE FINAL*****All work to be done during normal working hours and days. Excludes anything other than listed above. NOTE: 1-2 Weeks Lead Time

The total cost, including all labor, materials and taxes is (Paid by Check): **\$19,239**

There is a 3% Fee for paying by credit card, The total cost is: **\$19,816**

By accepting this proposal the purchaser agrees to the attached terms and conditions. This quotation will be valid for a period of 30 days and payment is due 30 days from invoicing. If payment is not received interest will accrue at the rate of 1.5% per month. If an action is brought for collection the prevailing party shall be entitled to attorney's fees.

WARNING: Contractors are required by law to be licensed by the Contractor's State License Board which has jurisdiction to investigate complaints against Contractors if a complaint is filed within three years of the date of the alleged violation. Any questions concerning a Contractor may be referred to the Registrar, Contractor's State License Board, P.O. Box 26000, Sacramento, CA 95826 [California Business and Professional Code 7030(a)]

EMCOR: Alfonso Ramos

Title: Business Development

Accepted By: _____

Title: _____

Date: _____

PO# (If Applicable): _____



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization of Annual Renewal for Fleet Management Software Service

SOURCE: Public Works

COMMENT: The City operates its fleet maintenance activities using proprietary software provided by Ron Turley Associates (RTA), which supports preventive maintenance scheduling, work order management, parts inventory tracking, and reporting for compliance and cost control. The existing one-year service agreement expires on November 30, 2025.

City staff has been testing the paperless shop version of the software and recommends renewing the service agreement for an additional one-year term to allow sufficient time to fully evaluate the system's performance and compare it with alternative software solutions currently being demonstrated.

The annual renewal includes cloud hosting services, unlimited technical support, mobile and web-based applications, and staff training. The total renewal cost for the period of December 1, 2025, through November 30, 2026, is \$15,965.31, as outlined in Invoice No. 70438 from Ron Turley Associates.

Funding for the renewal is available and budgeted within the Equipment Maintenance operating budget.

RECOMMENDATION: That the City Council approve the annual renewal for Fleet Management Software Service with Ron Turley Associates in the amount of \$15,965.31 for one year.

ATTACHMENTS: 1. Invoice No. 70438 – Ron Turley Associates

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

Ron Turley Associates - Invoice #70438

FROM

Ron Turley Associates LLC
RTA Fleet Management Software
17437 N 71st Drive Ste 110
Glendale, AZ 85308
(623) 581-2447

INVOICE SUMMARY

Invoice Number 70438
Date 10/01/2025
Terms Net 30
Due Date 10/31/2025
Amount Due (USD) \$ 15,965.31

BILL TO

City of Porterville
Attn: Accounts Payable
291 North Main Street
Porterville, CA 93258
United States

SHIP TO

ATTN: ACCOUNTS PAYABLE
291 N MAIN ST
PORTERVILLE, CA 93257-3737
United States

DESCRIPTION	AMOUNT
Annual SaaS Renewal fee for the term starting 12/01/2025 and ending 11/30/2026 at 2025 List Price.	34,108.80
Less Adjustment to 2025 Minimum Price	-18,143.49
Amount Due (USD)	\$ 15,965.31

ACH/Wire Instructions:
MidFirst Bank
3030 E Camelback Rd, Phoenix, AZ 85016
Routing #122187445 / Account # 2063003600

Payment via Check:
17437 N 71st Drive Ste 110, Glendale, AZ 85308



INVOICE SUMMARY

Invoice Number 70438
Terms Net 30
Due Date 10/31/2025
Amount Due (USD) \$ 15,965.31

City of Porterville
Attn: Accounts Payable
291 North Main Street
Porterville, CA 93258
United States



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Adoption of the Updated Public Transportation Agency Safety Plan (PTASP)

SOURCE: Public Works

COMMENT: The Federal Transit Administration (FTA) requires all public transportation agencies receiving federal assistance under 49 U.S.C. Chapter 53 to develop and implement a Public Transportation Agency Safety Plan (PTASP). The plan must be approved by the agency's governing body and reviewed annually.

The PTASP establishes a formal framework for managing safety risks, promoting a proactive safety culture, and ensuring accountability consistent with the Safety Management System (SMS) approach. Core elements include safety management policy, safety risk management, safety assurance, and safety promotion.

The City of Porterville's updated PTASP defines the structure, policies, and procedures used to identify, assess, and mitigate safety risks across all transit modes, including fixed route, ADA paratransit, and demand response services. It also outlines the responsibilities of the City's Accountable Executive and Chief Safety Officer to ensure compliance with federal regulations and to maintain a safe transit environment for passengers, employees, and the public.

The updated PTASP reflects current operations, organizational structure, and the requirements of the Bipartisan Infrastructure Law (BIL). Adoption of the plan ensures continued eligibility for FTA Section 5307 and 5339 funding and reaffirms the City's commitment to safety and regulatory compliance.

There is no fiscal impact associated with adoption of the PTASP. The plan will be reviewed annually by the Transportation Department and submitted to the FTA following City Council approval.

RECOMMENDATION: That the City Council:

1. Adopt a draft resolution approving the City of Porterville's updated Public Transportation Agency Safety Plan (PTASP); and
2. Authorize staff to submit the adopted PTASP to the Federal Transit Administration.

ATTACHMENTS:

1. Draft Resolution
2. Updated Public Transportation Agency Safety Plan (PTASP)

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

RESOLUTION NO. _____ - 2025

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING THE UPDATED PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)**

WHEREAS, the Federal Transit Administration (FTA) requires recipients of federal financial assistance under 49 U.S.C. Chapter 53 to develop and implement a Public Transportation Agency Safety Plan (PTASP); and

WHEREAS, the City of Porterville, as a designated recipient of FTA Section 5307 and 5339 funds, must maintain a current PTASP to remain eligible for continued funding; and

WHEREAS, the updated PTASP establishes policies and procedures consistent with the Safety Management System (SMS) framework to identify and mitigate safety risks, incorporates the requirements of the Bipartisan Infrastructure Law (BIL), and reflects the City's current operations and organizational structure; and

WHEREAS, adoption of the updated PTASP ensures continued compliance with federal transit safety regulations and demonstrates the City's commitment to maintaining a safe and reliable transit system;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the Updated Public Transportation Agency Safety Plan (PTASP) is hereby approved and adopted.

BE IT FURTHER RESOLVED that the Director of Transportation, serving as the Accountable Executive, is authorized to submit the adopted PTASP to the Federal Transit Administration and to execute any related documents necessary to maintain compliance with federal transit safety requirements.

PASSED, APPROVED AND ADOPTED this 4th day of November, 2025.

Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

By: _____
Fernando Gabriel-Moraga, Chief Deputy City Clerk

City of Porterville



Public Transit Agency
Safety Plan (PTASP)

November 4, 2025



Public Transportation Safety Plan



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Public Transportation Safety Plan



1. Transit Agency Information

Transit Agency Name	City of Porterville, dba "Porterville Transit"		
Transit Agency Address	291 N. Main St., Porterville, CA 93257		
Name and Title of Accountable Executive	Russell Isom, Transportation Director		
Name of Chief Safety Officer	Albert Barragan, Transportation Manager (CITY) Robert J. Tree, Operations Director (SM Transit)		
Mode(s) of Service Covered by this Plan	Fixed Route Bus; ADA Paratransit; Demand Response	List All FTA Funding Types	5307, 5339
Mode(s) of Service Provided by the Transit Agency	Contracted Fixed Route Bus; ADA Paratransit; Demand Response		
Does the agency provide transit services on behalf of another transit agency?	Yes. SM Transit operates all transit services on behalf of and in cooperation with the City of Porterville	Description of Arrangement(s)	Contracted Services
Name and address of Transit Agency for which service is provided	City of Porterville		



Public Transportation Safety Plan



2. Plan Development, Approval, and Updates

Name of Person Who Drafted This Plan	Albert Barragan, Transportation Manager, Chief Safety Officer Robert Tree, Operations Director, Chief Safety Officer (Contractor) Russell Isom, Transportation Director	
Signature by the Accountable Executive	Signature of Accountable Executive	Date of Signature
		November 4, 2025
Approval by the City Council of the City of Porterville	City Council of the City of Porterville	Date of Approval
	Resolution # _____-2025	November 4, 2025
	Relevant Documentation (title and location)	
	See next page for copy of the resolution. Also on file at the City Clerk's Office at City Hall.	

Version Number and Updates			
<i>Record the complete history of successive versions of this plan</i>			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1	All	New Document	12/01/2020
2	Approval & Updates	Updated Document	11/4/2025

Annual Review and Update of the Public Transportation Agency Safety Plan
<i>Describe the process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan</i>
The Accountable Executive will review and approve any changes, signing the new ASP, then present to the City Council for review and approval on the following timeline: • Annually, each year in June. • And when the Agency: ○ Determines its approach to mitigating safety deficiencies is ineffective; ○ Makes significant changes to service delivery; ○ Introduces new processes or procedures that may impact safety; ○ Changes or re-prioritizes resources available to support Safety Management Systems; and/or ○ Significantly changes its organizational structure. Revisions will be submitted to the City Council at their July meeting for approval. Amendments to the PTASP will be published to the employees and the public at large in accordance with the Agency's standard communication process.



Public Transportation Safety Plan



RESOLUTION NO. 93 - 2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)

WHEREAS, the City of Porterville is the public transportation service provider in Porterville operated by Tree's Sierra Management, Inc. (SM Transit); and

WHEREAS, the Federal Transit Administration, which provides significant annual funding to public transportation in Porterville, requires public transportation operators to have a City Council approved Public Transportation Agency Safety Plan by December 31, 2020 in order to continue to be eligible for federal transit funding; and

WHEREAS, the Public Transportation Agency Safety Plan formalizes safety programs and procedures already in place at the City of Porterville and improves the safety risk management, safety assurance, and safety oversight processes; and

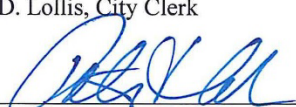
WHEREAS, the safe operation and provision of public transportation in Porterville is the top priority of the City Council of the City of Porterville.

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Porterville does hereby approve and accept the Public Transportation Agency Safety Plan as presented.

PASSED AND ADOPTED by the City Council of the City of Porterville, State of California, at a regular meeting of said Council held on December 1, 2020.


Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk



Public Transportation Safety Plan



STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at a meeting of the Porterville City Council duly called and held on the 1st day of December, 2020.

Said resolution was duly passed, approved, and adopted by the following vote:

Council:	PEÑALOZA	REYES	FLORES	STOWE	GURROLA
AYES:	X	X	X	X	X
NOES:					
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk

By: Fernando Gabriel-Moraga, Deputy City Clerk



3. Safety Performance Targets

Safety Performance Targets

Specify performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.							
Targets below are based on review of the previous 3 years of Porterville Transit's safety performance data.							
Mode of Transit Service	Fatalities (total)	Fatalities (per 100k VRM)	Injuries (total)	Injuries (per 100k VRM)	Safety Events (total)	Safety Events (per 100k VRM)	System Reliability (VRM/ Failures)
Fixed Route Bus	0	0	0	0.0	1	1	14,381
ADA / Paratransit	0	0	0	0.0	.33	0.33	9,190
Demand Response	0	0	0	0	0	0	0

Safety Performance Target Coordination

Describe the coordination with the State and Metropolitan Planning Organization (MPO) in the selection of State and MPO safety performance targets.		
The City of Porterville's Accountable Executive shares our ASP, including safety performance targets, with the MPO (TCAG) in our service area each year after its formal adoption by the City Council. The Accountable Executive also provides a copy of our formally adopted plan to the California Department of Transportation (Caltrans). City of Porterville personnel are available to coordinate with Caltrans and TCAG in the selection of Caltrans and TCAG safety performance targets upon request.		
Targets Transmitted to the State	State Entity Name	Date Targets Transmitted
	Caltrans Division of Rail and Mass Transportation Attn: Brian C. Travis Senior Planner brian.travis@dot.ca.gov	October 30, 2025
Targets Transmitted to the MPO	MPO Name	Date Targets Transmitted
	Tulare County Association of Governments Attn: Giancarlo Bruno Associate Regional Planner gbruno@tularecog.ca.gov	October 30, 2025



4. Safety Management Policy

Safety Management Policy Statement

The City of Porterville, "Porterville Transit", will maintain an active Safety Management System (SMS) that encourages the open sharing of information on all safety issues. We expect our employees and contractor employees to report their safety concerns to agency management. No employee will be asked to compromise safety to "get the job done."

Our overall safety objective is to proactively manage safety hazards and their associated safety risk, with the intent to eliminate unacceptable safety risk in our transit operations. To that end, we will continuously examine our operations for hazards. We will establish a non-punitive employee safety reporting program, train staff on safety management, document our findings and safety risk mitigations, and strive for continuous improvement of our safety performance.

As required by the Federal Transit Administration, we have established annual safety performance targets to help us measure the safety of our transit service. In addition, to address our overall safety objective, we will conduct hazard identification workshops with all frontline, supervisory, and management personnel during this calendar year. We will also work to increase the annual number of voluntary reports received from employees by 10 percent and actively track our safety risk mitigations. To ensure we meet this objective, our safety department will report out each quarter to our entire agency on the number of:

- Hazard identification workshops carried out in the quarter;
- Number and type of hazard reports received per employee in the quarter versus the same quarter last year; and
- Number and type of safety risk mitigations implementation in the quarter.

Ultimate responsibility for safety at the City of Porterville rests with the Accountable Executive.

Responsibility for making our operations safer for everyone lies with each one of us – from executive management to frontline employees. Each manager is responsible for implementing the SMS in their area of responsibility and will be held accountable to ensure all reasonable steps are taken to perform activities established as part of the SMS.

Albert Barragan, Chief Safety Officer



Safety Management Policy Communication

Location Posted:	Downtown Transit Center Lobby, Employee Breakroom, and Employee Communication Bulletin Board, Maintenance Facility Bulletin Board, City of Porterville City Hall Bulletin Board
Date shared with the employees:	2025
Date shared with the public:	, 2025 www.ridept.com

Authorities, Accountabilities, and Responsibilities

Describe the authorities, accountabilities, and responsibilities of the following individuals for the development and management of the transit agency's SMS.	
Accountable Executive	The Transportation Director serves as Porterville Transit's Accountable Executive. The Accountable Executive reviewed the draft policy once it had been developed by our agency. Comments and recommended changes were taken into account when the final document was developed. The Accountable Executive then submitted the policy to the City Council for approval. Once their approval was given, the Accountable Executive signed the policy. Additional responsibilities include, but are not limited to: • Decision-making about resources (e.g. people and funds) to support asset management, SMS activities, and capital investments; • Designates an adequately trained Chief Safety Officer who reports directly; • Ensures that the SMS is implemented and monitored; • Signing SMS implementation planning documents; and • Endorsing SMS implementation team membership.
Chief Safety Officer (CITY)	The Accountable Executive designates the Transportation Director as Porterville Transit's Chief Safety Officer. The City's Chief Safety Officer/SMS Executive coordinates with the Contractor's Chief Safety Officer in developing the Safety Management Policy. The City's Chief Safety Officer/SMS Executive duties include, but are not limited to: • Develop ASP and SMS policies and procedures; • Developing and maintaining SMS documentation;



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	• Oversees the day-to-day implementation and operation of the SMS; • Manages City's employee safety reporting systems such as incident and observation reports; • Establishes City's Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; • Ensures safety topics are addressed in departmental meetings; • Advises the Accountable Executive on SMS progress and status; • Identifies substandard performance in Porterville Transit's SMS and develops action plans for approval by the Accountable Executive; • Ensures policies are consistent with safety objectives; • Provides SRM expertise and support for personnel in conducting and overseeing Safety Assurance activities.
Chief Safety Officer (CONTRACTOR)	The Contractors Chief Safety Officer/SMS Executive coordinates with the City's Chief Safety Officer in developing the Safety Management Policy. The Contractor's Chief Safety Officer/SMS Executive duties include, but are not limited to: • Develop ASP and SMS policies and procedures; • Developing and maintaining SMS documentation; • Oversees the day-to-day implementation and operation of the SMS; • Manages Contractor's employee safety reporting systems such as incident and observation reports; • Establishes Contractor's Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; • Ensures safety topics are addressed in departmental meetings; • Advises the Accountable Executive on SMS progress and status; • Identifies substandard performance in Porterville Transit's SMS and develops action plans for approval by the Accountable Executive; • Ensures policies are consistent with safety objectives; • Provides SRM expertise and support for personnel in conducting and overseeing Safety Assurance activities.



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Leadership Team	Porterville Transit's Leadership Team also have authorities and responsibilities for day-to-day SMS implementation and operation of Porterville Transit's SMS under this plan. Porterville Transit Leadership Team include: • Director of Operations (Contractor Chief Safety Officer) • Route Supervisors and Dispatchers (Contractor) • Transportation Director (Accountable Executive) • Transportation Manager (City Chief Safety Officer) • Shop Superintendent (City Fleet Maintenance) Porterville Transit's Leadership Team have the following authorities, accountabilities, and responsibilities: • Participate in monthly maintenance and/or operator safety meetings; • Complete training on SMS and ASP elements; • Oversee day-to-day operations of the SMS in their departments; • Modify policies in their departments consistent with implementation of the SMS; • Provide expertise and support to implantation of the SMS as requested by the Accountable Executive or the Chief Safety Officer.
Key Staff and Activities	Porterville Transit utilizes the following key staff to support its SMS and safety programs: • <u>Road Supervisors</u>: Evaluate, monitor, and train drivers on all aspects of safety and defensive driving procedures. • <u>Dispatchers</u>: Evaluate and monitor day-to-day operations and communicate with road supervisors and drivers. • <u>Transit Maintenance Technician</u>: Monitors Preventative Maintenance Reports, coordinates maintenance activities with operations. Provides recommendation for revenue vehicles. Porterville Transit uses monthly Driver's Meetings and annual Safety Awards Meeting to support its SMS and safety programs: • <u>Tailgate Meetings</u>: Weekly Driver's Tailgate Meetings are dedicated to safety



	• <u>Driver's Meetings</u>: Monthly Driver's Meetings are dedicated to safety, where safety issues are discussed and documented. • <u>Annual Safety Meeting</u>: Annual Safety Award Meeting is dedicated to safety, where safety issues are discussed and documented. Drivers are recognized for exceptional safety records during the year. • <u>Semi-monthly Maintenance Safety Training</u>: Dedicated to safety, where safety issues are discussed and documented.
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Employee Safety Reporting Program

Describe the process and protections for employees to report safety conditions to senior management. Describe employee behaviors that may result in disciplinary action (and, therefore, are excluded from protection).

Porterville Transit's Employee Safety Reporting Program encourages employees who identify safety concerns in their day-to-day duties to report them to management in good faith effort without fear of retribution. There are many ways employees can report safety concerns:

- Report conditions directly to the dispatcher, who will document and forward to the Supervisor on duty.
- Report conditions anonymously via a locked comment box in the break area.
- Report conditions on the MyPorterville app
- Report conditions directly to any supervisor, manager, or director.
- Report conditions during tailgate meetings, monthly driver's meetings, or at the annual safety meeting.

Examples of information typically reported include:

- Safety concerns in the operating environment, examples include: road conditions, vehicle condition, facility conditions, and bus stop conditions.
- Policies and procedures that are not working as intended, examples include: insufficient time to complete pre-trip inspection.
- Near misses, passenger incidents, radio communication issues.

Porterville Transit encourages participation in the Employee Safety Reporting Program by protecting employees that report safety conditions in good faith. However, Porterville Transit may take disciplinary action if the report involves any of the following:

- Participation in illegal activity, such as assault, theft, drug dealing, etc.;
- Gross negligence, such as knowingly operating equipment for purposes other than intended that put people or property at risk;
- Deliberate or disregard of regulations or procedures, such as reporting to work under the influence of controlled substances.



Public Transportation Safety Plan



On a daily basis, the Chief Safety Officers review the observation reports, accident and incident reports, any emails or miscellaneous reports filed about safety, and document identified safety conditions in the Porterville Transit Risk Register.

Chief Safety Officers will review and address each employee report, ensuring that hazards and their consequences are appropriately identified and resolved, and flag issues with the SRM process. Reported deficiencies and non-compliance with rules or procedures are addressed through the Safety Assurance process.

Chief Safety Officers discuss actions taken to address reported safety conditions during weekly manager meetings and monthly maintenance and operator meetings.

Additionally, if the reporting employee provided his/her name during the reporting process, the Chief Safety Officer follows up directly with the employee when Porterville Transit determines whether or not to take action and after any mitigations are implemented.

Porterville Transit encourages participation in the safety reporting program by protecting employees that report safety conditions in good faith. However, Porterville Transit staff (City or Contractor) may take disciplinary action if the report involves:

- Willful participation in illegal activity;
- Gross negligence;
- Deliberate or willful disregard of regulations.



5. Safety Risk Management

Safety Risk Management Process

Describe the Safety Risk Management Process, including:

- Safety Hazard Identification: The methods or process to identify hazards and consequences of the hazards.
- Safety Risk Assessment: The methods or processes to assess the safety risk associated with identified safety hazards.
- Safety Risk Mitigation: The methods or processes to identify mitigations or strategies necessary as a result of safety risk assessment.

Porterville Transit uses the Safety Risk Management (SRM) process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. It is a process whereby hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to Porterville Transit leadership.

Porterville Transit SRM process allows us to carefully examine what could cause harm and determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary.

Chief Safety Officers leads Porterville Transit's SRM process, working with Operations, Maintenance, and Administrative staff to identify hazards and consequences, assess safety risk or potential consequences, and mitigate safety risk. The results of the SRM process are documented in the Risk Register.

SRM process applies to all elements of our system including our operations and maintenance, facilities and vehicles, and personnel recruitment, training and supervision.

The following terms are used for the Safety Risk Management process:

- Event – Any accident, incident, or occurrence.
- Hazard – Any real or potential condition that can cause injury, illness, death, damage to or loss of the facilities, equipment, vehicles, or infrastructure.
- Risk – Composite of predicted severity and likelihood of the potential effect of a hazard.
- Risk Mitigation – Method(s) to eliminate or reduce the effects of hazards.
- Consequence – An effect of a hazard involving injury, illness, death, or damage.

Safety Hazard Identification

The safety hazard identification process offers the ability to identify hazards and potential consequences in the operation and maintenance of our transit system. Hazards can be identified through a variety of sources, including:

- Review of vehicle camera footage
- Observations from road supervisors
- Comments from customers, passengers, and third parties
- Comments from CalTip Insurance Pool



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- Tailgate, Driver's, and Annual Safety Meetings
- Investigations into safety events, incidents, and occurrences
- Results of the TAM Assess Condition Assessments
- Facilities Inspections
- Bus Stop Inspections
- Pre-Ops Vehicle Inspections
- Routine Maintenance Inspections
- Employee Observations
- Federal Transit Authority Notices and Announcements
- Industry Publications
- Driver Evaluations
- Customer Complaints
- Trends in the Cost of In-house Repairs
- Third Party Administrators for Workers' Compensation and for Liability Claims
- Cal-OSHA Lost and Restricted Days Reported on the Cal-OSHA 300

When a safety concern is observed by management or supervisory personnel, whatever the source, it is reported to a Chief Safety Officer. Procedures for reporting hazards to a Chief Safety Officer are reviewed during monthly operator and maintenance safety meetings. The Chief Safety Officers also receive employee reports from the ESRP process and reviews these sources for hazards, and documents them in the Risk Register.

Chief Safety Officers may also enter hazards into the Risk Register based on their review of operations and maintenance, the results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

Chief Safety Officers may conduct further analysis of hazards and consequences entered into the Risk Register, to collect information and identify additional consequences, and to inform which hazards should be prioritized for safety risk assessment.

In following up on identified hazards, Chief Safety Officers may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation, and taking any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard;
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature;
- Evaluate tasks and/or processes associated with the reported hazard.



Chief Safety Officers will convene, as needed, with a group of relevant internal stakeholders to discuss identified hazards and consequences. This may be completed in conjunction with monthly safety meetings, weekly leadership meetings, or ad hoc safety meetings.

Any identified hazard that poses real and immediate threat of life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM process for safety risk assessment and mitigation. This means that the Chief Safety Officers believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment which would constitute a violation of EPA or Caltrans environmental protection standards. Otherwise, the Chief Safety Officers will prioritize hazards for further SRM activity.

Safety Risk Assessment

Safety Risk Assessment defines the level or degree of the safety risk by assessing the likelihood and severity of the consequences of hazards and prioritizes hazards based on the safety risk. The Chief Safety Officers, with assistance from key staff subject matter experts such as Safety Managers, are responsible for assessing identified hazards and ratings using the safety risk matrix below. Prioritizing safety risk provides the Accountable Executive with the information needed to make decisions about resource application.

The following matrix, adopted from the TSI Participation Guide – SMS Principles for Transit, facilitates the ranking of hazards based on their probability of occurrence and severity of their outcome.

Probability Levels			
Description	Level	Specific Individual Item	Fleet Inventory
Frequent	A	Likely to occur often in the life of an item.	Continuously experienced
Probable	B	Will occur several times in the life of an item.	Will occur frequently
Occasional	C	Likely to occur sometimes in the life of an item.	Will occur several times
Remote	D	Unlikely, but possible to occur in the life of an item.	Unlikely, but can reasonably be expected to occur
Improbable	E	So unlikely, it can be assumed occurrence may not be experienced in the life of an item.	Unlikely to occur, but possible
Eliminated	F	Incapable of occurrence. This level is used when potential hazards are identified and later eliminated	Incapable of occurrence

The measuring goes from A to F with A being frequent or likely to occur frequently and E being improbable or expected that this event will most likely never occur. The designation F is used when potential hazards are identified and later eliminated.



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Severity Levels		
Description	Level	Mishap Result Criteria
Catastrophic	1	Could result in one or more of the following: death, permanent total disability, irreversible significant environmental impact, or monetary loss equal to or exceeding \$10M
Critical	2	Could result in one or more of the following: permanent partial disability, injuries or occupational illness that may result in hospitalization of at least three personnel, reversible significant environmental impact, or monetary loss equal to or exceeding \$1M but less than \$10M
Marginal	3	Could result in one or more of the following: injuries or occupational illness resulting in one or more lost workday(s), reversible moderate environmental impact, or monetary loss equal to or exceeding \$100k but less than \$1M
Negligible	4	Could result in one or more of the following: injuries or occupational illness not resulting in lost workday, minimum environment impact. Or monetary loss less than \$100k

The Safety Risk Severity Table presents a typical safety risk. It includes four categories to denote the level of severity of the occurrence of a consequence, the meaning of each category, and the assignment of a value to each category using numbers. In this table, 1 is considered catastrophic meaning possible deaths and equipment destroyed and 4 is considered negligible or of little consequence with two levels in between.

Safety Risk Probability and Safety Risk Severity are combined into the Safety Risk Index Ranking to help prioritize safety risks according to the table below.



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Safety Risk Assessment Matrix				
Severity ⇒ Probability ↓	Catastrophic 1	Critical 2	Marginal 3	Negligible 4
A-Frequent	1A	2A	3A	4A
B-Probable	1B	2B	3B	4B
C-Occasional	1C	2C	3C	4C
D-Remote	1D	2D	3D	4D
E-Improbable	1E	2E	3E	4E
F-Eliminated				
Safety Risk Index Ranking				
1A,1B,1C,2A,2B	High	Unacceptable		
1D,2C,3A,3B	Serious	Undesirable – With management decision required		
1E,2D,2E,3C,3D,3E,4A,4B	Medium	Acceptable – with review by management		
4C,4D,4E	Low	Acceptable – without review		

The Chief Safety Officers document recommendations regarding hazard rating and mitigation options and reports this information to the Accountable Executive.

Safety Risk Mitigation

The Accountable Executive and Chief Safety Officers review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the Leadership Team and from safety focused meetings and discussions. Porterville Transit can reduce safety risk by reducing the likelihood and/or severity of potential consequences of hazards.

Prioritization of safety mitigations is based on the results of safety risk assessments. The Chief Safety Officers track and updates safety risk mitigation information in the Risk Register and reports issues. The Chief Safety Officers will also document any specific measures or activities, such as reviews, observations, or audits, that will be conducted to monitor the effectiveness of mitigations once implemented.

In the Risk Register, the Chief Safety Officers will also document any specific measures or activities, such as reviews, observations or audits that will be conducted to monitor the effectiveness of mitigations once implemented.



6. Safety Assurance

Safety Performance Monitoring and Measurement

Through our Safety Assurance process, Porterville Transit:

- Evaluates our compliance with operations and maintenance procedures to determine whether our existing rules and procedures are sufficient to control our safety risk,
- Assess the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended,
- Investigates safety events to identify casual factors, and
- Analyzes information from safety reporting, including data about safety failures, defects, or conditions.

Describe activities to monitor the system for compliance with procedures for operations and maintenance.

Porterville Transit has many processes in place to monitor its entire transit system for compliance with operations and maintenance procedures, including:

- Safety audits
- Informal inspections and observations
- Check in/check out sheets
- Observation Reports
- Incident and Accident Reports
- Regular review of on-board camera footage to assess drivers and specific incidents
- Evaluations and training refreshers
- Secret Rider Evaluations
- Investigations of safety occurrences
- Daily data gathering and monitoring of data relating to the delivery of service
- Regular vehicle and facility inspections
- Regular preventative maintenance

Results from the above processes are compared against recent performance trends quarterly and annually by the Chief Safety Officers, in conjunction with the Leadership Team, to determine where corrective action needs to be taken. The Chief Safety Officers and Leadership Team enters any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation.

Describe activities to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.

Porterville Transit monitors safety risk mitigations to determine if they have been implemented, and are effective, appropriate and working as intended. The Chief Safety Officers with the Leadership Team maintains a list of safety risk mitigations in the Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officers, with the Leadership Team, establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns



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monitoring activities to the appropriate Manager or Supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports, conducting job performance observations, or other activities. The Chief Safety Officers will endeavor to make use of existing processes and activities before assigning new information collection activities.

Chief Safety Officers and the Leadership Team review the performance of individual safety risk mitigations during quarterly leadership meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Chief Safety Officers will propose a course of action to modify the mitigation or take other action to manage the safety risk.

Chief Safety Officers and the Leadership Team also monitor operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations
- Monitoring employee safety and injury reporting and observation reports
- Reviewing results of internal safety audits and inspections
- Analyzing operational and safety data to identify emerging safety concerns

The Accountable Executive, Chief Safety Officers, and Leadership Team carry out and document all monitoring activities.

Describe activities to conduct investigations of safety events to identify casual factors

Porterville Transit's Operations Manual documents procedures to be followed by drivers in the event of a collision or safety issue. The Accident Reporting Procedure Training maintains documented procedures for supervisors conducting safety investigations of collisions. These procedures also reflect all traffic safety reporting and investigation requirements established by the California Vehicle Code.

The Chief Safety Officers reviews the driver and supervisor reports, in addition to photographs and video to find casual and contributing factors and review the existing mitigations in place at the time of the event.

The Chief Safety Officers may follow up with individual parties for further information. Casual factors will be documented and shared with the Accountable Executive and with leadership or ad hoc meeting members, as necessary.

Chief Safety Officers and the Leadership Team maintain all documentation of investigation policies, processes, forms, checklists, activities, and results.



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Chief Safety Officers determine whether:

- The accident was preventable, or
 - Using video footage, photos, driver statements, witness and emergency personnel statements
- The accident was non-preventable
 - Using video footage, photos, driver statements, witness and emergency personnel statements
- Personnel require discipline (including termination) or retraining,
- The causal factor(s) indicate that a safety hazard contributed to or was present during the event; and
- The accident appears to involve underlying organizational causal factors beyond just individual employee behavior.

Describe activities to monitor information reported through internal safety reporting programs.

Chief Safety Officers and the Leadership Team routinely review safety data captured in employee safety reports, customer complaints, and other safety communication channels. When necessary, the Chief Safety Officers and the Leadership Team ensure that the concerns are investigated or analyzed through the Safety Risk Management process.

The Chief Safety Officers and the Leadership Team also review internal and external reviews, including audits and assessments, with findings concerning safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

7. Safety Promotion

Competencies and Training

Describe the safety training program for all agency employees and contractors directly responsible for safety.

Porterville Transit's safety training program applies to all City and contract employees directly responsible for safety, including:

- Vehicle operators
- Dispatchers
- Road Supervisors and Managers
- Maintenance Technicians
- Leadership and Executive Management
- Chief Safety Officer
- Accountable Executive

Porterville Transit dedicates resources to conduct a comprehensive safety training program, as well as training on SMS roles and responsibilities. The scope of the safety training, including



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annual refresher training, is appropriate to each individual safety-related job responsibilities and their role in the SMS.

Basic training requirements for Porterville Transit employees, including frequencies and refresher training, are documented in the Employee Handbook, which include the following:

Operations (Operators and Dispatchers)

- New-hire classroom and hands-on skill training
- Refresher and Retraining
- Classroom and on-the-job training
- Accident investigations training
- Reasonable suspicion training

Vehicle Maintenance

- New-hire classroom and hands-on skill training
- Refresher and Retraining
- Classroom and on-the-job training
- Accident investigations training
- Reasonable suspicion training
- Hazardous material training
- Training provided by vendors

The Accountable Executive, Chief Safety Officers, and the Leadership Team must complete the FTA's SMS Awareness online training.

Safety Communication

Describe processes and activities to communicate safety and safety performance information throughout the organization

Porterville Transit communicates safety and safety performance information throughout the organization by the following:

- Weekly Tailgate Driver Meetings
- Monthly Driver Meetings
- Annual Safety Awards Meeting
- Safety Training
- Safety Bulletin Boards
- Posters
- Pre-Shift Briefing Sessions
- Bulletins and Information Flyers Posted in the Buses and Transit Centers



8. Additional Information



9. Glossary of Terms

Term	Definition
Accident	Accident means an Event that involves any of the following: a loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause. (per § 673.5)
Accountable Executive	§ 673.5 Definitions – Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency’s Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency’s Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. § 5329(d), and the agency’s Transit Asset Management Plan in accordance with 49 U.S.C. § 5326. § 673.23(d)(1) – The transit agency must identify an Accountable Executive. The Accountable Executive is accountable for ensuring that the agency’s SMS is effectively implemented throughout the agency’s public transportation system. The Accountable Executive is accountable for ensuring action is taken, as necessary, to address substandard performance in the agency’s SMS. The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for the transit agency’s safety performance cannot be delegated and always rests with the Accountable Executive. Each transit agency must identify an Accountable Executive within its organization who ultimately is responsible for carrying out and implementing its Safety Plan. A State that drafts a plan on behalf of another recipient or sub-recipient is not the Accountable Executive.
Chief Safety Officer/SMS Executive	§ 673.31 Definitions – Chief Safety Officer means an adequately trained individual who has responsibility for safety and reports directly to a transit agency’s chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system. Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent. § 673.23(d)(2) – The Accountable Executive must designate a Chief Safety Officer or SMS Executive who has the authority and responsibility for day-



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Term	Definition
	to-day implementation and operation of an agency's SMS. The Chief Safety Officer or SMS Executive must hold a direct line of reporting to the Accountable Executive. A transit agency may allow the Accountable Executive to also serve as the Chief Safety Officer or SMS Executive.
Consequence	Consequences are outcomes or what those conditions can cause. Transit agencies should assess the likelihood and severity of the <i>consequences</i> of a hazard, not of the hazard itself (per § 673.5)
Event	Event means any Accident, Incident, or Occurrence. (per § 673.5)
Fatalities	Deaths, excluding suicides or trespassers
Hazard	Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment. Hazards are conditions. (per § 673.5)
Incident	Incident means an Event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency. (per § 673.5)
Injuries	Not including assaults or injuries due to crimes
Occurrence	Occurrence means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency. (per § 673.5)
Performance Target	Performance target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration (FTA). (per § 673.5)
Safety Event	Reportable derailments, collisions, fires, and evacuations.
Safety Performance Target	Safety performance target means a Performance Target related to safety management activities. (per § 673.5)
Serious Injury	Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface. (per § 673.5)



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Issue Letter of Support for The Foundry Affordable Housing Project

SOURCE: Community Development

COMMENT: Self-Help Enterprises has requested a formal letter of support from the City of Porterville for The Foundry Affordable Rental Housing Project. The project will provide high-quality, energy-efficient housing opportunities for low-income households and support the City's 2023–2031 Housing Element goals.

The Foundry project will be submitted for funding under the California Department of Housing and Community Development's Community Development Block Grant – Disaster Recovery (CDBG-DR) Multifamily Housing Program. Issuance of a City letter of support, signed by the Mayor, will strengthen the funding application by demonstrating local alignment with the City's housing, sustainability, and community development priorities.

The project will be developed by Self-Help Enterprises, a nonprofit organization with extensive experience in affordable housing development and long-term property management throughout Tulare County. The project will offer affordable rental units near employment centers, transit routes, and community amenities.

RECOMMENDATION: That the City Council authorize the Mayor to issue a Letter of Support for The Foundry Affordable Housing Project in support of Self-Help Enterprises' funding application to the California Department of Housing and Community Development under the CDBG-DR Multifamily Housing Program.

ATTACHMENTS: 1. Draft Letter of Support – The Foundry Affordable Housing Project

Appropriated/Funded:

Review By:

Department Director:

Claudia Calderon, Community Development Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

November 4, 2025

California Department of Housing and Community Development
Division of Financial Assistance
2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833

Subject: Letter of Support – The Foundry Affordable Housing Project

To Whom It May Concern:

On behalf of the City of Porterville, I am pleased to provide this letter of support for Self-Help Enterprises and their proposed development, The Foundry Affordable Rental Housing Project.

The City strongly supports this project and recognizes its alignment with the City's 2023–2031 Housing Element, which emphasizes the need for additional affordable and workforce housing options near employment, transit, and essential services. The Foundry will help meet those goals by providing new, energy-efficient, and accessible housing opportunities for low-income households within the community.

Self-Help Enterprises has a proven record of delivering high-quality affordable housing throughout Tulare County and the San Joaquin Valley. Their community-based approach to development and long-term property management ensures that housing remains both affordable and well-maintained for future generations.

The City of Porterville appreciates the opportunity to support this project and recognizes that funding through the Community Development Block Grant – Disaster Recovery (CDBG-DR) Multifamily Housing Program (MHP) will make it possible to bring this much-needed housing resource to our community.

The City Council and I extend our full support for The Foundry Affordable Housing Project and encourage the Department of Housing and Community Development to give the application strong consideration.

Sincerely,

Greg Meister, Mayor



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Continue Participation in the Litter Abatement Program in Partnership with TCAG and CalTrans

SOURCE: Community Development

COMMENT: The Litter Abatement Program (LAP) is a regional partnership designed to enhance the visual appearance of State Routes 65 and 190 within the Porterville city limits while creating transitional employment opportunities for local residents. The program represents a collaborative effort between the City of Porterville, Caltrans District 6, the Tulare County Association of Governments (TCAG), and Community Services & Employment Training, Inc. (CSET).

Originally launched in 2021, the three-year program successfully removed more than 19,000 bags of litter and provided 57 transitional employment opportunities for individuals experiencing homelessness. Based on this success, staff recommends continuing the program for an additional two-year term to maintain clean transportation corridors and sustain workforce development opportunities within the community.

At its meeting of October 21, 2025, the City Council directed staff to prepare the necessary agreements and resolution to continue participation in the program for the period of January 2026 through June 2027. The proposed continuation includes execution of the Caltrans Delegated Maintenance Agreement (DMA), the Measure R Program Supplement to Cooperative Agreement, and the CSET Independent Contractor Agreement. CSET will continue to serve as the program's workforce partner responsible for participant recruitment, supervision, and reporting.

Funding for the program includes \$80,000 annually from TCAG Measure R funds, \$30,000 annually from Caltrans, and \$50,000 annually from the City's Measure I funds, for a total of \$160,000 per year. The City's contribution is limited to \$100,000 over the two-year term, which is fully budgeted within existing allocations. No General Fund impact is anticipated.

The Litter Abatement Program continues to demonstrate the value of interagency collaboration in addressing litter, enhancing roadway aesthetics,

and supporting community reinvestment through transitional employment.

RECOMMENDATION: That the City Council:

1. Adopt the Resolution authorizing continued participation in the Litter Abatement Program in partnership with the Tulare County Association of Governments (TCAG), Caltrans, and Community Services & Employment Training, Inc. (CSET); and
2. Authorize the Mayor and City Manager to execute the related agreements, amendments, and supporting documents as necessary to implement the program, pending final review and approval by the City Attorney.

ATTACHMENTS:

1. Draft Resolution
2. DRAFT CalTrans Deferred Maintenance Agreement (DMA)
3. DRAFT Measure R Program Supplement to Cooperative Agreement
4. DRAFT CSET Agreement

Appropriated/Funded:

Review By:

Department Director:
Claudia Calderon, Community Development Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

RESOLUTION NO. ____-2025

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZING
CONTINUED PARTICIPATION IN THE TULARE COUNTY ASSOCIATION OF GOVERNMENTS
(TCAG) LITTER ABATEMENT PROGRAM AND AUTHORIZING EXECUTION OF RELATED
AGREEMENTS**

WHEREAS, in 2021, the City of Porterville, in partnership with the Tulare County Association of Governments (TCAG), Caltrans District 6, and Community Services and Employment Training, Inc. (CSET), implemented a regional Litter Abatement Program to address litter along State Routes 65 and 190 within the Porterville city limits; and

WHEREAS, TCAG, in coordination with Caltrans, has made Measure R funds available to participating agencies for the continued operation of the Litter Abatement Program; and

WHEREAS, the City Council of the City of Porterville desires to continue participation in the TCAG Litter Abatement Program and to execute all necessary agreements with TCAG, Caltrans, and CSET to implement the program for an additional two-year term; and

WHEREAS, the City's participation will be funded through Measure I in an amount not to exceed Fifty Thousand Dollars (\$50,000) per year, for a combined total of up to One Hundred Thousand Dollars (\$100,000) over the two-year period, contingent upon TCAG approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville as follows:

1. The City Council hereby authorizes continued participation in the Tulare County Association of Governments (TCAG) Litter Abatement Program for a two-year period.
2. The City Council authorizes the Mayor and City Manager to execute the related agreements, amendments, and supporting documents as necessary to implement the program.
3. The Finance Department is authorized to allocate Measure I funds consistent with the approved agreements.

PASSED, APPROVED and ADOPTED this 4th day of November, 2025.

Greg Meister, Mayor

ATTEST:

Richard Tree, City Clerk

By: _____
Fernando Gabriel-Moraga, Chief Deputy City Clerk

DELEGATED MAINTENANCE AGREEMENT WITH THE CITY OF PORTERVILLE

This Delegated Maintenance Agreement ("AGREEMENT") is made by and between the State of California, acting by and through the Department of Transportation ("STATE") and the City of Porterville ("LOCAL AGENCY"); each may be referred to individually as a "PARTY" and jointly as "PARTIES."

RECITALS

1. This AGREEMENT will identify the specific maintenance functions the LOCAL AGENCY will perform in the STATE right of way, including highway and freeway areas situated within LOCAL AGENCY's jurisdictional limits as authorized under Streets and Highways Code Section 130.
2. The PARTIES executed a prior Delegated Maintenance Agreement dated 06MTC0543200. This AGREEMENT shall supersede the PARTIES' prior Delegated Maintenance Agreement. The prior Delegated Maintenance Agreement will not remain in full force and effect. This AGREEMENT does not supersede other Freeway Maintenance Agreements executed by the PARTIES, if any.

OPERATIVE PROVISIONS

1. **Maintenance Services.** LOCAL AGENCY shall perform maintenance operations at the State Route(s) (SR), post miles (PM) and approximate mile lengths (STATE Right of Way) set forth in Exhibit A to keep the facilities in a safe and operational condition. Maintenance Operations include but are not limited to litter, debris, and graffiti removal, repairs, and restoration.
2. **Prior Delegated Maintenance Agreements.** This AGREEMENT shall supersede the PARTIES' prior Delegated Maintenance Agreement dated 9/1/2022. The prior Delegated Maintenance Agreement will not remain in full force and effect. This AGREEMENT does not supersede other Freeway Maintenance Agreements executed by the PARTIES, if any.
3. **Maintenance Standards.** LOCAL AGENCY shall perform all maintenance in compliance with the standards set forth in Streets and Highways Code Section 27, and in accordance with California and federal laws and regulations and STATE policies, procedures and specifications in effect and as amended, and applicable municipal ordinances.

4. **Maintenance Areas and Services.** LOCAL AGENCY shall only perform those maintenance services in the STATE right of way locations described in Exhibit A.
5. **Amendment to Agreement.** Changes to LOCAL AGENCY's maintenance services covered in this AGREEMENT may be made by each PARTY executing amended Exhibits A and B and/or executing additional pages to Exhibit A that shall be attached to this AGREEMENT and will supersede the original Exhibits A and B. Otherwise, this AGREEMENT may only be amended by a written agreement executed by both PARTIES. STATE's District Maintenance Agreement Coordinator (DMAC) must obtain prior written approval of any amendments from the District 06 Deputy Director of Maintenance before such amendments may become effective and enforceable under this AGREEMENT.
6. **Unsheltered Encampment Removal.**
 - A. STATE shall remove Persons Experiencing Homelessness (PEH) and any structures, personal property, debris, and/or other items related to the encampment from the Location(s) shown in Exhibit A, subject to State's Encampment Removal policy, MPD 1001 R1 and applicable State and Federal law.
 - B. Nothing in this AGREEMENT grants or waives the right of California Highway Patrol (CHP) and other law enforcement agencies having jurisdiction over the Locations shown in Exhibit A.
7. **Weed Abatement** LOCAL AGENCY shall engage in weed abatement operations. LOCAL AGENCY shall control weeds at a level acceptable to STATE. Any weed control performed by chemical weed sprays (herbicides) shall comply with all laws, rules, and regulations established by California Department of Food and Agriculture. All chemical spray operations shall be reported quarterly (form LA17) to STATE via the STATE's Landscape Specialist, Maintenance Support, Caltrans District Office at 1635 West Pine Avenue, Fresno, CA 93728.
8. **Graffiti Removal.** LOCAL AGENCY's graffiti removal shall be limited to removal of text only in accordance with Streets and Highway Code Section 96. Any graffiti that in any way resembles a mural, artwork, paintings, or other similar elements may not be removed. LOCAL AGENCY shall discuss such possible art with STATE's District 06 Transportation Art Coordinator before conducting any graffiti removal or remediation. STATE shall pay the actual cost of LOCAL AGENCY's graffiti removal as specified in Section 11 of this AGREEMENT.

9. **Maintenance Service Schedule.** LOCAL AGENCY shall provide STATE's District 06 Area Maintenance Superintendent, as shown in Exhibit B at least twenty-four (24) hours prior telephone or email notice before performing any maintenance services under this AGREEMENT. His/Her email and phone number are listed on Exhibit B. LOCAL AGENCY shall provide the DMAC identified in this AGREEMENT with a litter, debris and graffiti removal schedule. Maintenance services shall be provided at a minimum monthly basis. Maintenance services shall be performed between the hours of 9:00 a.m. and 3:00 p.m. or as otherwise authorized by the State Representative, if necessary. LOCAL AGENCY must request through the DMAC prior written approval from STATE's District Maintenance Supervisor to perform any maintenance services before 9:00 a.m. or after 3:00 p.m. and/or weekends and holidays.
10. **Authorized Reimbursement.** The functions and levels of maintenance services delegated to LOCAL AGENCY in the attached Exhibit A and amounts appropriated to STATE have been considered in setting authorized total dollar amounts. LOCAL AGENCY may perform additional work if desired, but STATE will not reimburse LOCAL AGENCY for any work in excess of the authorized dollar limits established herein.
11. **Cost Reimbursement.** STATE shall reimburse LOCAL AGENCY for LOCAL AGENCY's actual and necessary costs incurred to perform the maintenance services under this AGREEMENT; provided, however, that STATE's reimbursement shall not exceed the maximum authorized expenditures under this AGREEMENT.
12. **Amendment to Approved Expenditures.** Upon LOCAL AGENCY's written request, the expenditures per route for maintenance services set forth in Exhibit A may be increased, decreased, or redistributed between routes pursuant to the PARTIES executing an appropriate amendment in accordance with section 5 above. All such adjustments must be authorized in writing by the District Director or his/her authorized representative.
13. **Term of Expenditures.** Additional expenditures or an adjustment of expenditures once authorized shall apply only for the term of this AGREEMENT and shall not be deemed to permanently modify or change the basic maximum expenditures per route as specified in Exhibit A. Any expenditure adjustments shall not affect or alter any other terms of this AGREEMENT.

14. **Billing, Payment and Reporting.**

14.1 **Billing Date.** LOCAL AGENCY shall submit billing invoices to STATE's DMAC each quarter, beginning after the first quarter, LOCAL AGENCY has performed maintenance services under this AGREEMENT. LOCAL AGENCY shall not submit billing invoices for reimbursement of costs less than \$500 more than once each quarter. LOCAL AGENCY shall also submit billing invoices promptly following the close of STATE's fiscal year on each June 30th.

14.2 **Billing Submission Format.** Each billing invoice shall include all of the following:

- (a) STATE's agreement number;
- (b) Date(s) of services;
- (c) Location of services;
- (d) Number of hours and hourly rates;
- (e) Receipts for trash disposal; and
- (f) Receipts for equipment, materials, and supplies.

STATE shall pay LOCAL AGENCY for the maintenance services satisfactorily performed in accordance with the rates and schedules in Exhibit A.

15. **Successors.** This AGREEMENT shall be binding upon and inure to the benefit of each of the PARTIES' successors-in-interest, including, but not limited to any public entity to whom any part of the STATE right of way covered under this AGREEMENT may be relinquished and any subsequently incorporated city or other municipality established within the LOCAL AGENCY's jurisdictional limits.

16. **Encroachment Permits.** Before LOCAL AGENCY may enter STATE right of way to perform any maintenance services in the areas covered by this AGREEMENT, STATE's District 06 Encroachment Permit Office must issue an initial encroachment permit at no cost to LOCAL AGENCY. LOCAL AGENCY must obtain additional encroachment permits, if necessary, to enter or perform any work within STATE right of way not covered by this AGREEMENT. STATE will issue these additional encroachment permits at no cost to LOCAL AGENCY.

17. **Legal Disposal of Litter Collected.**

LOCAL AGENCY shall make its own arrangements for the legal disposal of litter or debris materials to authorized disposal sites. LOCAL AGENCY shall not leave any filled litter bags, litter piles or other groups of litter assembled during its maintenance services along or in STATE Right of Way. Such litter groupings shall be removed out of STATE Right of Way each day LOCAL AGENCY performs the maintenance services in this AGREEMENT.

18. **Safety and Worker Compliance.** LOCAL AGENCY shall be solely responsible for crew pay, workers compensation and any other benefits required by state and federal law. Subcontractors and crew members are not considered STATE's employees at any time. LOCAL AGENCY shall comply with all applicable State and Federal statutes and regulations governing worker and public safety, including but not limited to compliance with CAL-OSHA regulations and guidelines.

LOCAL AGENCY shall make arrangements through the STATE if traffic controls, flags, signs, or lane closures are necessary to safely perform any maintenance services. STATE's maintenance Supervisor or designee shall determine what protections are required at the worksite pursuant to applicable provisions of the STATE's (Caltrans) Maintenance Manual, including but not limited to Volume 1, Chapter 8, Protection of Workers.

19. **Equipment and Supplies.** LOCAL AGENCY shall provide the necessary equipment, tools, personal protective equipment, materials, supplies and products necessary to perform the maintenance services under this AGREEMENT. STATE shall reimburse LOCAL AGENCY for the reasonable costs of such equipment and supplies not to exceed the authorized expenditures set forth in Exhibit A.

20. **Legal Relations and Responsibilities.**

- 20.1 **No Third-party Beneficiaries.** This AGREEMENT is not intended to create duties, obligations, or rights of third parties beyond the PARTIES to this AGREEMENT. Nor does this AGREEMENT affect a PARTY's legal liability by imposing any standard of care for the maintenance of STATE highways different from the standard of care imposed by law.

- 20.2 **Indemnification.** Neither STATE nor any of its officers or employees is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by LOCAL AGENCY in connection with any work, authority or jurisdiction conferred upon LOCAL AGENCY under this AGREEMENT. LOCAL AGENCY shall fully defend, indemnify, and save harmless STATE and its officers and employees from all claims, suits, or actions of every kind occurring by reason of anything done or omitted to be done by LOCAL AGENCY, its contractors, sub-contractors and/or its agents pursuant to this AGREEMENT.

Neither LOCAL AGENCY nor any of its officers or employees is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE, in connection with any work, authority or jurisdiction conferred upon STATE under this AGREEMENT. STATE shall fully defend, indemnify, and save harmless LOCAL AGENCY and its officers and employees from all claims, suits, or actions of every kind occurring by reason of anything done or omitted to be done by STATE under this AGREEMENT.

HQ REVIEW REQUIRED

- 20.3 **Work-related Injuries.** If a LOCAL AGENCY-assigned crew member is injured while performing maintenance services under this AGREEMENT, LOCAL AGENCY or its designated subcontractor shall be responsible for ensuring the crew member is given prompt medical care and treatment and, if necessary, transportation to a medical facility. LOCAL AGENCY or its designated subcontractor shall administer any injury and workers compensation claims. LOCAL AGENCY shall notify the STATE's Area Maintenance Superintendent within twenty-four (24) hours when any such incident has occurred.
21. **Prevailing Wages and Labor Compliance.** LOCAL AGENCY shall comply with any and all applicable labor and prevailing wage requirements in Labor Code Sections 1720 through 1815 and implement regulations for public works or maintenance contracts and subcontracts executed for the LOCAL AGENCY's maintenance services under this AGREEMENT.
22. **Insurance.** LOCAL AGENCY and its contractors and subcontractors shall maintain in force during the term of this AGREEMENT a policy of general

liability insurance, including coverage of bodily injury and property damage liability, naming the STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence, \$2 million in aggregate, and \$5 million in excess. LOCAL AGENCY will provide a certificate of insurance evidencing this insurance in a form satisfactory to STATE.

23. **Budget Contingency.** STATE's payments to LOCAL AGENCY are contingent upon the Legislature appropriating sufficient funds under the Budget Act and the encumbrance of funding to STATE's District Office.
24. **Termination.** This AGREEMENT may be terminated by the mutual written consent of each PARTY. Either PARTY may terminate this AGREEMENT upon thirty (30) days' prior written notice to the other PARTY.
25. **Effective Date (Term) of Agreement.** This AGREEMENT shall become effective on the last of the dates each PARTY's authorized representative has executed this AGREEMENT.
26. **Authority.** Each individual executing this AGREEMENT on behalf of each PARTY represents and warrants that he/she is duly authorized to execute this AGREEMENT as authorized under Streets and Highways Code Sections 114 and 130. LOCAL AGENCY represents and certifies that it has, through its regular political process, authorized the execution of this AGREEMENT by appropriate resolution, delegation, or plenary authority as required.
27. **Default.** If a PARTY fails to perform obligations assumed under this AGREEMENT, the non-defaulting PARTY may by written notice request that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails or refuses to do so, the non-defaulting PARTY may complete the obligations and seek reimbursement from the defaulting PARTY who shall pay the invoice within thirty (30) calendar days. If there is an immediate threat to maintain the structural integrity of, or prevent imminent danger of destruction to, the features shown on Exhibit A, either PARTY may perform necessary maintenance or remedial measures to maintain the structural integrity and/or prevent destruction of the features without notice or delay.

28. **Counterparts.** This AGREEMENT may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.
29. **Electronic Signatures.** Electronic signatures of the PARTIES, whether digital or encrypted, are intended to authenticate this written AGREEMENT, and shall have the same force and effect as manual signatures for this AGREEMENT.
30. **Party Representatives and Notices.** All notices, document submittals and invoices required under this AGREEMENT shall be deemed to have been fully given when made in writing and received by the PARTIES at their respective addresses listed on Exhibit B.

THE CITY OF _____

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

Dated: _____
Mayor

Dated: _____
Deputy District Director
Maintenance District

APPROVED:

Dated: _____
City Manager

Dated: _____
City Clerk

EXHIBIT A

DELEGATION OF MAINTENANCE

FY 25/27 (effective date of agreement to June 2027)

(Litter Pickup in Shoulder and Landscape Areas)

State Route	Length (Miles)	Description of Routes	Program Delegated	Maximum Annual Authorized Expenditure
65	5.71	South City limit at Ave 128 (PM 16.12) to North City limit at W Linda Vista Avenue (PM 21.83)	HM2D	\$20,000
190	4.07	West City limit at S Prospect St (PM 14.96) to East City limit at approximately 3,000 feet east of Blue Heron Parkway (PM-19.03)	HM2D	\$10,000

TOTAL ANNUAL MAXIMUM AUTHORIZED EXPENDITURE: \$30,000

EXHIBIT B

Party Representatives and Notices.

LOCAL AGENCY's Project Manager: Claudia Calderon
STATE's DMAC is: Daniel Lum

All notices, document submittals and invoices required under this AGREEMENT shall be deemed to have been fully given when made in writing and received by the PARTIES at their respective addresses as follows:

LOCAL AGENCY

Attn: Name of Project Manager: Claudia Calderon
Address: 291 N Main St
City, Zip: Porterville CA 93257

STATE

Attn: Name of DMAC: Daniel Lum
Address: 1352 W Olive Avenue
City, Zip: Fresno, CA 93728

Name of Area Maintenance Superintendent: Domenico Caminiti
Telephone Number: (661) 758-3252
Email Address: Domenico.Caniniti@dot.ca.gov

MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

AUTHORITY Agreement No. _____

This Program Supplement (Program Supplement) is made and entered into on _____, by and between the _____ (SPONSOR) and the Tulare County Association of Governments, acting as the Local Transportation Authority (AUTHORITY).

This Program Supplement hereby incorporates the “Measure R Cooperative Agreement” for Measure R Expenditures which was entered into between the SPONSOR and AUTHORITY on May 29, 2007 and is subject to all terms and conditions thereof.

This Program Supplement is executed under authority of Resolution No. 2025-XX, dated November 4, 2025.

Project scope, costs and schedule are incorporated herein as Attachment “A” and agreed upon by Sponsor and Authority for Project: Litter Abatement Program.

Covenants of SPONSOR

- 1.1 By entering into this Program Supplement, SPONSOR agrees that it will only proceed with work authorized for specific phase(s) of the Project with written “Authorization to Proceed” or other AUTHORITY approval and will not proceed with future phase(s) of this Project(s) prior to receiving a written “Authorization to Proceed” or other AUTHORITY approval.
- 1.2 The SPONSOR will advertise, award, and administer the Project(s) in accordance with SPONSOR standards.
- 1.3 Contract award information shall be submitted by the SPONSOR to the AUTHORITY within 60 days after the Project contract award.
- 1.4 Failure to submit contract award information in accordance with section 1.3 will cause a delay (without interest or penalties) in AUTHORITY processing invoices for the construction phase of the Project.
- 1.5 If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for each phase a written explanation of the absence of Project(s) activity along with target billing date and target billing amount.

Leave the
Authority
agreement No.
and entered
into date blank.
This will be
filled out by
TCAG

IN WITNESS WHEREOF, the undersigned Parties have executed this Program Supplement on the day and year first written above.

COUNTY OF TULARE TRANSPORTATION AUTHORITY

By: _____

Authority Director

Attest: _____

Authority Finance Director

NAME OF SPONSOR (City or County)

By: _____

Greg Meister, Mayor

Attest: _____

Fernando Gabriel-Moraga,
Chief Deputy City Clerk

MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

AUTHORITY Agreement No. _____

Attachment A

Project Name: Litter Abatement Program

Project Scope

The proposed program includes one crew completing two cleaning cycles per month on State Route 65 and State Route 190 within the city limits, as well as off ramps and other transportation public rights of way near the state routes where litter accumulates. TCAG allocated funds specifically for Porterville SR190 and SR65 corridor improvement component Measure “R” funds. The California Department of Transportation District 6 has also committed to matching local funds as well as utilizing Clean California funds to support the program, allocating \$30,000 for the Porterville Delegated Maintenance Agreement for two (2) years. TCAG has committed \$80,000 of Measure R TCTA funds from TCAG annually. This cross jurisdictional approach that brings a variety of funding sources (state/regional/local) to address the litter problem as it overlaps jurisdictions. The use of Caltrans funds will be limited to state highways only. The proposed funding of the Litter Abatement program is broken down below under Sources and Use of Funds.

Project Schedule

The program will be for FY 25/27 (effective date of agreement to June 30, 2027)

Sources and Use of Funds

2 Year Program		
Source of Funding	Year 1	Year 2
TCAG Measure R	\$80,000	\$80,000
Caltrans	\$30,000	\$30,000
City of Porterville	\$50,000	\$50,000
Total	\$160,000	\$160,000

AGREEMENT NO._____

INDEPENDENT CONTRACTOR'S AGREEMENT

THIS AGREEMENT is made and entered into on_____, by and between the **CITY OF PORTERVILLE**, a municipal corporation, ("CITY" herein) and **COMMUNITY SERVICES & EMPLOYMENT TRAINING INC.** ("CONTRACTOR" herein).

R E C I T A L S

WHEREAS, CONTRACTOR represents CONTRACTOR is experienced and well qualified in the field of litter removal.

NOW, THEREFORE, incorporating the foregoing recitals herein, CITY and CONTRACTOR mutually agree as follows:

1. SCOPE OF WORK. CONTRACTOR shall, using its own trained labor force, manually gather, bag, and pile litter and debris from alongside designated roadways. One crew of four (4) people each and one (1) working supervisor from Contractor will gather, bag and pile all litter found along the roadway on a schedule as determined by CITY. CONTRACTOR'S crew will clean to a level of cleanliness as determined by CITY. CONTRACTOR will close and secure all bags of litter, and place them in a safe manner in stacks out of the roadway for removal by others. CONTRACTOR will provide transportation, portable toilets, and all personal protective equipment needed to perform the work in accordance with Caltrans safety instructions. At a minimum, CONTRACTOR'S working supervisor must be trained in Caltrans freeway litter safety instruction. Frequency and schedule of clean ups will be provided by CITY. CITY will provide supplies (bags and other supplies) that are provided by Caltrans to CONTRACTOR. Upon completion of litter pick up, CONTRACTOR will notify CITY of completion. CITY and or other parties will remove bags of litter from alongside roadway. In addition, other duties of a similar nature may be assigned as needed by the CITY. Roadways shall include ramps and shoulders.

1.1. The scope of work shall include all items and procedures necessary to properly complete the task CONTRACTOR has been hired to perform, as outlined within the schedule provided by the CITY. In the event that the crew is not available, CONTRACTOR will communicate such with the CITY.

1.2. Caltrans will maintain responsibility for traffic control for shoulder cleanups. Ramps do not require additional Caltrans traffic control measures. In the event CONTRACTOR is requested to provide traffic control measures consistent with Caltrans safety requirements, CONTRACTOR will provide an estimate as to the cost of this additional task and upon mutual agreement with CITY, provide such control.

1.3. In the event CONTRACTOR is asked to remove collected litter from roadways to a designated location, CONTRACTOR will provide an estimate as to the cost of this additional task and upon mutual agreement with CITY, provide for said removal and disposal.

1.4. Medians are not included within the scope of work at this time. In the event some medians are added to the scope of work, the CITY will get an approved list of medians to clean from Caltrans and provide that list to CONTRACTOR. A separate crew may be identified by the CONTRACTOR at a separate cost to the CITY as explained in 2.2 below.

2. COMPENSATION. Compensation for all work, services or products called for under this Agreement shall be payable in accordance with section 3 "Payment Procedure" as stated below but in no event shall exceed an annual total of One Hundred Sixty Thousand Dollars (\$160,000.00).

2.1. The Payment by the CITY to the CONTRACTOR for actual services rendered under this Agreement shall be made upon presentation of an invoice detailing services performed under the Scope of Services, in accordance with the fee schedule set forth in Exhibit "A" attached hereto and incorporated herein by reference. The CONTRACTOR agrees to provide all services required under Section 1. Scope of Work, within the compensation amount set forth in Exhibit "A".

3. PAYMENT PROCEDURE. CONTRACTOR shall be paid for services rendered after receipt of an itemized invoice for the work completed and approved by CITY in accordance with the terms of this Agreement. Payment by CITY to CONTRACTOR shall be made within thirty (30) days after receipt and approval by CITY of CONTRACTOR's itemized invoice.

4. KEY PERSONNEL. CONTRACTOR shall name all key personnel to be assigned to the work set forth herein. All key personnel shall be properly licensed and have the experience to perform the work called for under this Agreement. CONTRACTOR shall provide background for each of the key personnel including, without limitation, resumes and work experience in the type of work called for herein. CITY reserves the right to approve key personnel.

5. STARTING WORK. CONTRACTOR shall not begin work until authorized to do so in writing by CITY. No work will be authorized until the contract has been fully executed by CONTRACTOR and CITY.

6. NO WAIVER OF DEFAULT. The failure of any party to enforce against another party any provision of this Agreement shall not constitute a waiver of that party's right to enforce such a provision at a later time, and shall not serve to vary the terms of this Agreement.

7. MERGER AND MODIFICATION. This contract sets forth the entire Agreement between the parties and supersedes all other oral or written representations. This contract may be modified only in a writing approved by the City Council and signed by all the parties.

8. EXHIBITS. In the event of a conflict between the terms, conditions or specifications set forth in this Agreement and those in exhibits attached hereto, the terms, conditions, or

specifications set forth in this Agreement shall prevail. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement, whether or not actually attached.

9. TERM. Unless terminated sooner, as set forth herein, this Agreement shall be for a one (1) year period and may be renewable annually thereafter if funding is available. Renewal options shall be exercised by written notice by the Community Development Director or his designee at the sole option and discretion of the CITY.

10. TERMINATION. This Agreement may be terminated by any party with or without cause upon Ten (10) days' written notice, served by mail or personal service, to all other parties herein.

11. COMPLIANCE WITH ALL LAWS. CONTRACTOR shall, at CONTRACTOR's sole cost, comply with all of the requirements of Municipal, State, and Federal authorities now in force, or which may hereafter be in force, pertaining to this Agreement, and shall faithfully observe in all activities relating to or growing out of this Agreement all Municipal ordinances and State and Federal statutes, rules or regulations, and permitting requirements now in force or which may hereafter be in force including, without limitation, obtaining a City of Porterville business tax certificate (Porterville Municipal Code Section 15-5) where required.

12. INDEPENDENT CONTRACTOR. This Agreement calls for the performance of the services of CONTRACTOR and its personnel/crewmembers as an independent contractor. CONTRACTOR, and its personnel/crewmembers, are not agents or employees of the CITY for any purpose and are not entitled to any of the benefits provided by CITY to its employees. This Agreement shall not be construed as forming a partnership or any other association with CONTRACTOR and its personnel/crewmembers other than that of an independent contractor.

13. DIRECTION. CONTRACTOR retains the right to control or direct the manner in which the services described herein are performed. CONTRACTOR agrees that CONTRACTOR'S personnel shall follow Federal and State safety and environmental regulations and abide by the rules of the CITY regarding safety, health, and general codes of conduct.

14. INSURANCE. In addition to any other insurance or bond required under this Agreement, the CONTRACTOR shall procure and maintain for the duration of this Agreement the following types and limits of insurance ("basic insurance requirements") herein:

14.1. Automobile liability insurance, providing coverage on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than Two Million Dollars (\$2,000,000) per occurrence; and the policy shall:

14.1.1. Provide coverage for owned, non-owned and hired autos.

14.2. Broad form commercial general liability Insurance, unless otherwise approved by the CITY's Risk Manager, providing coverage on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than Two Million Dollars (\$2,000,000) per occurrence; and the policy shall:

14.2.1. Provide contractual liability coverage for the terms of this Agreement.

14.2.2. Provide products and completed operations coverage.

14.2.3. Contain an additional insured endorsement in favor of the City, its mayor, council, officers, agents, employees and volunteers.

14.3. Workers' compensation insurance with statutory limits and employer's liability insurance with limits of not less than Two Million Dollars (\$2,000,000) per occurrence; and the policy shall contain a waiver of subrogation in favor of the City, its mayor, council, officers, agents, employees and volunteers.

14.4. All policies required of the CONTRACTOR shall be primary insurance as to the CITY, its mayor, council, officers, agents, employees, or designated volunteers and any insurance or self-insurance maintained by the CITY, its mayor, council, officers, agents, employees, and designated volunteers shall be excess of the CONTRACTOR's insurance and shall not contribute with it.

14.5. Except for workers' compensation, insurance is to be placed with insurers with a Best's rating as approved by CITY's Risk Manager, but in no event less than A-:VII rating. Any deductibles, self-insured retentions or insurance in lesser amounts, or lack of certain types of insurance otherwise required by this Agreement, or insurance rated below Best's A-:VII, must be declared prior to execution of this Agreement and approved by the CITY in writing.

14.6. Unless otherwise approved by CITY's Risk Manager, all policies shall contain an endorsement providing the CITY with thirty (30) days written notice of cancellation or material change in policy language or terms. All policies shall provide that there shall be continuing liability thereon, notwithstanding any recovery on any policy. Copies of policies shall be delivered to CITY on demand.

14.7. The insurance required hereunder shall be maintained until all work required to be performed by this Agreement is satisfactorily completed as evidenced by written acceptance by the CITY.

14.8. The CONTRACTOR shall furnish the City Risk Manager with a certificate of insurance and required endorsements evidencing the insurance required. The CITY may withdraw its offer of contract or cancel this contract if certificates of insurance and endorsements required have not been provided prior to the execution of this Agreement.

14.9. Full compensation for all premiums which the CONTRACTOR is required to pay on all the insurance described herein shall be considered as included in the prices paid for the various items of work to be performed under the Agreement, and no additional allowance will be made therefor or for additional premiums which may be required by extensions of the policies of insurance.

14.10. It is further understood and agreed by the CONTRACTOR that its liability to the CITY shall not in any way be limited to or affected by the amount of insurance obtained and carried by the CONTRACTOR in connection with this Agreement.

14.11. Unless otherwise approved by the CITY, if any part of the work under this Agreement is subcontracted, the "basic insurance requirements" set forth above shall be provided by, or on behalf of, all subcontractors even if the CITY has approved lesser insurance requirements for CONTRACTOR.

14.12. CONTRACTOR shall provide, when required by CITY, performance, labor and material bonds in amounts and in a form suitable to CITY. CITY shall approve in writing all such security instruments prior to commencement of any work under this Agreement.

15. THIRD PARTY CLAIMS. In the case of public works contracts, CITY will timely notify CONTRACTOR of third party claims relating to this contract. CITY shall be allowed to recover from CONTRACTOR, and CONTRACTOR shall pay on demand, all costs of notification.

16. INDEMNITY. CONTRACTOR shall indemnify, defend, and hold harmless CITY, its officers, agents and employees against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, arising out of, connected with, or caused by CONTRACTOR, CONTRACTOR's employees, agents, independent contractors, companies, or subcontractors in the performance of, or in any way arising from, the terms and provisions of this Agreement whether or not caused in part by a party indemnified hereunder, except for CITY's sole active negligence or willful misconduct.

17. EXECUTION. This Agreement is effective upon execution. It is the product of negotiation and all parties are equally responsible for authorship of this Agreement. Section 1654 of the California Civil Code shall not apply to the interpretation of this Agreement.

18. NOTICES. All notices relative to this Agreement shall be given in writing and shall be personally served or sent by certified or registered mail and be effective upon actual personal service or depositing in the United States mail. The parties shall be addressed as follows, or at any other address designated by notice:

CITY: **CITY OF PORTERVILLE
CITY HALL
291 N MAIN ST
PORTERVILLE, CA 93257**

CONTRACTOR: **COMMUNITY SERVICES & EMPLOYMENT TRAINING INC.
Attention: Mary Alice-Escarsega-Fechner
312 NW 3RD ST
VISALIA CA 93291**

19. GOVERNING LAW. The laws of the State of California will govern the validity of this Agreement, its interpretation and performance. Any litigation arising in any way from this Agreement shall be brought in Kern County, California.

20. FURTHER ASSURANCES. Each party shall execute and deliver such papers, documents, and instruments, and perform such acts as are necessary or appropriate, to implement the terms of this Agreement and the intent of the parties to this Agreement.

21. ASSIGNMENT. Neither this Agreement, nor any interest in it may be assigned or transferred by any party without the prior written consent of all the parties. Any such assignment will be subject to such terms and conditions as CITY may choose to impose.

22. BINDING EFFECT. The rights and obligations of this Agreement shall inure to the benefit of, and be binding upon, the parties to the contract and their heirs, administrators, executors, personal representatives, successors and assigns, and whenever the context so requires, the masculine gender includes the feminine and neuter, and the singular number includes the plural. This Agreement may be executed in any number of counterparts, each of which shall be considered as an original and be effective as such.

23. ACCOUNTING RECORDS. CONTRACTOR shall maintain accurate accounting records and other written documentation pertaining to all costs incurred in performance of this Agreement. Such records and documentation shall be kept at CONTRACTOR's office during the term of this Agreement, and for a period of three years from the date of the final payment hereunder, and said records shall be made available to CITY representatives upon request at any time during regular business hours.

24. CORPORATE AUTHORITY. Each individual signing this Agreement on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

25. TAX NUMBERS.

CONTRACTOR's Federal Tax ID Number: _____

CONTRACTOR is a corporation? Yes ___ No ___

26. NON-INTEREST. No officer or employee of the CITY shall hold any interest in this Agreement (California Government Code section 1090).

27. RESOURCE ALLOCATION. All obligations of CITY under the terms of this Agreement are subject to the appropriation and allocation of resources by the City Council.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, the day and year first-above written.

“CITY”
CITY OF PORTERVILLE

“CONTRACTOR”
COMMUNITY SERVICES &
EMPLOYMENT TRAININGS, INC.

By: _____
Greg Meister
Mayor

By: _____
Name _____
Title _____

APPROVED AS TO FORM:

By: _____
Julia M. Lew
City Attorney

Attachments: Proposal (Exhibit A), Certificates of Insurance(Exhibit B)

Exhibit A: Proposal



City of Porterville Clean CA

Service Provider CSET

Funding Source: City of Porterville

#	CSET Costs	Budget
1	CSET FTE Personnel (Supervisor .6 FTE plus Fringe Benefits)	\$ 46,870.08
2	CSET Participant Wages and Training Costs (4 Participants, 8 hours a day, 3 times a week plus Fica & Workers Compensation)	\$ 103,785.58
3	Equipment Purchase and Lease Costs	\$ -
4	Other Operating Costs (Fuel, PPE, Supplies, Vehicle Maintenance, etc)	\$ -
5	Facilities Infrastructure Costs (Rent, Facility/Equipment Repair, Maintenance, Utilities, Security)	\$ -
6	Professional Services (Cell Phone, Internet Access, Outreach, Professional Fees, Membership Dues, Custodial)	\$ -
7	Office Supplies Costs (Office Supplies, Postage, Printing, Copying)	\$ -
8	Other Indirect Costs (Indirect Rate 15%)	\$ 7,123.24
9	Other Costs (Payroll Processing, Insurance)	\$ 2,221.10
10	Graffiti Removal	\$ -
11	Traffic Control - provided by CalTrans	\$ -
Total Budget		\$160,000.00

Exhibit B: Insurance



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Submit HOME Investment Partnerships Program Income Application

SOURCE: Community Development

COMMENT: In 2022, the California Department of Housing and Community Development (HCD) temporarily placed the HOME Investment Partnerships Program on hold while updating its State Guidelines to align with federal requirements. During this period, the City experienced an increase in First-Time Homebuyer Program (FTHB) loan payoffs from property sales and refinancing, generating Program Income (PI) that can now be reinvested to support additional homebuyer assistance.

Because HCD's suspension also paused the City's ability to use HOME funds, including awarded grant and PI funds, the City's Housing Division updated its Program Guidelines to ensure compliance with new State and federal requirements. The updated guidelines have been submitted to HCD and are pending final approval.

The City currently holds a Program Income balance of approximately \$1.4 million, which will be applied toward future homebuyer loans upon HCD approval. HCD has now invited the City to submit an application to use these available funds. Approval of this application will allow the City to continue implementing the First-Time Homebuyer Program consistent with the housing goals outlined in the City's 2023–2031 Housing Element and 2025–2030 Consolidated Plan.

RECOMMENDATION: That the City Council:

1. Adopt the Draft Resolution approving the submittal of a HOME Investment Partnerships Program Income (PI) Application as a continuation of the First-Time Homebuyer Program; and
2. Authorize the Mayor to execute all documents pertaining to the HOME Program; and
3. Authorize the Community Development Director to execute, in the name of the City, all project drawdown requests and administrative documents required by HCD or the U.S

Department of Housing and Urban Development (HUD).

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:
Claudia Calderon, Community Development Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

RESOLUTION NO. ____-2025

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZING
THE SUBMITTAL OF A HOME INVESTMENT PARTNERSHIPS PROGRAM INCOME APPLICATION
AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS**

WHEREAS, the City of Porterville previously received HOME Investment Partnerships Program (HOME) funds from the California Department of Housing and Community Development (HCD) to implement the City's First-Time Homebuyer Program; and

WHEREAS, loan repayments received from participants of the First-Time Homebuyer Program have generated Program Income (PI) that may be reused to provide additional housing assistance; and

WHEREAS, the California Department of Housing and Community Development has invited the City to submit an application for the use of available HOME Program Income funds, currently at a balance of \$1,407,473.90; and

WHEREAS, approval of this application will allow the City to continue its First-Time Homebuyer Program in accordance with the City's adopted Housing Element and Consolidated Plan goals.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville as follows:

1. The City Council hereby approves the submittal of a HOME Investment Partnerships Program Income (PI) Application to the California Department of Housing and Community Development.
2. The Mayor is authorized to execute all documents related to the HOME Program on behalf of the City of Porterville.
3. The Community Development Director is authorized to execute all project drawdown requests and administrative documents required by HCD.

PASSED, APPROVED AND ADOPTED this 4th day of November, 2025.

Greg Meister, Mayor

ATTEST:

Richard Tree, City Clerk

By: _____
Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization to Schedule a Public Hearing for Consideration of Revocation of Business License

SOURCE: Finance

COMMENT: The purpose of this item is to request authorization to schedule a public hearing to consider revocation of a Home Occupation Permit (HOP) business license located at 1910 West Putnam Avenue.

City staff have received multiple complaints from nearby residents regarding noncompliance with the conditions of approval for the Home Occupation Permit. Site inspections and staff observations confirmed that business operations have exceeded the limitations established under the City's Development Ordinance Section 301.09 – Home Occupations, which restricts activities that create noise, traffic, or other impacts inconsistent with a residential setting.

The license holder has been contacted on several occasions and was provided with written notices and verbal directions to bring the business into compliance. Despite repeated opportunities to correct the violations, the business continues to operate in violation of City regulations.

In accordance with Section 15-12 of the Porterville Municipal Code, the City Council has the authority to revoke a business license when it appears that the business is being conducted in a manner inconsistent with public health, safety, or welfare.

If authorized, staff will prepare and post notice of a public hearing for November 18, 2025, at which time evidence, staff reports, and any testimony from the license holder will be presented for City Council consideration.

RECOMMENDATION: That the City Council authorize the City Clerk to notice a public hearing for November 18, 2025, to consider the revocation of the business license issued for a Home Occupation Permit located at 1910 West Putnam Avenue.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Janie Rodriguez, Finance Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Approval of Community Civic Event – St. Anne’s School Centennial Celebration

SOURCE: Finance

COMMENT: St. Anne’s Church has requested approval to hold the St. Anne’s School Centennial Celebration on Saturday, November 8, 2025, from 2:00 PM to 9:00 PM. This event commemorates the 100th anniversary of St. Anne’s School and will include dinner, school tours, and community festivities. The event sponsor is requesting a temporary street closure on West Harrison Avenue, between North F Street and North G Street, as shown on the attached map. An Outside Amplifier Permit has been approved for the event hours of 2:00 PM to 9:00 PM.

This request is submitted under Community Civic Events Ordinance No. 1326, as amended. The application has been reviewed by all required City departments, and all requirements and restrictions are detailed in the Application and Agreement, Exhibits A–C, and the Outside Amplifier Permit.

The St. Anne’s School Centennial Celebration offers the community an opportunity to commemorate a century of faith-based education and community service in Porterville.

RECOMMENDATION: That the City Council approve the Community Civic Event Application for the St. Anne’s School Centennial Celebration scheduled for November 8, 2025, subject to the requirements and restrictions contained in the Application and Agreement, Exhibits A–C, and Outside Amplifier Permit.

ATTACHMENTS:

1. CCE Application and Agreement, Exhibit A, Exhibit B, Exhibit C, Outside Amplifier Permit, Map, and Certificate of Liability Insurance

Appropriated/Funded:

Review By:

Department Director:
Janie Rodriguez, Finance Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us



(Incomplete applications can delay permit process)

APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Event Flyer: Yes _____ No x If yes, please attach copy

E-mail address: mrs.k.trueblood@stannesporterville.org

Website: https://www.stannesporterville.org/

Application date: 9/23/25

Event date: 11/8/2025

Event time: 2pm-9pm

Name of Event: St. Anne's School Centennial Celebration

Sponsoring organization: St. Anne's Church

Phone # 559-784-2800

Address: 368 N. F Street

Federal EIN/Tax ID: 94-1347028

Authorized representative: Kayla Trueblood

Phone # 559-310-0890

Address: 30815 Sunshine Dr., Porterville CA 93257

Event chairperson: Emily Drum

Phone # 714-599-4149

Location of event 365 N. F Street

Location map must be attached

Description of event: This is a 100th year dinner celebration, it will include tours of the school and dinner on the basketball courts for 250 guests.

Purpose of event: To celebrate the 100th anniversary of St. Anne's School

Non-profit organization status: Non-profit

(IRS Determination)

City services requested (fees associated with these services will be billed separately):

Barricades (quantity): see below Street sweeping Yes _____ No x

Police protection Yes _____ No x Refuse pickup Yes _____ No x

Other: _____

Parks facility application required: Yes _____ No x Attached _____

Assembly permit required: Yes _____ No x Attached _____

The application will be forwarded for staff review to gather comments and identify any special requirements or conditions for this event.

CITY OF PORTERVILLE

APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

What constitutes a Community Civic Event?

A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures. This application must be submitted **NO LESS THAN 30 DAYS PRIOR** to the date of the event in order to obtain City Council approval.

All City Code requirements are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at www.ci.porterville.ca.us/gov/CityClerk/ Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.

Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. The sponsoring organization/applicant's insurance coverage shall apply as primary to, and on a non-contributory basis with, any other available coverage of the City. The City of Porterville and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured. A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. This original certificate and endorsement shall be submitted to the Finance Department with the application. *The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than two million dollars (\$2,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

KT Authorized Representative Initial

Alcohol liability insurance: Organization/Applicant will obtain an alcohol permit if any alcoholic beverages are to be served. The insurance policy shall be endorsed to include full liquor liability in an amount not less than one million dollars (\$1,000,000) per occurrence. The City of Porterville shall be named as additional insured against all claims arising out of or in connection with the issuance of this permit or the operation of the permitted, his/her agents or representatives pursuant to the permit. Claims-made policies are not acceptable.

KT Authorized Representative Initials

Health permit: Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-733-6937; or visit their website: www.tularehhsa.org.

KT Authorized Representative Initials

First aid station: Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

KT Authorized Representative Initials

Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment for its intended purpose. Applicant shall be responsible for any damages to City's property resulting from company's provision of services hereunder. Applicant shall confirm with the service company the number of portable toilets, standard and handicap, and wash sinks needed for the number of expected attendees.

KT Authorized Representative Initials

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees. Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

St. Anne's School

(Name of Organization)

Kayla Trueblood

(Signature)

9/25/25

(Date)

CITY OF PORTERVILLE

VENDOR/PARTICIPANT LIST IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: St. Anne's School Centennial Celebration

Sponsoring organization: St. Anne's School

Location: St. Anne's School Event date: 11/8/25 Event time: ☒ 2pm-9pm

All vendors are required to complete the business license permit form. List all firms, individuals, organizations, etc., that will engage in selling at or participate in the above-named event. **NO PERMIT WILL BE ISSUED WITHOUT THIS INFORMATION.** Vendors with no valid City of Porterville business license are required to pay \$1 per day to the City, with the exceptions of non-profit organizations per *City of Porterville Municipal Code 15-20(E) Community Civic Events (16). This form should be completed at the time of application but must be submitted **NO LESS THAN TWO WEEKS PRIOR TO THE EVENT.**

[illegible]

* **Municipal Code 15-20(E) Community Civic Events (16): Business License Fees:** Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other enclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm, concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16. The nonprofit sponsor shall collect said fee and remit the fee to the city within five (5) working days following the CCE. Said remittance shall be accompanied by a complete list of participants and consecutively numbered receipts written in triplicate, containing the name, address and telephone number of the licensee, and the licensee's California seller's permit number. Said receipts shall be furnished by the city. One copy of the receipt shall be furnished to the licensee, one copy filed with the finance department of the city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE
APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY
TO BE HELD ON PUBLIC PROPERTY

St. Anne's Church

Event date: 11/8/2025 Hours: 2pm-9pm

Requirements for Community Civic Event
St. Anne's Church
St. Anne's School Centennial Celebration
November 8, 2025

City Engineer: <i>D. Cervantez</i>	No comments.
Community Development Director: <i>C. Calderon</i>	No comments.
Public Works Director - Acting: <i>R. Alvarez</i>	No comments.
Fire Marshal: <i>C. Dignam</i>	If there are any food vendors, or other canopies and tarps, they shall meet the size and spacing requirements. Please see Exhibit C.
Parks and Leisure Service Director: <i>D. Moore</i>	No comments.
Police Lieutenant: <i>B. Sokoloff</i>	Please see Exhibit B.
Administrative Service Director: <i>Y. Andrade</i>	The certificate of liability and endorsement page are sufficient for the proposed event.
Field Services Superintendent-Refuse: <i>B. Spry</i>	No comments.
Field Services Superintendent-Streets: <i>J. Baeza</i>	Street Department will set up and take down closure.

Requirements for Community Civic Event

Sponsor: St. Anne's Church
Event: St. Anne's School Centennial Celebration
Event Chairman: Emily Drum
Location: 365 N F. St.
Date of Event: November 8, 2025 (2:00 PM – 9:00 PM)

RISK MANAGEMENT: Conditions of Approval

That American Conservatory provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$2,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as 'Additional Insured' against all claims arising from, or in connection with, the Permitted operation and sponsorship of the aforementioned Community Civic Event.

A. The Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than \$1,000.

B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A: VII, and the insurance company must be an 'admitted' insurer in the State of California.

CITY OF PORTERVILLE
Community Civic Event Application

St. Anne's School Centennial Celebration
November 8, 2025 / 2:00 PM—9:00 PM
368 N. F Street, Porterville

Proposed Conditions/Requirements of Police Department

- All street, alley, and sidewalk closures require City Council approval.
- Ensure highly visible and adequate barricades or barriers are used to warn motorists of non-access to closed street, and prevent vehicle access to those designated areas.
- Ensure participants do not interfere with the normal flow of pedestrian/vehicle traffic in the area of the event.
- If event organizers anticipate the need for removal of parked vehicles from public roadways related to the event, the affected public roadways must be posted with appropriate signage no less than 24 hours in advance of the event. Said signs and associated posting must meet minimum requirements as established by the California Vehicle Code. (Recommend event organizers contact Sgt. Maria Aguillon of the Porterville Police Department/Traffic Unit in order to ensure that signs meet the requirements as established by law or request additional assistance).
- An Outside Amplifier Permit has been requested and granted; however, event organizers shall not allow sound amplification to be so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At the conclusion of the event, event organizers shall ensure streets, sidewalks, and parking lots are promptly cleared of any booths, equipment, barricades, or anything that could present a hazard to pedestrians or vehicles traveling through this area.

Bruce Sokoloff, Lieutenant
Porterville Police Department



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

OUTDOOR FOOD BOOTH REQUIREMENTS

Authority cited: 2019 California Fire Code (CFC)

These standards apply to individual tents, temporary structures, or membrane structures less than 200 square feet in area, and canopies less than 400 square feet in area used as outdoor carnival and fair booths.

A permit is required before any tent or membrane structure larger than 400 square feet can be erected. (California Fire Code 3103.2)

Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the building official and fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all the following:
 - a. Individual tents having a maximum size of 700 square feet.
 - b. Aggregate area of multiple tents placed side by side without 12 feet clearance, not exceeding 700 square feet total.
 - c. A minimum clearance of 12 feet to all structures and other tents.

Definitions

Cooking Booth – Booth where food is prepared by a heating or cooking process such as, but not limited to, grilling, frying, barbecuing, flambe', deep fat frying, baking, warming, or boiling. **Deep fat frying** – Any cooking operation or process whereby the product floats or is submerged in hot oil during the cooking process.

Vendor Booth – Any booth other than a cooking booth.

Cooking Booth Construction and Location

- All fabrics or membranes covering cooking booths shall be California State Fire Marshal certified flame retardant and be labeled as such.
- Decorative materials shall be inherently fire resistive or shall be treated with a fire-retardant spray.
- Flooring materials used within cooking booths and cooking equipment shall be non-combustible or California State Fire Marshal certified fire-retardant. (*Exception 3/8" plywood or similar material.*)
- Each cooking booth shall have at least one exit-way, a minimum **3'** wide and **6'8"** high. Booth frames shall not obstruct exit paths.
- Cooking booths shall have a minimum clearance of **10'** on at least two sides with clearance of at least **10'** from any vendor booth.
- Minimum **12'** separation required between cooking booths with an aggregate size of 400 sq.ft. with sides, or 700 sq.ft. without sides.

Cooking Equipment

- All interior cooking equipment shall be of an approved type, and open-flame cooking shall be located a minimum of **18"** from booth back/side drop materials.
- Compressed gas (butane, propane, or natural) equipment shall conform to the following:
 - Shut off valves shall be provided at each fuel source;
 - Cooking appliances shall have an ON-OFF valve located far enough away from the appliance to be safely shut off in case of fire;
 - Manufactured cooking appliances shall be equipped with a Thermocouple Valve to shut off fuel if flame is extinguished;
 - The booth operator shall test all connections for leaks with soap and water solution;
 - Fuel tanks shall be protected from damage and secured in an upright position;
 - Hoses shall be of a type approved for use with the equipment and fuel type;
 - Tanks not in use shall be turned off;
 - Extra fuel tanks shall not be stored in booths;
 - Unused fuel cylinders shall be stored in a secured position.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Wood, Charcoal (Solid Fuels) Cooking

- Use only an electric starter or commercially sold lighter fluid.
- Charcoal cooking and storage of lighter fluid is prohibited inside booths.
- Charcoal cooking shall be located a minimum of ten **10'** away from booths and in areas away from public access.
- Charcoal cooking shall be located at least ten **10'** away from combustible structures and parked vehicles.
- Coals shall be disposed of in metal containers with lids approved by the Fire Marshal.

Deep Fat Frying, Flambé, and Wok

- Deep fat frying, flambé, and wok shall be located **no closer than 18"** from any combustible material.
- Cooking areas shall not be accessible to the public.
- Deep fat frying equipment shall be equipped with a temperature regulating device or other method of regulating temperatures approved by the Fire Marshal.
- Separation shall be maintained with a minimum of **3'** clearance between deep fat frying and flambé or open flame cooking.

Vendor Booth Construction and Location

- Each vendor booth shall have at least one exit-way, a minimum of **3'** wide by **6'8"** high. Booth frames shall not obstruct exit paths.
- Vendor booths shall have a minimum clearance of **20'** on at least one side, with clearance of at least **10'** from any cooking booth.

Electrical Power

- Generators shall be placed only in locations approved for festival use.
- Generators shall not be refueled during event hours. Extra fuel shall not be stored during event hours.
- Smoking and open flames shall be prohibited within **25'** of refueling operations.
- Extension cords shall be of a grounded type and approved for exterior use.

Fire Extinguishers

- Each cooking booth shall be equipped with a fire extinguisher with a minimum rating of **2A: 10BC**. Booths with deep fat frying or flambé cooking shall be equipped with an extinguisher rated for **class "K" fires**.
- Cooking booths shall be equipped with visible and accessible fire extinguishers mounted adjacent to the exit.
- For vendor booths, the maximum travel distance to a fire extinguisher with a minimum rating of **2A: 10BC** shall not exceed **75'**
- Each generator shall be provided with a fire extinguisher with a minimum **40BC** rating. The extinguisher shall be located near the generator and accessible at all times.
- All fire extinguishers shall be serviced and tagged annually by a State-licensed contractor.

Miscellaneous

- The Porterville Fire Department shall be provided with a site plan showing emergency access.
- All booths are subject to inspection by the Fire Department and any discrepancies will require immediate action.
- All cooking areas shall be cleaned regularly to prevent the build-up of grease.
- There shall be a competent adult in cooking booths at all times to ensure safety.
- Seating shall be a minimum of **15'** from booths with open flame devices or cooking appliances.
- The Fire Department shall be provided with a telephone number of the responsible party to contact in case of emergency on a 24 hour basis.

Fire Safety Tips

- Know where fire extinguishers are and how to use them.
- Do not leave cooking unattended.
- Do not wear loose-fitting clothing while cooking.
- Remove trash accumulation regularly.
- Keep combustible materials away from heat sources.
- **In case of an emergency dial 9-1-1.**

The attached "Food Booth Vendor Agreement" must be on site at all times and presented upon request of any Porterville Fire Department Personnel.



Cooking Booth Vendor Agreement

Booth/Space # _____ Business Name _____
On Site Contact Name _____ Contact Phone # _____

Cooking Booth Construction and Location

1. Tents, canopies, and decorative material shall be inherently flame-resistive and proof of certification shall be on site at all times.
2. Cooking booth floors may be concrete, asphalt, or plywood over grass and dirt.
3. An emergency access of 36" shall be maintained between the back of each cooking booth and any fencing at all times. **NO EXCEPTIONS.**

Cooking Equipment

1. Cooking with charcoal, wood, or other solid fuel shall be located a **minimum of 10'** away from booths, canopies, combustible material or any public access.
2. Deep fat frying shall be located a **minimum of 3'** away from booths, canopies, open flame cooking, combustible material or any public access.
3. Any open flame cooking shall be located a **minimum of 18"** away from any vertical surface, combustible material or any public access.
4. Extra fuel tanks shall **NOT** be stored in booths or within 5' of cooking equipment.
5. All cooking, gas powered, or electrically energized equipment shall meet manufacturer specifications and shall be free of excess cooking oils or any other combustible materials.

Miscellaneous

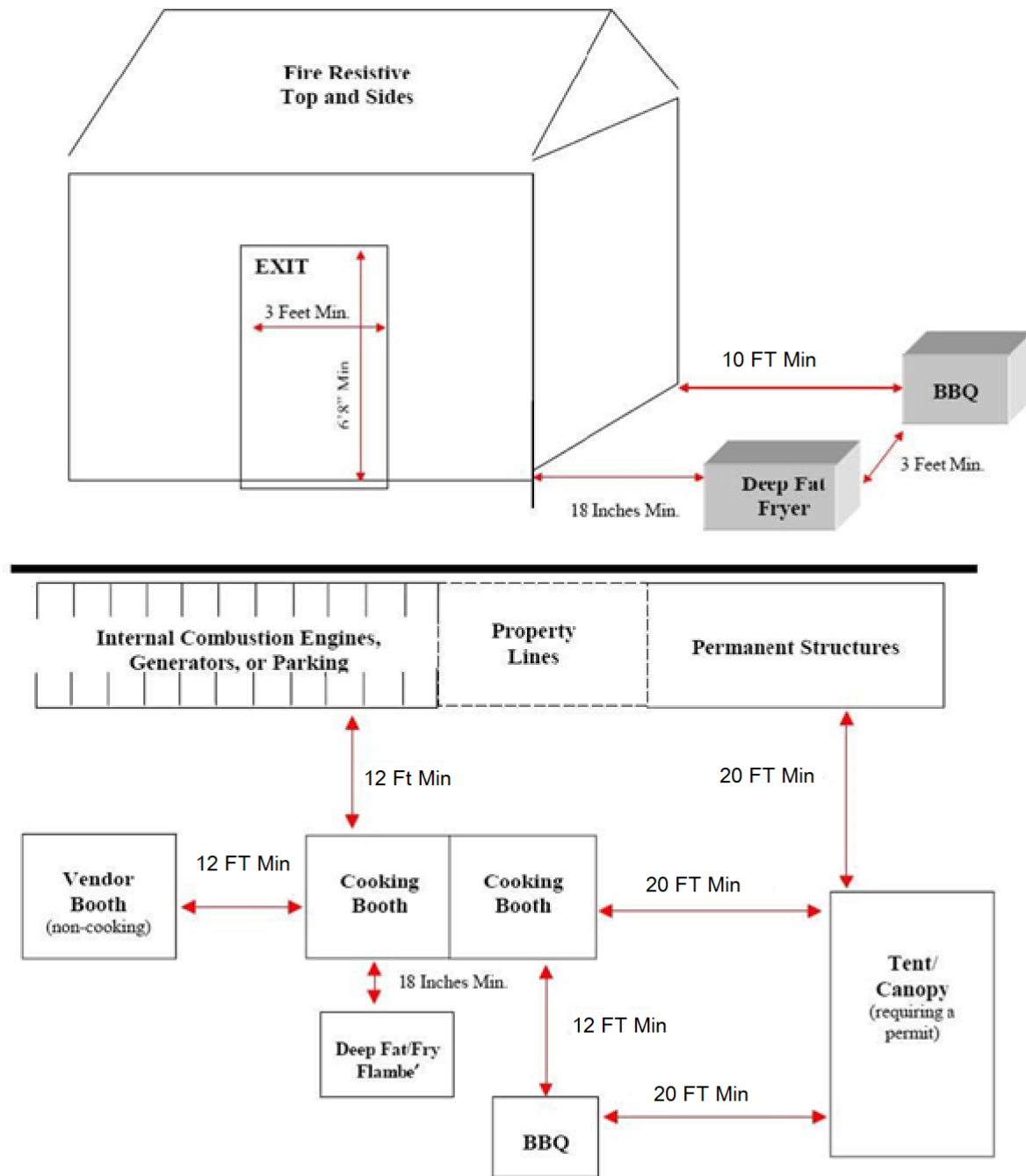
1. A visible and accessible, 2A:10BC fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided within 20' of travel in all cooking areas.
2. A visible and accessible Class K portable fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided in all cooking areas with deep fat frying.
3. All cooking areas shall be cleaned regularly to prevent build-up of combustible substances.
4. Extension cords shall be of a grounded type, approved for exterior use, and in good working order.
5. Smoking is not allowed at any time within food booths or within 25' of any fuel source.
6. Specialized cooking equipment is subject to approval by the Fire Marshal.

Additional Requirements:

The Porterville Fire Department has established these requirements in accordance with the California Fire Code. Your cooperation is required to maintain a high level of fire safety throughout the event. All booths are subject to fire department inspection prior to and at any time during the event. Any discrepancies to the above requirements or any conditions considered a threat to fire and life safety by the Fire Inspector may result in the immediate cessation of cooking.

By signing below, I acknowledge that I have read and agree to comply with all requirements of this contract.

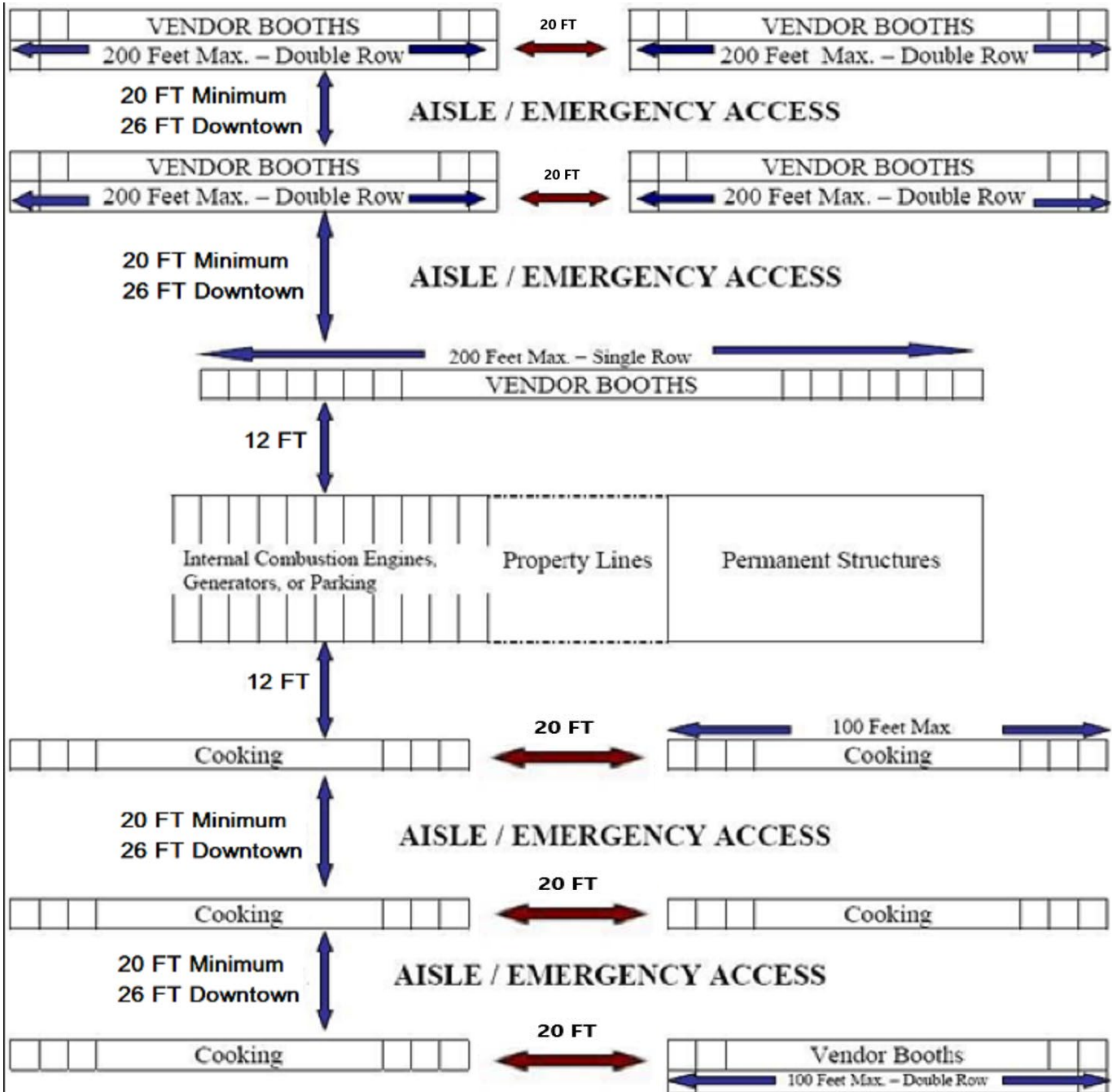
Signature _____ Date _____





PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION



**Note: Cooking booths are limited to single rows only. Back-to-back rows are not permitted. Maximum overall length of individual rows is 100 feet with aggregate spacing throughout.*

***Note: Aggregate area of multiple tents placed side by side without 12 feet clearance shall not exceed 400 square feet with sides, or 700 square feet without sides. A minimum clearance of 12 feet to all structures and other tents is required.*

****Note: Maximum overall row length distances listed, or shown above, shall meet spacing requirements for aggregate size restrictions*

CITY OF PORTERVILLE
OUTSIDE AMPLIFIER PERMIT
(City Ordinances #18-9 & 18-14)



This application must be submitted ten (10) days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

- 1 Name and home address of the applicant: Kayla Trueboold, 30815 Sunshine Dr., Porterville CA 93257
- 2 Address where amplification equipment is to be used: 365 N. F. Street
- 3 Names and addresses of all persons who will use or operate the amplification equipment: St. Anne's School
- 4 Type of event for which amplification equipment will be used: dinner, social hour
- 5 Dates and hours of operation of amplification equipment: 11/8/25, 2pm-9pm
- 6 A general description of the sound amplifying equipment to be used: light music for entertainment and social hour and speeches

Section 18-9

It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, jukebox, record player, loudspeaker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section. (Ord. Code § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

Penal Code Section 415 (2)

Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars (\$400), or both such imprisonment and fine: (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

Kayla Trueboold
Signature of Applicant

09/25/2025

Date

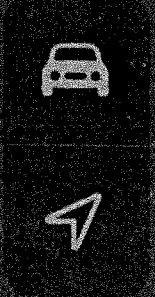
THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.

BB Miller #190

City of Porterville, Chief of Police/Designee

10-15-2025

Date



N EL GRANITO ST

N F ST

St. Anne



N G ST

HARRISON AVE

Street Closure
HERE

Street
Closure
HERE

**Knights Of
Columbus Council**



N G ST

N F ST

Certificate of Coverage

Date: 10/9/2025

Certificate Holder Roman Catholic Bishop of Fresno, A Corporation Sole Ryan Pastoral Center 1550 North Fresno Street Fresno, CA 93703	This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.
Covered Location St Anne's School 385 N. F Street Porterville, CA 93257	Company Affording Coverage THE CATHOLIC MUTUAL RELIEF SOCIETY OF AMERICA 10843 OLD MILL RD OMAHA, NE 68154

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

#	Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
	Property				Real & Personal Property	
	D. General Liability				Each Occurrence	2,000,000
	☒ Occurrence	9092	7/1/2025	7/1/2026	General Aggregate	2,000,000
	☐ Claims Made				Products-Comp/OP Agg	
					Personal & Adv Injury	
					Fire Damage (Any one fire)	
					Med Exp (Any one person)	
	Excess Liability				Each Occurrence	
					Annual Aggregate	
	Other				Each Occurrence	
					Claims Made	
					Annual Aggregate	
					Limit/Coverage	

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)

St Anne's School's Centennial Celebration on November 8, 2025 from 2 p.m. to 9 p.m.

Holder of Certificate Additional Protected Person(s) City of Porterville, its officers and employees 291 N Main Street Porterville, CA 93257	Cancellation Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail <u>30</u> days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.
0797003889	Authorized Representative <i>Paul A. Peterson</i>

ENDORSEMENT

(TO BE ATTACHED TO CERTIFICATE)

Effective Date of Endorsement 11/8/2025 Charge _____ Credit _____
Cancellation Date of Endorsement 11/9/2025
Certificate Holder Roman Catholic Bishop of Fresno, A Corporation Sole Ryan Pastoral Center 1550 North Fresno Street Fresno, CA 93703
Location St Anne's School 385 N. F Street Porterville, CA 93257
Certificate No. 9092 of The Catholic Mutual Relief Society of America is amended as follows:

SECTION II - ADDITIONAL PROTECTED PERSON(S)

It is understood and agreed that Section II - Liability (only with respect to Coverage D - General Liability), is amended to include as an **Additional Protected Person(s)** the organization(s) shown in the schedule below.

Schedule - ADDITIONAL PROTECTED PERSON(S)

City of Porterville, its officers and employees
291 N Main Street
Porterville, CA 93257

Remarks:

St Anne's School's Centennial Celebration on November 8, 2025 from 2 p.m. to 9 p.m.

However, the following limitations apply to coverage:

1. The maximum limits of coverage provided by Catholic Mutual Relief Society of America to the **Additional Protected Person(s)** named in this endorsement shall not exceed the coverage dollar amount specifically required by contract or agreement and agreed to by the **Protected Person(s)**. In the absence of specific coverage limits within a referenced contract or agreement, the limits of liability afforded to the **Additional Protected Person(s)** must be listed on a separate Certificate of Coverage form attached to this endorsement. All limits of liability extended by this endorsement are inclusive of both Section II Coverage D and Section VII coverages (if applicable).
2. Unless specifically agreed to by contract or agreement, the coverage extended to the **Additional Protected Person(s)** by this endorsement is excess and non-contributory over any other available coverage or insurance.
3. This endorsement does not apply to any **Occurrence** outside the specific date(s) of a facility use agreement or terms of a lease.
4. This endorsement does not extend coverage to the **Additional Protected Person(s)** for **Occurrences** which cannot be attributed to primary acts or omissions of the **Protected Person(s)**.
5. Provided that a premises is utilized by the **Protected Person(s)** in a manner consistent with its intended purpose and in accordance with the applicable contract, agreement, or lease, this endorsement does not extend coverage to the **Additional Protected Person(s)** for premises defects or other **Occurrences** which could not be discovered by the **Protected Person(s)** with reasonable diligence.
6. The limited coverage afforded to the **Additional Protected Person(s)** by this endorsement only applies to the extent permissible by law and shall not apply to non-delegable duties unless specifically agreed to by contract or agreement.

This extension of coverage shall not enlarge the scope of coverage provided to the **Certificate Holder** under this Certificate nor increase the limit of liability thereunder. Unless otherwise agreed by contract or agreement, coverage extended under this endorsement to the **Additional Protected Person(s)** will not precede the effective date of this endorsement or extend beyond the cancellation date.

ENDORSEMENT

(TO BE ATTACHED TO CERTIFICATE)

Effective Date of Endorsement 11/8/2025 Charge _____ Credit _____
Cancellation Date of Endorsement 11/9/2025
Certificate Holder Roman Catholic Bishop of Fresno, A Corporation Sole Ryan Pastoral Center 1550 North Fr
Location St Anne's School 385 N. F Street Porterville, CA 93257
Certificate No. 9092 of The Catholic Mutual Relief Society of America is amended as follows:

PRIMARY AND NONCONTRIBUTORY OTHER INSURANCE or COVERAGE CONDITION

This endorsement modifies coverage provided under the following:

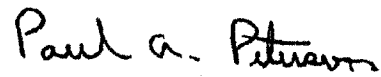
PKS-100 SECTION II - LIABILITY CONDITIONS

The following is added to the **Other Insurance or Coverage** Condition and supersedes any provision to the contrary:

Primary and Noncontributory Insurance or Coverage

This protection is primary to and will not seek contribution from any other insurance or coverage available to an **Additional Protected Person(s)** under your certificate provided that:

- (1) The **Additional Protected Person(s)** is a Named Insured under such other insurance; and
- (2) You have agreed in writing in a contract or agreement that this protection would be primary and would not seek contribution from any other insurance available to the **Additional Protected Person(s)**.


Authorized Representative



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Approval of Community Civic Event – Children’s Christmas Parade

SOURCE: Finance

COMMENT: The Rotary Club of Porterville and the Porterville Chamber of Commerce have requested approval to hold the annual Children’s Christmas Parade along Main Street on Thursday, December 4, 2025, or alternatively on Thursday, December 11, 2025, in the event of rain. The event will take place from 7:00 PM to 9:00 PM, with street and sidewalk closures beginning at 5:00 PM as indicated on the attached map.

The event will require temporary closure of Main Street from Danner Avenue to Walnut Avenue and adjacent cross streets between D Street and Second Street, including designated parking areas in front of the Chamber of Commerce and City Hall.

This request is submitted under Community Civic Events Ordinance No. 1326, as amended. The application has been reviewed and approved by all required City departments. All requirements and restrictions are detailed in the Application and Agreement, Exhibits A–C, and the Outside Amplifier Permit.

The Children’s Christmas Parade is a long-standing community tradition that features marching bands, festive floats, and local organizations, fostering holiday spirit and civic pride.

RECOMMENDATION: That the City Council approve the Community Civic Event Application for the Children’s Christmas Parade scheduled for December 4, 2025, or December 11, 2025, in the event of rain.

ATTACHMENTS:

1. CCE Application and Agreement, Exhibit A, Exhibit B, Exhibit C, Outside Amplifier Permit, Map, Certificate of Liability Insurance, and Flyer.

Appropriated/Funded:

Review By:

Department Director:
Janie Rodriguez, Finance Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us

(Incomplete applications can delay permit process)



APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Event Flyer: Yes ☒ No ☐ If yes, please attach copy

E-mail address: kristy@portervillechamber.org

Website: www.portervillechamber.org

Application date: 09/04/2025

Event date: 12/4/25

alternate rain date:
12/11/25

Event time: 7:00 pm - 9:00 pm

Name of Event: Children's Christmas Parade

5:00pm - 9:00pm for street & sidewalk closures

6:00am - 9:00pm closure of parking spaces in front of Chamber

3:00pm to 9:00pm closure of parking spaces in front of City Hall

Sponsoring organization:

Porterville Chamber &
Rotary Club of Porterville

Phone # 559-784-7502

Address:

93 N. Main St. Suite A, Porterville, CA 93257

Authorized representative:

Kristy Martin

Phone # 559-784-7502

Address:

93 N. Main St. Suite A, Porterville, CA 93257

Event chairperson:

Greg Meister

Phone # 661-364-6346

Location of event Main St. from Danner to Walnut; side streets for assembly and disbursement

Location map must be attached

Description of event: Children;s Christmas Parade - includes bands, floats, etc.

Purpose of event: community event

Non-profit organization status: 501c6

(IRS Determination)

City services requested (fees associated with these services will be billed separately):

Barricades (quantity): 80

Street sweeping

Yes ☒ No ☐

Police protection Yes ☒ No ☐

Refuse pickup

Yes ☒ No ☐

Other: _____

Parks facility application required:

Yes ☐ No ☒

Attached ☐

Assembly permit required:

Yes ☐ No ☒

Attached ☐

The application will be forwarded for staff review to gather comments and identify any special requirements or conditions for this event.

CITY OF PORTERVILLE

APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

What constitutes a Community Civic Event?

A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures. This application must be submitted **NO LESS THAN 30 DAYS PRIOR** to the date of the event in order to obtain City Council approval.

All City Code requirements are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at www.ci.porterville.ca.us/govt/CityClerk/, Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.

Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. The sponsoring organization/applicant's insurance coverage shall apply as primary to, and on a non-contributory basis with, any other available coverage of the City. The City of Porterville and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured. A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. This original certificate and endorsement shall be submitted to the Finance Department with the application. *The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than two million dollars (\$2,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

KM Authorized Representative Initial

Alcohol liability insurance: Organization/Applicant will obtain an alcohol permit if any alcoholic beverages are to be served. The insurance policy shall be endorsed to include full liquor liability in an amount not less than one million dollars (\$1,000,000) per occurrence. The City of Porterville shall be named as additional insured against all claims arising out of or in connection with the issuance of this permit or the operation of the permitted, his/her agents or representatives pursuant the permit. Claims-made policies are not acceptable.

KM Authorized Representative Initials

Health permit: Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-733-6932; or visit their website: www.tularehhsa.org.

KM Authorized Representative Initials

First aid station: Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

KM Authorized Representative Initials

Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment for its intended purpose. Applicant shall be responsible for any damages to City's property resulting from company's provision of services hereunder. Applicant shall confirm with the service company the number of portable toilets, standard and handicap, and wash sinks needed for the number of expected attendees.

KM Authorized Representative Initials

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees. Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

Porterville Chamber of Commerce

(Name of Organization)



(Signature)

08/27/2025

(Date)

VENDOR/PARTICIPANT LIST IN CONNECTION WITH THE APPLICATION AND
AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY
TO BE HELD ON PUBLIC PROPERTY

Location: Main St. and side streets downtown Event date: 12/4/25 Event time: 7:00 pm - 9:00 pm

[illegible]

CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: Children's Christmas Parade

Sponsoring organization: Porterville Chamber & Rotary Club of Porterville

Event date: 12/4/25 Hours: 7:00 pm - 9:00 pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

5:00pm - 9:00pm for street & sidewalk closures
6:00am - 9:00pm closure of parking spaces in front of Chamber
3:00pm to 9:00pm closure of parking spaces in front of City Hall

Closed

<u>Street Name</u>	<u>From which Street</u>	<u>To which Street</u>	<u>Activity</u>
Main St.	Danner	Walnut	Parade route, assembly, & disbursement
Morton, Harrison, Thurman, Cleveland, Putnam, Mill, & Oak	Hockett St.	Second St.	Adjacent to parade route
Garden Ave.	Main St.	Second St.	Adjacent to parade route
School, Belleview, North & Doris	Sunnyside St.	Second St.	Parade assembly
Second St.	Olive	Oak St.	Parade disbursement
Olive, Vine	D St.	C St.	Parade disbursement
C St.	Walnut	Olive	Parade disbursement

<u>Sidewalks</u>	<u>From which sidewalk</u>	<u>To which sidewalk</u>	<u>Activity</u>
Main St.	Danner	Walnut	parade viewing, assembly, & disbursement areas

<u>Parking lots and spaces</u>	<u>Location</u>	<u>Activity</u>
Main St. (7 spaces)	Porterville Chamber, 93 N. Main St. (6:00am - 9:00pm closure)	Judge's stand
Main St. - City Hall (5 northern spaces)	City Hall, 291 N. Main St. (3:00pm - 9:00pm closure)	Announcer's stand

Requirements for Community Civic Event
Rotary Club of Porterville & Porterville Chambers of Commerce
Children's Christmas Parade
December 4, 2025

City Engineer: <i>D. Cervantez</i>	No comments.
Community Development Director: <i>C. Calderon</i>	No comments.
Public Works Director - Acting: <i>R. Alvarez</i>	No comments.
Fire Marshal: <i>C. Dignam</i>	Standard comments for Main St. parades, Cleveland Avenue shall not be closed, and there will be no parking in front of Fire Station 71, from Division to Hockett. Please see Exhibit C.
Parks and Leisure Services Director: <i>D. Moore</i>	Parks is working with the event chairperson on logistics.
Police Lieutenant: <i>B. Sokoloff</i>	Please see Exhibit B.
Administrative Service Director: <i>Y. Andrade</i>	The insurance certificate and endorsement page are sufficient for the proposed event.
Field Services Superintendent: <i>B. Spry</i>	We will set trash cans out along the parade route and empty them at the end of the parade.
Field Services Superintendent – Streets: <i>J. Baeza</i>	Street department will set up and take down closure.

Requirements for Community Civic Event

Sponsor: Rotary Club of Porterville & Porterville Chambers of Commerce
Event: Children's Christmas Parade
Event Chairman: Greg Meister
Location: Main Steet, Porterville CA
Date of Event: December 4, 2025 (7:00 p.m. – 9:00 p.m.)

RISK MANAGEMENT: Conditions of Approval

That the Rotary Club of Porterville or Porterville Chambers of Commerce provide a Certificate of Commercial General Liability Insurance Coverage of \$ 2,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as 'Additional Insured' against all claims arising from, or in connection with, the Permitted operation and sponsorship of the aforementioned Community Civic Event.

- A. The Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than \$1,000.
- B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A: VII, and the insurance company must be an 'admitted' insurer in the State of California.

CITY OF PORTERVILLE/POLICE DEPARTMENT
Community Civic Event Application

Children's Christmas Parade
December 4, 2025 / 7:00PM – 9:00PM
(Alternate Rain Date December 11, 2025)

Proposed Conditions/Requirements:

- City Council approval is required for all street closures.
- Ensure adequate barricades/barriers are used to warn motorists of non-access and prevent vehicle access to those designated areas.
- Parade Committee should meet with street vendors to coordinate rules regarding their activities, such as:
 - Staying off the parade route and crossing in front of floats or groups
 - Shall not sell silly string, snap caps or party poppers
 - Ensure each vendor has properly obtained a City business license
- Food vendors should be situated where they minimally block the sidewalk.
- Food vendors should provide inspection certificates from the Tulare County Health Department to ensure safe food products.
- Throwing candy from vehicles, floats, or any parade entry is prohibited. This results in children scampering to catch or find candy in a crowded environment, and causes others to run out into the street. This practice creates significant and unnecessary risk for parade goers. All registered parade entrants should be informed of this prohibition and efforts taken to cease this practice.
- An Outside Amplifier Permit has been requested and granted. However, event organizers shall not allow music or other amplifications to be played so loud as to unreasonably disturb the peace and good order of the business establishments or neighborhoods in the area.
- Event organizers shall coordinate all policing/traffic/parking/posting concerns with Lieutenant Orlando Ortiz and Sergeant Maria Aguillon well in advance of the event. They can be contacted at 559-782-7400.

Lieutenant Bruce Sokoloff
Porterville Police Department

Exhibit B



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

OUTDOOR FOOD BOOTH REQUIREMENTS

Authority cited: 2019 California Fire Code (CFC)

These standards apply to individual tents, temporary structures, or membrane structures less than 200 square feet in area, and canopies less than 400 square feet in area used as outdoor carnival and fair booths.

A permit is required before any tent or membrane structure larger than 400 square feet can be erected. (California Fire Code 3103.2)

Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the building official and fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all the following:
 - a. Individual tents having a maximum size of 700 square feet.
 - b. Aggregate area of multiple tents placed side by side without 12 feet clearance, not exceeding 700 square feet total.
 - c. A minimum clearance of 12 feet to all structures and other tents.

Definitions

Cooking Booth – Booth where food is prepared by a heating or cooking process such as, but not limited to, grilling, frying, barbecuing, flambe', deep fat frying, baking, warming, or boiling. **Deep fat frying** – Any cooking operation or process whereby the product floats or is submerged in hot oil during the cooking process.

Vendor Booth – Any booth other than a cooking booth.

Cooking Booth Construction and Location

- All fabrics or membranes covering cooking booths shall be California State Fire Marshal certified flame retardant and be labeled as such.
- Decorative materials shall be inherently fire resistive or shall be treated with a fire-retardant spray.
- Flooring materials used within cooking booths and cooking equipment shall be non-combustible or California State Fire Marshal certified fire-retardant. (*Exception 3/8" plywood or similar material.*)
- Each cooking booth shall have at least one exit-way, a minimum **3'** wide and **6'8"** high. Booth frames shall not obstruct exit paths.
- Cooking booths shall have a minimum clearance of **10'** on at least two sides with clearance of at least **10'** from any vendor booth.
- Minimum **12'** separation required between cooking booths with an aggregate size of 400 sq.ft. with sides, or 700 sq.ft. without sides.

Cooking Equipment

- All interior cooking equipment shall be of an approved type, and open-flame cooking shall be located a minimum of **18"** from booth back/side drop materials.
- Compressed gas (butane, propane, or natural) equipment shall conform to the following:
 - Shut off valves shall be provided at each fuel source;
 - Cooking appliances shall have an ON-OFF valve located far enough away from the appliance to be safely shut off in case of fire;
 - Manufactured cooking appliances shall be equipped with a Thermocouple Valve to shut off fuel if flame is extinguished;
 - The booth operator shall test all connections for leaks with soap and water solution;
 - Fuel tanks shall be protected from damage and secured in an upright position;
 - Hoses shall be of a type approved for use with the equipment and fuel type;
 - Tanks not in use shall be turned off;
 - Extra fuel tanks shall not be stored in booths;
 - Unused fuel cylinders shall be stored in a secured position.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Wood, Charcoal (Solid Fuels) Cooking

- Use only an electric starter or commercially sold lighter fluid.
- Charcoal cooking and storage of lighter fluid is prohibited inside booths.
- Charcoal cooking shall be located a minimum of ten **10'** away from booths and in areas away from public access.
- Charcoal cooking shall be located at least ten **10'** away from combustible structures and parked vehicles.
- Coals shall be disposed of in metal containers with lids approved by the Fire Marshal.

Deep Fat Frying, Flambé, and Wok

- Deep fat frying, flambé, and wok shall be located **no closer than 18"** from any combustible material.
- Cooking areas shall not be accessible to the public.
- Deep fat frying equipment shall be equipped with a temperature regulating device or other method of regulating temperatures approved by the Fire Marshal.
- Separation shall be maintained with a minimum of **3'** clearance between deep fat frying and flambé or open flame cooking.

Vendor Booth Construction and Location

- Each vendor booth shall have at least one exit-way, a minimum of **3'** wide by **6'8"** high. Booth frames shall not obstruct exit paths.
- Vendor booths shall have a minimum clearance of **20'** on at least one side, with clearance of at least **10'** from any cooking booth.

Electrical Power

- Generators shall be placed only in locations approved for festival use.
- Generators shall not be refueled during event hours. Extra fuel shall not be stored during event hours.
- Smoking and open flames shall be prohibited within **25'** of refueling operations.
- Extension cords shall be of a grounded type and approved for exterior use.

Fire Extinguishers

- Each cooking booth shall be equipped with a fire extinguisher with a minimum rating of **2A: 10BC**. Booths with deep fat frying or flambé cooking shall be equipped with an extinguisher rated for **class "K" fires**.
- Cooking booths shall be equipped with visible and accessible fire extinguishers mounted adjacent to the exit.
- For vendor booths, the maximum travel distance to a fire extinguisher with a minimum rating of **2A: 10BC** shall not exceed **75'**
- Each generator shall be provided with a fire extinguisher with a minimum **40BC** rating. The extinguisher shall be located near the generator and accessible at all times.
- All fire extinguishers shall be serviced and tagged annually by a State-licensed contractor.

Miscellaneous

- The Porterville Fire Department shall be provided with a site plan showing emergency access.
- All booths are subject to inspection by the Fire Department and any discrepancies will require immediate action.
- All cooking areas shall be cleaned regularly to prevent the build-up of grease.
- There shall be a competent adult in cooking booths at all times to ensure safety.
- Seating shall be a minimum of **15'** from booths with open flame devices or cooking appliances.
- The Fire Department shall be provided with a telephone number of the responsible party to contact in case of emergency on a 24 hour basis.

Fire Safety Tips

- Know where fire extinguishers are and how to use them.
- Do not leave cooking unattended.
- Do not wear loose-fitting clothing while cooking.
- Remove trash accumulation regularly.
- Keep combustible materials away from heat sources.
- **In case of an emergency dial 9-1-1.**

The attached "Food Booth Vendor Agreement" must be on site at all times and presented upon request of any Porterville Fire Department Personnel.



Cooking Booth Vendor Agreement

Booth/Space # _____ Business Name _____
On Site Contact Name _____ Contact Phone # _____

Cooking Booth Construction and Location

1. Tents, canopies, and decorative material shall be inherently flame-resistive and proof of certification shall be on site at all times.
2. Cooking booth floors may be concrete, asphalt, or plywood over grass and dirt.
3. An emergency access of 36" shall be maintained between the back of each cooking booth and any fencing at all times. **NO EXCEPTIONS.**

Cooking Equipment

1. Cooking with charcoal, wood, or other solid fuel shall be located a **minimum of 10'** away from booths, canopies, combustible material or any public access.
2. Deep fat frying shall be located a **minimum of 3'** away from booths, canopies, open flame cooking, combustible material or any public access.
3. Any open flame cooking shall be located a **minimum of 18"** away from any vertical surface, combustible material or any public access.
4. Extra fuel tanks shall **NOT** be stored in booths or within 5' of cooking equipment.
5. All cooking, gas powered, or electrically energized equipment shall meet manufacturer specifications and shall be free of excess cooking oils or any other combustible materials.

Miscellaneous

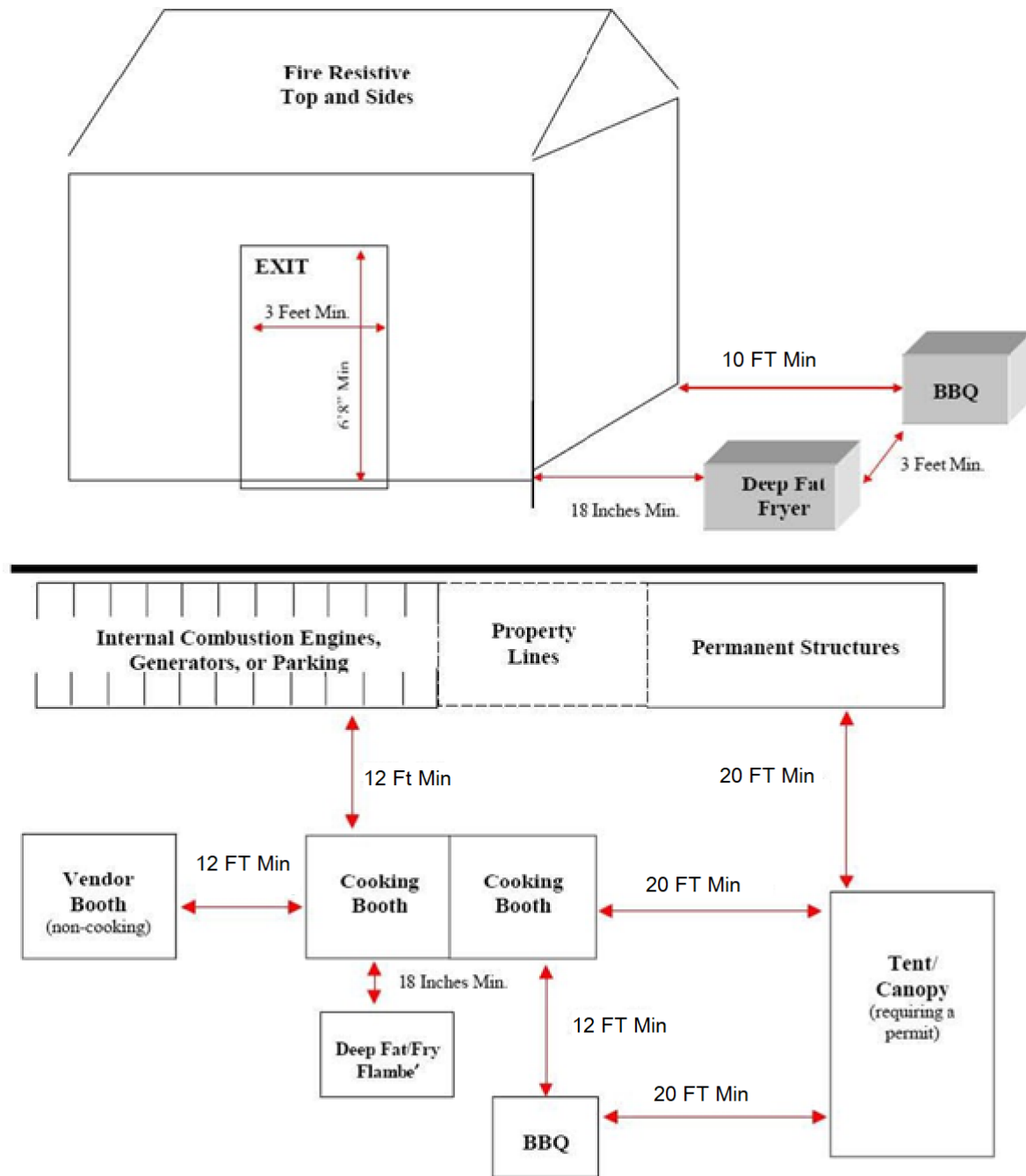
1. A visible and accessible, 2A:10BC fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided within 20' of travel in all cooking areas.
2. A visible and accessible Class K portable fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided in all cooking areas with deep fat frying.
3. All cooking areas shall be cleaned regularly to prevent build-up of combustible substances.
4. Extension cords shall be of a grounded type, approved for exterior use, and in good working order.
5. Smoking is not allowed at any time within food booths or within 25' of any fuel source.
6. Specialized cooking equipment is subject to approval by the Fire Marshal.

Additional Requirements:

The Porterville Fire Department has established these requirements in accordance with the California Fire Code. Your cooperation is required to maintain a high level of fire safety throughout the event. All booths are subject to fire department inspection prior to and at any time during the event. Any discrepancies to the above requirements or any conditions considered a threat to fire and life safety by the Fire Inspector may result in the immediate cessation of cooking.

By signing below, I acknowledge that I have read and agree to comply with all requirements of this contract.

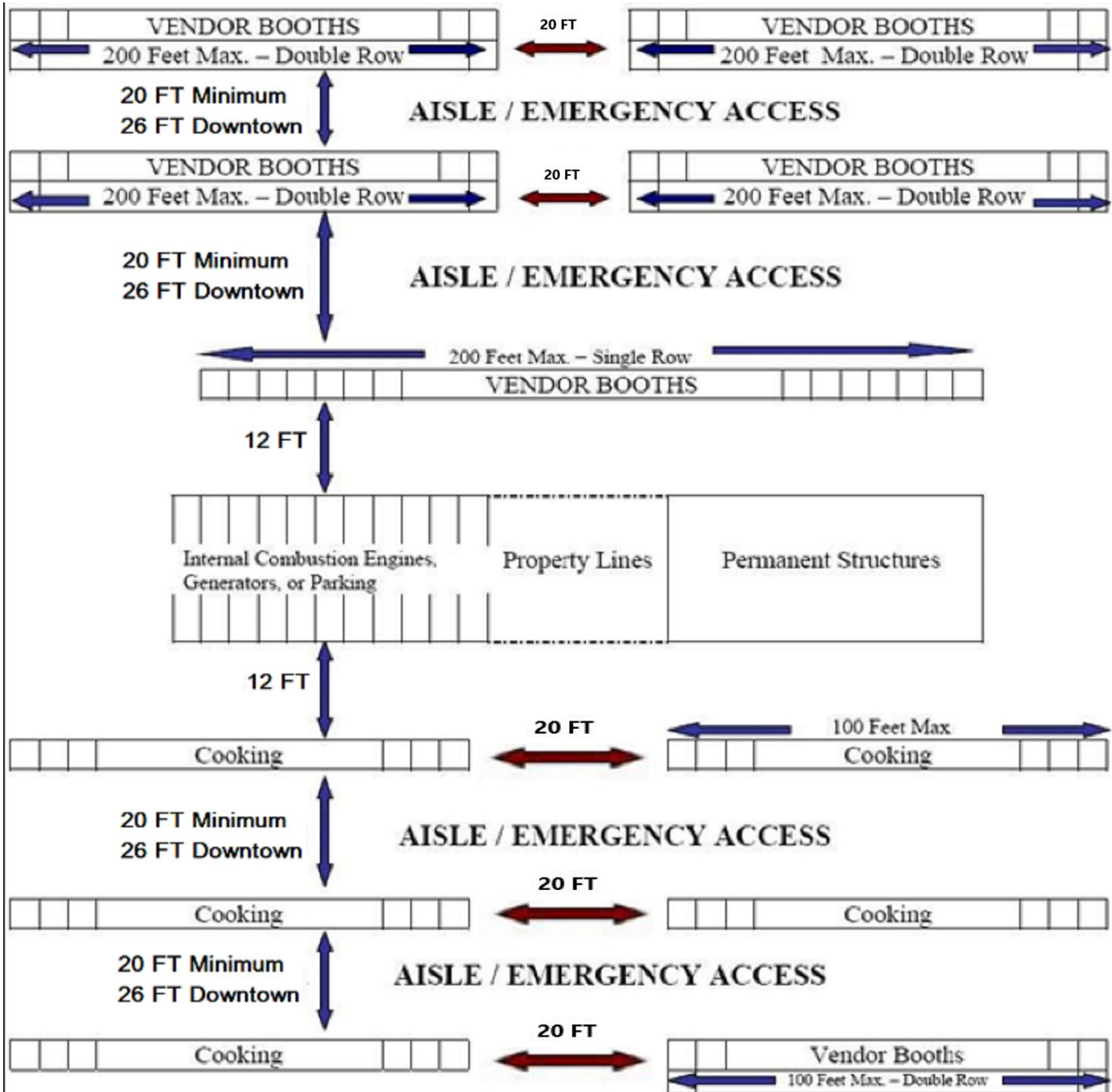
Signature _____ Date _____





PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION



**Note: Cooking booths are limited to single rows only. Back-to-back rows are not permitted. Maximum overall length of individual rows is 100 feet with aggregate spacing throughout.*

***Note: Aggregate area of multiple tents placed side by side without 12 feet clearance shall not exceed 400 square feet with sides, or 700 square feet without sides. A minimum clearance of 12 feet to all structures and other tents is required.*

****Note: Maximum overall row length distances listed, or shown above, shall meet spacing requirements for aggregate size restrictions*

CITY OF PORTERVILLE
OUTSIDE AMPLIFIER PERMIT
(City Ordinances #18-9 & 18-14)



This application must be submitted ten (10) days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

- 1 Name and home address of the applicant: Porterville Chamber, 93 N. Main St., Suite A, Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Main St.
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Equipment will be on individual entries in the parade - names on file at the Chamber
- 4 Type of event for which amplification equipment will be used: Children's Christmas Parade
- 5 Dates and hours of operation of amplification equipment: 12/4/25 7:00pm to 9:00pm
Alternate Rain Date 12-11-25
- 6 A general description of the sound amplifying equipment to be used: various types

Section 18-9

It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, jukebox, record player, loudspeaker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section. (Ord. Code § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

Penal Code Section 415 (2) Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars (\$400), or both such imprisonment and fine: (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

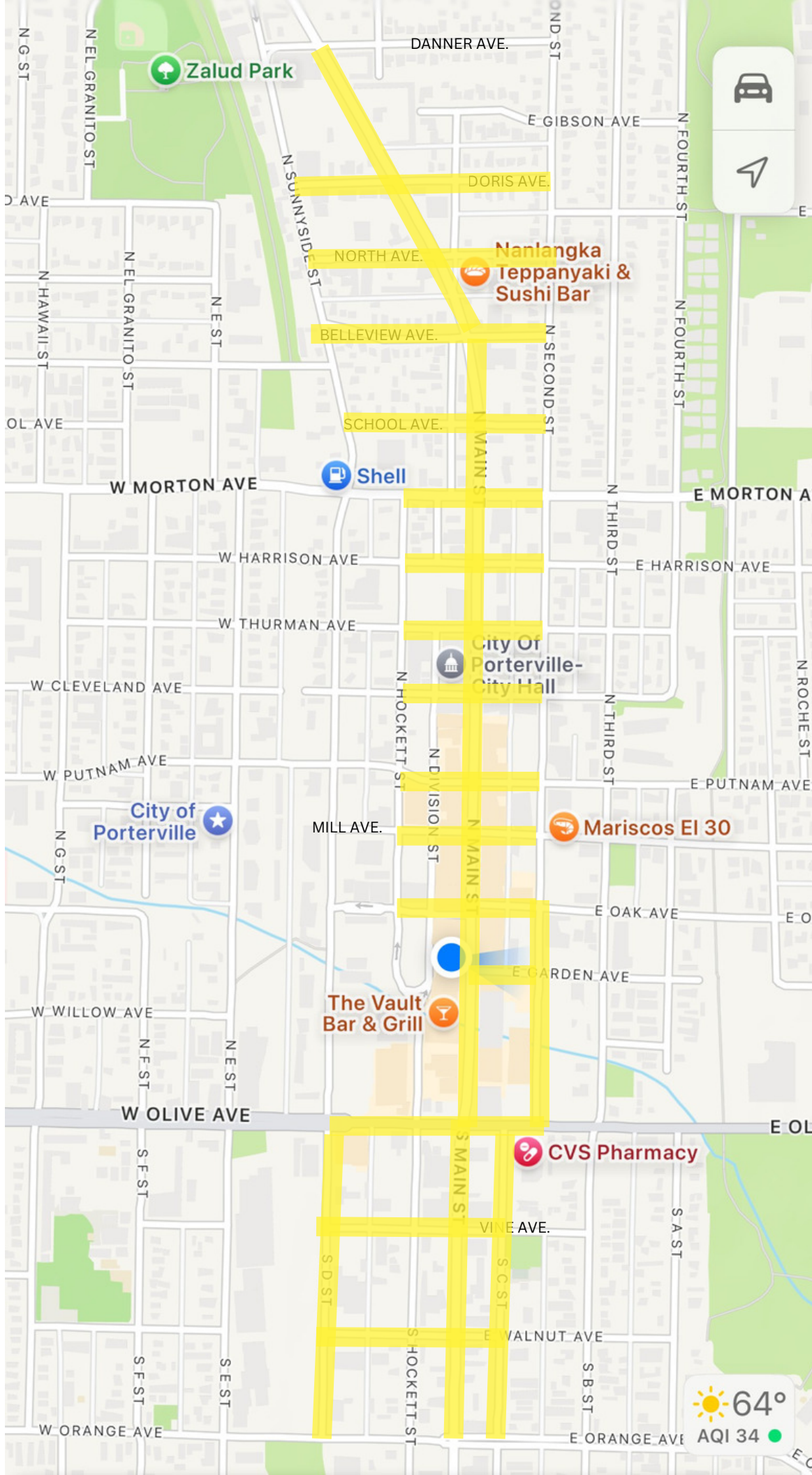

Signature of Applicant

08/27/2025
Date

THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.


City of Porterville, Chief of Police/Designee

10-15-2025
Date





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/03/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hylant Group Inc. 811 Madison Ave. Toledo, OH 43604		CONTACT NAME: Sara Humphries / Macy Gorrell PHONE (A/C, No, Ext): (419) 259-2710 E-MAIL ADDRESS: Rotary@hylant.com FAX (A/C, No): (419) 255-7557	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Westchester Surplus Lines Ins	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
INSURED All Active U.S. Rotary Clubs & Districts The Rotary Club of Porterville ATTN: Risk Management Dept. 1560 Sherman Avenue Evanston, IL 60201		NAIC # 10172	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X	G73578917 004	7/1/2025	7/1/2026	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	X	G73578917 004	7/1/2025	7/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

The City of Porterville
291 N. Main St.
Porterville, CA 93257

The Rotary Club of Porterville / District 5230
RE: Children's Christmas Parade / 12/04/2025

ACORD 25 (2016/03)

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Judy K. Wilson

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

The City of Porterville and
Successor Agency to Portville Redevelopment Agency
291 N. Main Street
RE: Rotary Club of Porterville
Event Name: The Porterville Children's Christmas Parade
Event Location: Main Street, Porterville, CA
Event Date: 12.04.2025

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable limits of insurance;

whichever is less.

This endorsement shall not increase the applicable limits of insurance.



In partnership with

Rotary



Children's Christmas Parade

**DEC. 4
2025**

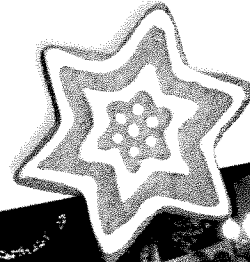
7 P.M. - 9 P.M.

**DOWNTOWN
MAIN STREET**

**PRESENTED
BY**



OCICYS
TECHNOLOGY



NOW ACCEPTING ENTRY REGISTRATIONS

Enter a festive float, decorated vehicle, or walking group for the parade route filled with up to 29 thousand spectators!

NOW ACCEPTING SPONSORSHIPS

Make the most of the holiday season and promote your business/organization! Sponsorship packages include entry fee coverage, small banner for our judging stage, and live announcement during the parade!

(559) 784-7502

93 N. Main St., Suite A, Porterville, CA

events1@portervillechamber.org



Pick up an application at our office, download it online, or register online! Visit:
**Portervillechamber.org/
childrens-christmas-parade**

2025 THEME:

Home means something to everyone. What does it mean for you? Show us at this year's Children's Christmas Parade!





CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization of Street Closure for the 31st Annual Myers Christmas Memorial Tree Lighting

SOURCE: Administrative Services

COMMENT: The 31st Annual Myers Christmas Memorial Tree Lighting Ceremony is scheduled for Tuesday, December 9, 2025, at 248 North “E” Street. The ceremony will begin at 7:00 p.m. and is expected to draw approximately 350 attendees from the community.

For the safety of participants, the event organizer has requested the temporary closure of “E” Street between Putnam and Cleveland Avenues from 5:00 p.m. to 9:00 p.m.

The Police Department has reviewed and approved the required Assembly Permit, and a valid Certificate of Liability Insurance has been provided. Both documents are attached for the Council’s reference.

This event is a long-standing community tradition that honors loved ones and brings residents together during the holiday season.

RECOMMENDATION: That the City Council approve the closure of “E” Street between Putnam and Cleveland Avenues on December 9, 2025, from 5:00 p.m. to 9:00 p.m., subject to the specified conditions.

ATTACHMENTS:

1. Letter of Request
2. Assembly Permit
3. Certificate of Liability Insurance

Appropriated/Funded:

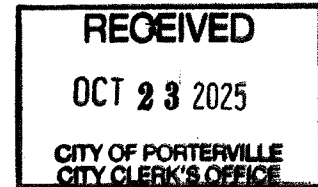
Review By:

Department Director:
Yuliana Andrade, Administrative Services Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

Myers Funeral Service and Crematory

248 N. "E" Street, Porterville, CA 93257
(559)784-5454
myersfuneral.com



October 10, 2025

To: Porterville City Council

We respectfully request that "E" Street be blocked off at Putnam and Cleveland Avenues the evening of Tuesday, December 9, 2025 from approximately 5:00 to 9:00 PM, for the protection and safety of those who will be attending the Thirty-first (31st) Annual Myers Christmas Memorial Tree Lighting. The response from the community has been well received, and we expect approximately 350-400 people from the local community and outlying areas in attendance.

The original purpose in beginning this tradition was to give back to the community in the way of service. It allows families to place memorial ornaments on the trees prior to the service, commemorating their loved ones.

A memorial service is planned for the evening of Tuesday, December 9, 2025 at 7:00 PM at Myers Funeral Service, when the community will be invited to attend and celebrate the season by remembering loved ones. At the conclusion of the service, the trees will be lit and remain lit through Christmas.

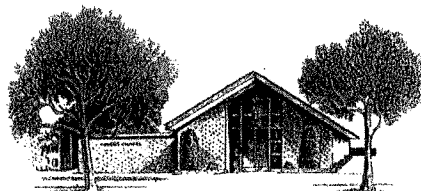
Find enclosed an "Assemblies Permit" signed by Chief Jake Castellow of the Porterville Police Department, along with a Certificate of Liability Insurance.

Thank you for your consideration of this request.

Sincerely,

Ernesto Alonzo
Funeral Director

cc: EA/jl
Enclosures



ORDINANCE NUMBER 927
Section 18-7.2

Porterville Police Department

Application for ASSEMBLIES or MEETINGS on public streets, sidewalks or parks,
within the City of Porterville.

OCT 10 2025

Received

This application MUST BE FILED WITHIN FOUR (4) DAYS PRIOR to the date of the
assembly or meeting.

- A. Myers Funeral Service & Crematory (559) 784-5454
(Name/Address) (Telephone)
- B. 248 North "E" Street, Porterville, CA 93257
(Name & Address of Organization) (Telephone)
- Ernesto Alonzo, Funeral Director (559) 784-5454
(Authorized Head of Organization) (Telephone)
- C. Name of Event Chairman Ernesto Alonzo; Jill Lynch
- D. Purpose of event: Lighting of Memorial Trees and Service (31st Year)
- E. Date & Time of Event Tuesday, December 9, 2025 from 7:00 - 9:00 PM
- F. Number of persons Approximately 350
- G. Location of the assembly area of event Myers Reception Hall 265 North "E" Street,
Porterville, CA 93257 (Myers Funeral Service & Crematory)
- H. Security Guards required? [] yes [xx] no If so, how many? _____
- I. Plans for the assembly & dispersement of the event. Indicate times
thereof 5:00 PM to 9:00 PM
- J. Other information _____

I HEREBY AGREE TO ABIDE BY ALL PROVISIONS SET FORTH IN CITY ORDINANCE 927,
SECTION 18-7.2 AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY OF
PORTERVILLE.

Legal signature of applicant

Date

10/09/2025

Telephone (559) 784-5454

Jill Lynch (559-789-2951)

*Call for pickup

Application Approved [x] Denied []

Chief of Police CT

10/96



MYERFUN-01

JJOHNSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/29/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER NSE Insurance Agencies, Inc. 160 South D St., PO Box 704 Exeter, CA 93221-0704	CONTACT NAME:		
	PHONE (A/C, No, Ext): (559) 592-9411	FAX (A/C, No): (559) 592-5059	
	E-MAIL ADDRESS: customerservice@nseinsurance.com		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : West American		44393
INSURED Myers Funeral Service 248 North E Street Porterville, CA 93257	INSURER B : Capitol Specialty Ins. Corp.		10328
	INSURER C : Technology Insurance Co., Inc.		42376
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY			BKW57832789	4/1/2025	4/1/2026	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000				
	☒ Funeral Directors		MED EXP (Any one person) \$ 5,000				
	GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC OTHER:		PERSONAL & ADV INJURY \$ 1,000,000				
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
A	☒ AUTOMOBILE LIABILITY			BAW57832789	4/1/2025	4/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☒ ANY AUTO		SCHEDULED AUTOS				BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY		NON-OWNED AUTOS ONLY				BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
							\$
B	☐ UMBRELLA LIAB ☒ OCCUR			XS24025339	4/1/2025	4/1/2026	EACH OCCURRENCE \$ 1,000,000
	☒ EXCESS LIAB ☐ CLAIMS-MADE		AGGREGATE \$ 2,000,000				
	DED ☐ RETENTION \$						\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			SNS1578931	9/30/2025	9/30/2026	PER STATUTE ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y	N / A				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Christmas Tree Lighting Ceremony December 9, 2025

CERTIFICATE HOLDER

CANCELLATION

City of Porterville 291 N Main Porterville, CA 93257	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Acceptance of Quarterly Financial Status Reports – September 30, 2025

SOURCE: Finance

COMMENT: The City Charter requires that financial reports be provided to the City Council on a monthly basis. Council Minute Order No. 10-011607 established the requirement that interim financial status reports be presented quarterly, outlining the City's revenues and expenditures and providing trend analysis across major fund types.

The attached Quarterly Financial Status Reports present a comprehensive overview of City revenues and expenditures for the period ending September 30, 2025. The reports include detailed data for the General Fund, enterprise funds, and other special revenue funds.

For the first quarter of Fiscal Year 2025–2026, General Fund revenues totaled approximately \$4,883,780, compared to \$4,991,391 for the same period last year, representing a 2.2 percent decrease. Expenditures totaled approximately \$8.1 million, or 21.6 percent of budgeted appropriations, which remains consistent with prior-year performance. The modest revenue decline reflects the timing of property-tax receipts and other seasonal revenues expected to normalize in the second and third quarters.

While overall sales and use tax revenues remain stable across the City's general and enterprise funds, a minor decline was observed in Measure H (Public Safety) and Measure I (Streets and Infrastructure) sales tax collections compared to the same period last fiscal year. Measure H revenue for the first quarter totaled approximately \$480,201, reflecting a 0.8 percent decrease from \$484,102 last year. Measure I revenue totaled approximately \$998,879, reflecting a 3.3 percent decrease from \$1,033,004 in the prior year. These changes are consistent with statewide sales tax trends influenced by inflation and reduced discretionary consumer spending.

Despite these short-term declines, both the General Fund and the City's special sales tax measures remain financially stable, continuing to support public safety, infrastructure, and core municipal operations. Staff will continue to monitor revenue performance closely and report any significant variations

in future quarterly updates.

Enterprise funds, including water, sewer, refuse, and airport operations, continue to reflect steady performance, with expenditures generally in line with adopted budgets. The accompanying Five-Year Trends summary provides historical perspective on revenues and expenditures, underscoring the City's continued fiscal stability and disciplined financial management.

RECOMMENDATION: That the City Council accept the Quarterly Financial Status Reports for the period ending September 30, 2025.

ATTACHMENTS: 1. Quarterly Financial Status Reports - September 30, 2025
 2. Five-Year Trends

Appropriated/Funded:

Review By:

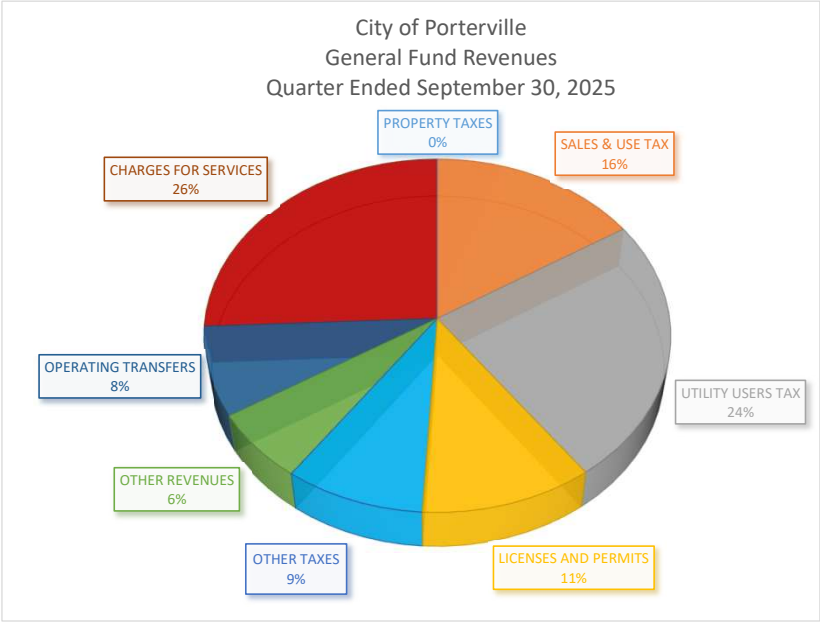
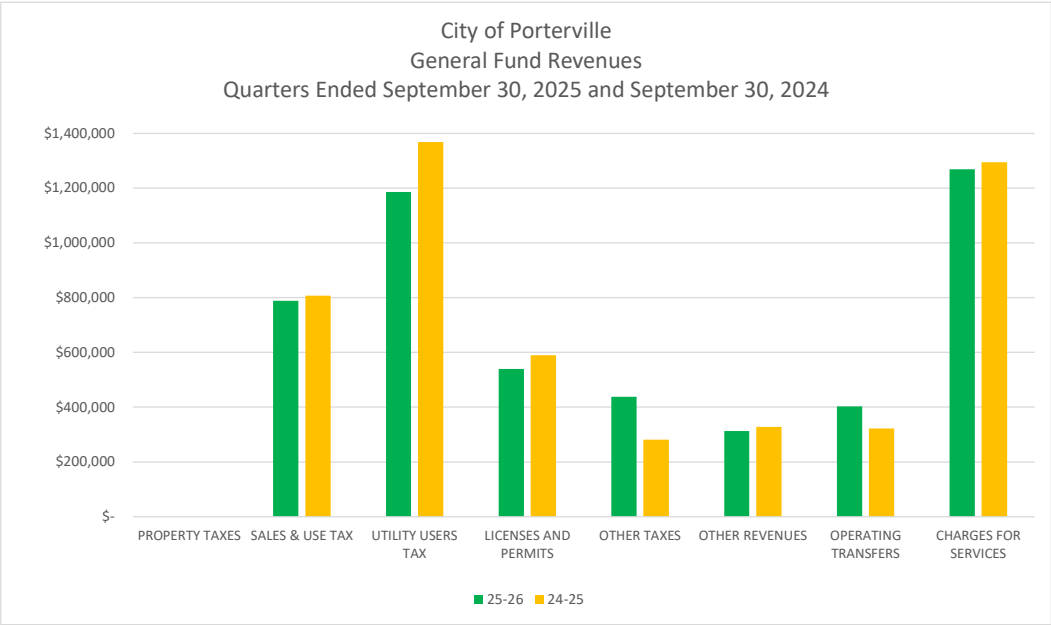
Department Director:
Janie Rodriguez, Finance Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

CITY OF PORTERVILLE

**REVENUE STATUS REPORT - GENERAL FUND
FOR THE QUARTERS ENDED
SEPTEMBER 30, 2025 AND SEPTEMBER 30, 2024**

REVENUE SOURCE	2025-2026 ESTIMATED REVENUE	2025-2026 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2024-2025 ESTIMATED REVENUE	2024-2025 YEAR-TO-DATE REVENUE	% OF ESTIMATE
PROPERTY TAXES	\$ 10,010,000	\$ -	-	\$ 9,395,000	\$ -	-
OTHER TAXES:						
SALES AND USE TAX	7,815,327	718,637	9.20%	8,301,435	737,256	8.88%
UTILITY USERS TAX	5,600,000	1,186,386	21.19%	5,250,000	1,368,644	26.07%
TRANSIENT OCCUPANCY TAX	800,000	-	-	800,000	-	-
PROPERTY TRANSFER TAX	106,000	18,943	17.87%	100,000	31,369	31.37%
FRANCHISE TAX	1,801,134	250,291	13.90%	1,861,134	250,291	13.45%
SALES TAX - PUBLIC SAFETY	386,000	69,494	18.00%	400,000	70,042	17.51%
PAYMENT IN LIEU OF TAXES	676,084	169,021	25.00%	676,084	-	-
LICENSES AND PERMITS:						
BUSINESS AND OTHER LICENSES	1,206,000	306,974	25.45%	1,071,000	323,922	30.24%
CONSTRUCTION PERMITS	875,000	232,007	26.52%	665,000	265,360	39.90%
REVENUE FROM AGENCIES-TAXES:						
VEHICLE LICENSE FEES	85,000	-	-	77,000	-	-
OTHER TAXES	21,000	-	-	21,000	-	-
REVENUE FROM AGENCIES-GRANTS	13,330,673	3,236	0.02%	14,798,790	15,347	0.10%
USE OF MONEY AND PROPERTY	970,066	282,130	29.08%	850,065	277,005	32.59%
FINES AND FORFEITURES	21,500	1,145	5.33%	22,000	2,024	9.20%
CHARGES FOR SERVICES:						
PLANNING AND ENGINEERING	149,500	24,984	16.71%	122,000	75,040	61.51%
POLICE	455,000	34,245	7.53%	578,500	32,794	5.67%
FIRE	167,000	146,424	87.68%	117,000	105,866	90.48%
LIBRARY	17,000	4,596	27.04%	18,000	4,420	24.56%
RECREATIONAL	335,310	55,804	16.64%	318,500	76,774	24.10%
INTERDEPARTMENTAL	3,675,539	980,541	26.68%	2,800,000	979,259	34.97%
OTHER	90,454	21,983	24.30%	79,454	20,664	26.01%
OTHER REVENUES	192,200	26,408	13.74%	164,000	33,561	20.46%
SUBTOTALS	\$ 48,785,787	\$ 4,533,249	9.29%	\$ 48,485,962	\$ 4,669,638	9.63%
OPERATING TRANSFERS	1,567,528	298,688	19.05%	1,424,948	261,751	18.37%
DEBT SERVICE TRANSFERS	236,700	51,843	21.90%	195,500	60,002	30.69%
TOTALS	\$ 50,590,015	\$ 4,883,780	9.65%	\$ 50,106,410	\$ 4,991,391	9.96%

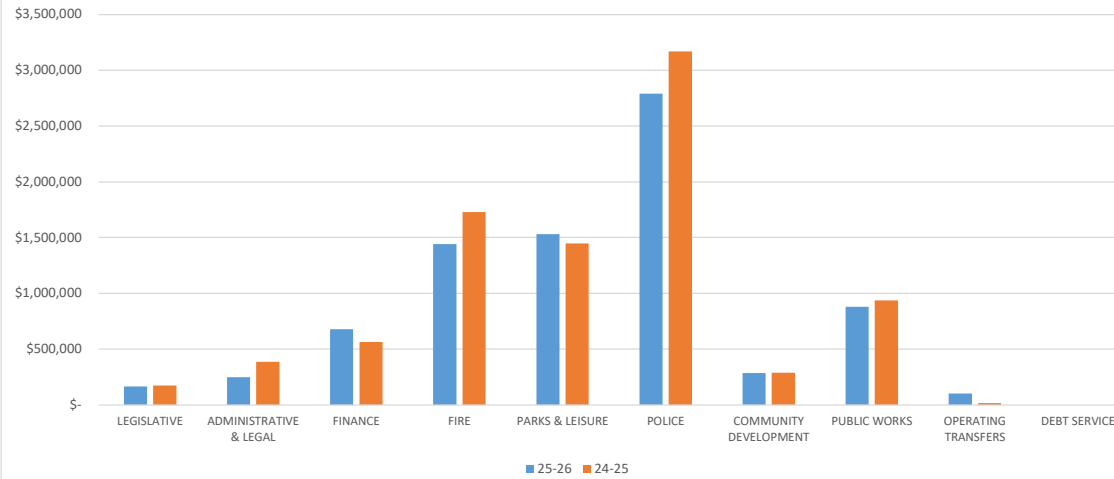


CITY OF PORTERVILLE

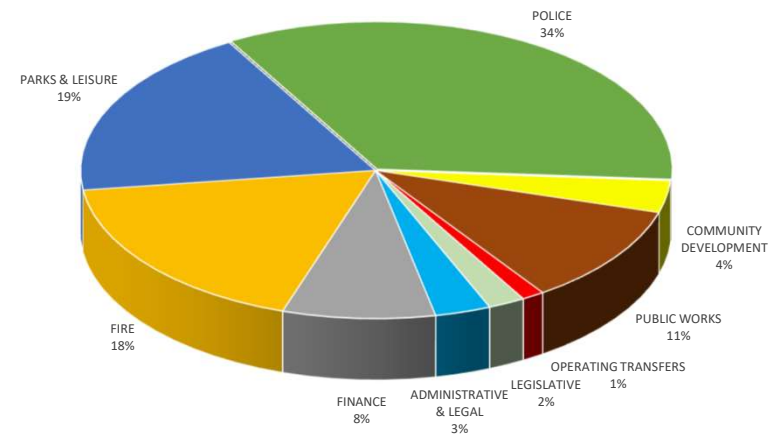
**EXPENDITURE STATUS REPORT - GENERAL FUND
FOR THE QUARTERS ENDED
SEPTEMBER 30, 2025 AND SEPTEMBER 30, 2024**

	2025-2026 AMENDED APPROP	2025-2026 YEAR-TO-DATE EXPEND	% OF APPROP	2024-2025 AMENDED APPROP	2024-2025 YEAR-TO-DATE EXPEND	% OF APPROP
LEGISLATIVE:						
CITY COUNCIL	\$ 272,200	\$ 52,503	19.3%	\$ 366,114	\$ 7,249	2.0%
COMMUNITY PROMOTION	555,000	73,627	13.3%	385,202	73,445	19.1%
EMERGENCY - LIBRARY	210,000	37,950	18.1%	208,900	28,348	13.6%
EMERGENCY - STORMS	-	-	-	311,000	62,644	20.1%
ADMINISTRATIVE & LEGAL:						
CITY MANAGER	526,876	84,836	16.1%	634,447	148,452	23.4%
CITY CLERK	331,131	60,953	18.4%	372,377	105,806	28.4%
HUMAN RESOURCES	466,393	101,694	21.8%	588,147	132,064	22.5%
CITY ATTORNEY	200,000	-	-	200,000	-	-
FINANCE:						
FINANCE & ACCOUNTING	1,520,707	334,484	22.0%	1,500,148	301,787	20.1%
INFORMATION SERVICES	798,847	248,903	31.2%	737,576	183,655	24.9%
ADMINISTRATIVE SERVICES	439,715	94,561	21.5%	378,608	78,407	20.7%
POLICE PROTECTION	12,479,259	2,789,059	22.3%	12,721,613	3,168,214	24.9%
FIRE PROTECTION	6,213,859	1,442,549	23.2%	5,826,797	1,727,658	29.7%
COMMUNITY DEVELOPMENT:						
PLANNING & ZONING	912,299	174,178	19.1%	893,020	167,742	18.8%
ECONOMIC DEVELOPMENT	461,951	110,257	23.9%	538,550	121,166	22.5%
PUBLIC WORKS:						
ENGINEERING & BUILDING	1,939,764	517,157	26.7%	2,089,961	613,776	29.4%
STREET MAINTENANCE	746,713	158,959	21.3%	681,093	127,734	18.8%
SIGNALS, SIGNING & STRIPING	453,394	58,446	12.9%	417,045	62,266	14.9%
STREET LIGHTING	744,965	127,255	17.1%	663,055	121,644	18.3%
PARKING LOTS	91,465	17,283	18.9%	88,955	10,357	11.6%
PARKS & LEISURE:						
PARK MAINTENANCE & OPERATION	3,500,466	869,836	24.8%	2,899,133	730,356	25.2%
STREET TREES & PARKWAYS	244,076	47,036	19.3%	261,903	79,398	30.3%
COMMUNITY CENTERS	-	-	-	-	-	-
LEISURE SERVICES	483,796	102,807	21.3%	447,120	108,552	24.3%
LEISURE SERVICES - SPECIAL PROG	501,433	114,870	22.9%	468,168	141,635	30.3%
SWIMMING POOL	280,469	123,038	43.9%	264,132	122,373	46.3%
LIBRARY OPERATIONS	684,043	154,643	22.6%	877,962	183,458	20.9%
HOMELESS ENCAMPMENTS	-	-	-	304,664	62,522	20.5%
ZALUD HOUSE	44,993	10,737	23.9%	41,598	10,118	24.3%
NATIONAL GUARD ARMORY	382,734	98,641	25.8%	-	-	-
SPECIAL PROJECTS	50,240	8,191	16.3%	58,053	9,485	16.3%
SUB TOTALS	35,536,788	8,014,454	22.6%	35,225,341	8,690,311	24.7%
OPERATING TRANSFERS	400,000	100,000	25.0%	200,000	17,250	8.6%
DEBT SERVICE	1,630,863	-	-	1,629,657	-	-
	<u>\$ 37,567,651</u>	<u>\$ 8,114,454</u>	21.6%	<u>\$ 37,054,998</u>	<u>\$ 8,707,561</u>	23.5%

City of Porterville
General Fund Expenditures
Quarters Ended September 30, 2025 and September 30, 2024



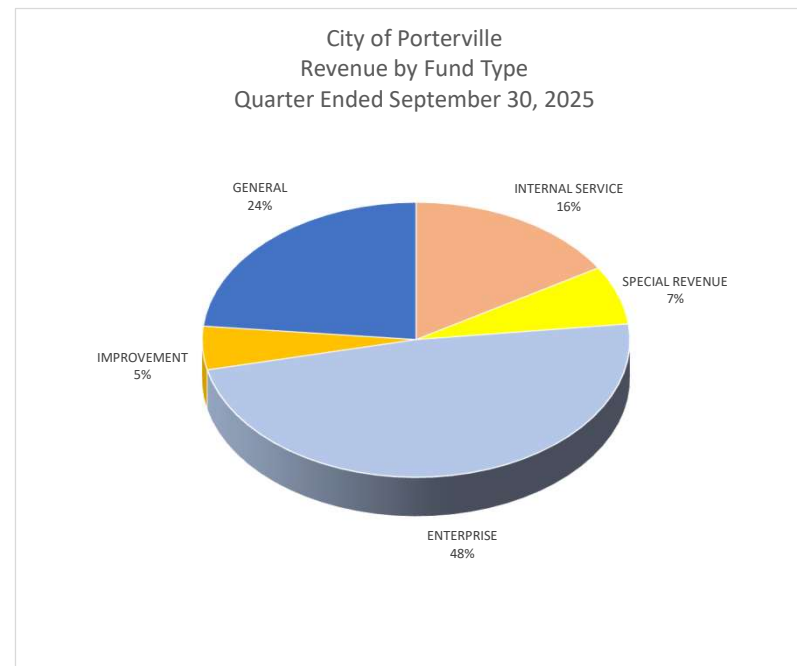
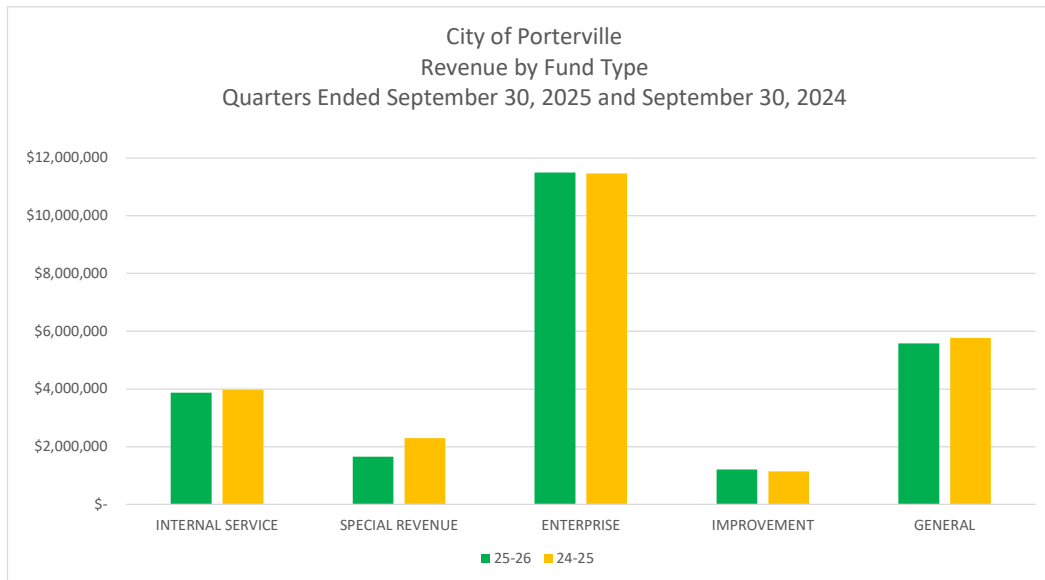
City of Porterville
General Fund Expenditures
Quarter Ended September 30, 2025



CITY OF PORTERVILLE

**REVENUE STATUS REPORT - ALL OTHER FUNDS
FOR THE QUARTERS ENDED
SEPTEMBER 30, 2025 AND SEPTEMBER 30, 2024**

REVENUE SOURCE	2025-2026 ESTIMATED REVENUE	2025-2026 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2024-2025 ESTIMATED REVENUE	2024-2025 YEAR-TO-DATE REVENUE	% OF ESTIMATE
MEASURE H SALES TAX	\$ 5,436,246	\$ 480,201	8.8%	\$ 5,627,283	\$ 484,102	8.6%
MEASURE I SALES TAX	11,041,075	998,879	9.0%	11,387,913	1,033,004	9.1%
AMERICAN RESCUE PLAN ACT	7,253,868	49,081	0.7%	8,457,167	166,111	2.0%
SPECIAL GAS TAX	5,869,817	637,743	10.9%	5,298,534	1,068,782	20.2%
LOCAL TRANSPORTATION FUNDS (LTF)	38,452,286	271,093	0.7%	49,641,951	202,358	0.4%
TRAFFIC SAFETY FUND	75,850	12,474	16.4%	80,800	12,373	15.3%
COMMUNITY DEVELOPMENT BLOCK GRANT	3,703,686	17,818	0.5%	3,559,140	36,331	1.0%
TRANSIT	25,126,049	41,634	0.2%	12,538,184	22,288	0.2%
SPECIAL SAFETY GRANTS	345,557	4,753	1.4%	1,064,872	102,729	9.6%
SEWER OPERATING	12,428,700	3,381,590	27.2%	8,447,800	3,018,713	35.7%
REFUSE REMOVAL	11,663,200	2,851,639	24.4%	9,296,448	2,671,843	28.7%
AIRPORT OPERATIONS	2,521,100	937,036	37.2%	1,747,174	1,467,321	84.0%
GOLF COURSE	295,200	51,978	17.6%	295,600	60,131	20.3%
WATER OPERATING	15,162,800	4,290,250	28.3%	13,539,500	4,285,447	31.7%
RISK MANAGEMENT	10,262,937	2,554,468	24.9%	9,450,200	2,418,344	25.6%
EQUIPMENT MAINTENANCE	5,338,000	1,319,599	24.7%	4,765,000	1,560,266	32.7%
LANDSCAPE MAINTENANCE DISTRICT	180,000	-	-	186,000	-	-
WATER REPLACEMENT	21,426,000	361,644	1.7%	4,245,000	364,997	8.6%
SOLID WASTE RESERVE	1,140,000	395,929	34.7%	985,000	257,717	26.2%
SEWER REVOLVING	591,000	129,773	22.0%	584,000	149,240	25.6%
TRANSPORTATION DEVELOPMENT	335,000	81,595	24.4%	170,000	108,529	63.8%
PARK DEVELOPMENT	90,200	14,920	16.5%	50,100	22,897	45.7%
TREATMENT PLANT RESERVE	1,395,000	327,941	23.5%	980,000	368,596	37.6%
STORM DRAIN DEVELOPMENT	310,000	77,325	24.9%	240,000	92,085	38.4%
BUILDING CONSTRUCTION	4,000	1,297	32.4%	2,500	1,400	56.0%
TOTALS	\$ 180,447,571	\$ 19,290,660	10.7%	\$ 152,640,166	\$ 19,975,604	13.1%



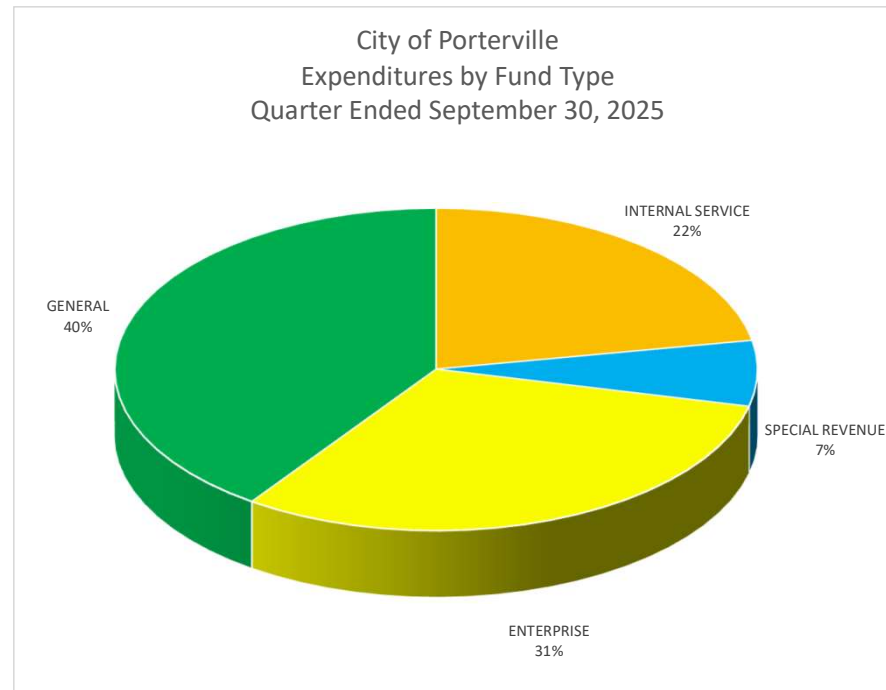
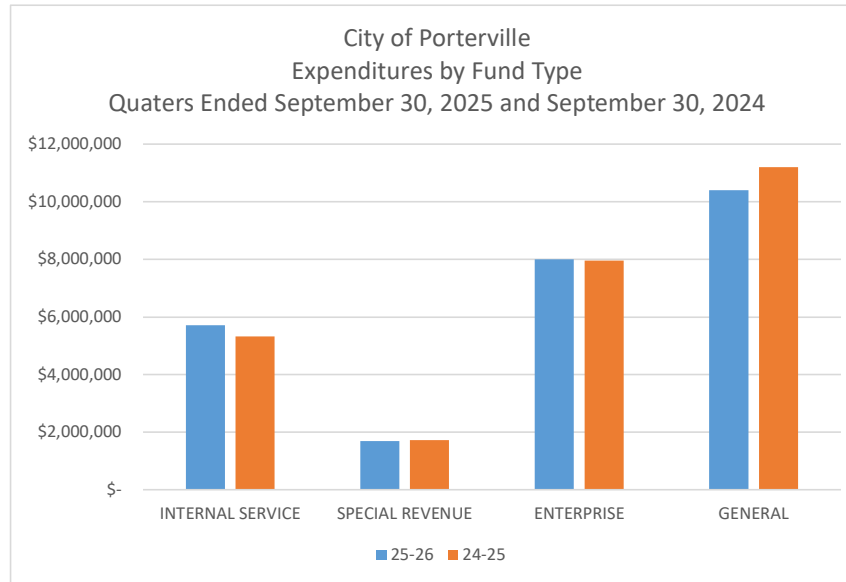
CITY OF PORTERVILLE

EXPENDITURE STATUS REPORT - ALL OTHER FUNDS

FOR THE QUARTERS ENDED

SEPTEMBER 30, 2025 AND SEPTEMBER 30, 2024

	2025-2026 AMENDED APPROP	2025-2026 YEAR-TO-DATE EXPEND	% OF APPROP	2024-2025 AMENDED APPROP	2024-2025 YEAR-TO-DATE EXPEND	% OF ACTUAL
MEASURE H SALES TAX	\$ 5,843,642	\$ 1,481,761	25.4%	\$ 5,425,290	\$ 1,361,675	25.1%
MEASURE I SALES TAX	9,776,354	2,231,183	22.8%	9,853,312	2,363,458	24.0%
AMERICAN RESCUE PLAN ACT	97,334	8,477	8.7%	737,167	33,007	4.5%
COMMUNITY DEVELOPMENT BLOCK GRANT	203,235	40,721	20.0%	171,600	29,068	16.9%
TRANSIT	6,932,522	1,331,647	19.2%	6,513,588	1,562,414	24.0%
SPECIAL SAFETY GRANTS	345,357	116,083	33.6%	1,097,487	259,765	23.7%
SEWER OPERATING	7,251,382	1,573,999	21.7%	6,675,085	1,558,195	23.3%
REFUSE REMOVAL	9,307,696	2,073,164	22.3%	7,980,817	1,840,939	23.1%
AIRPORT	2,465,463	679,248	27.6%	1,744,414	851,078	48.8%
GOLF COURSE	553,182	151,404	27.4%	579,801	151,827	26.2%
WATER OPERATING	11,790,727	2,339,518	19.8%	11,235,872	2,137,478	19.0%
RISK MANAGEMENT	12,392,607	4,656,550	37.6%	10,661,884	4,377,915	41.1%
EQUIPMENT MAINTENANCE	4,993,053	1,053,973	21.1%	4,825,530	952,968	19.7%
LANDSCAPE MAINTENANCE DISTRICT	270,988	47,921	17.7%	235,903	41,291	17.5%
TOTALS	<u>\$ 72,223,542</u>	<u>\$ 17,785,649</u>	24.6%	<u>\$ 67,737,750</u>	<u>\$ 17,521,078</u>	25.9%



CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - MEASURE H
For the Quarters Ended September 30, 2025 and September 30, 2024

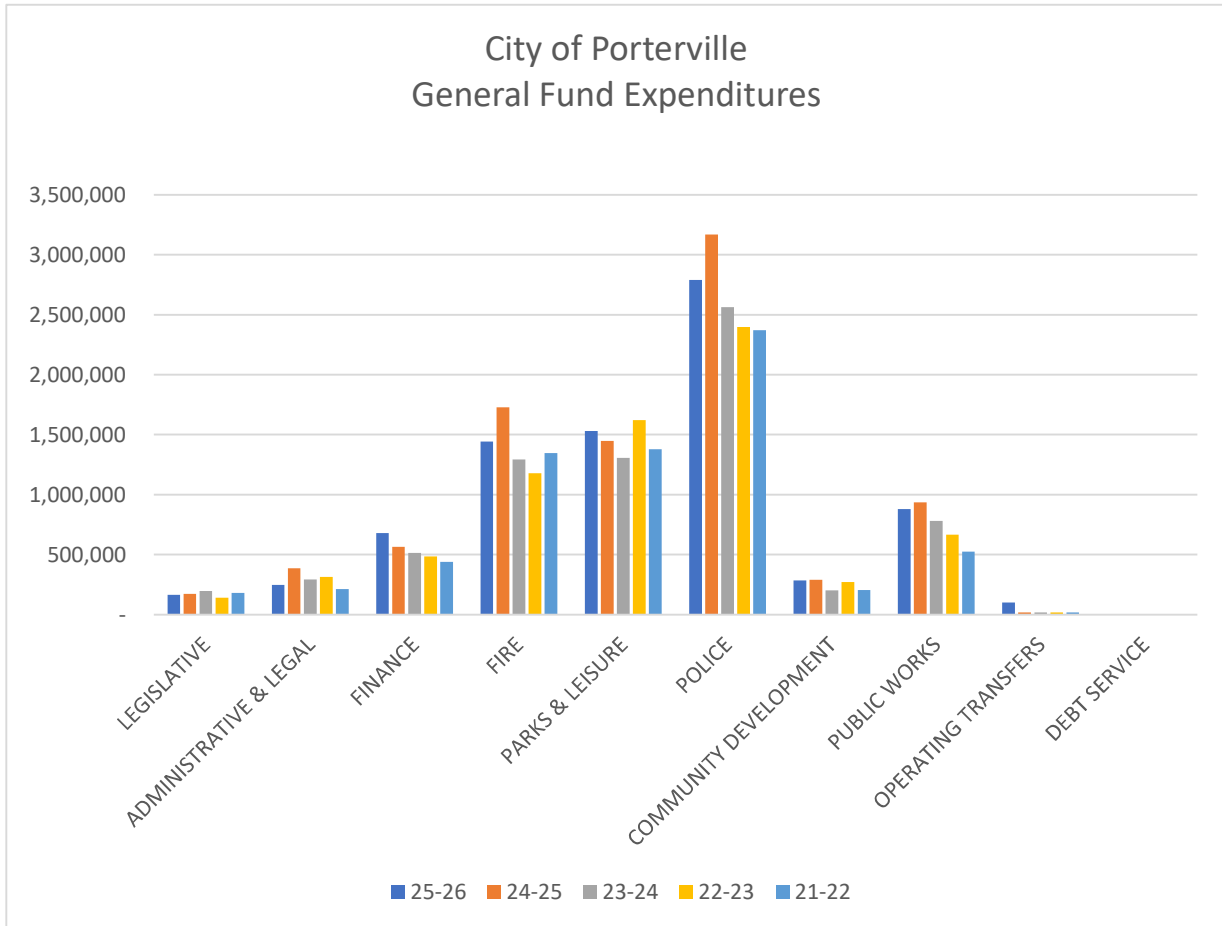
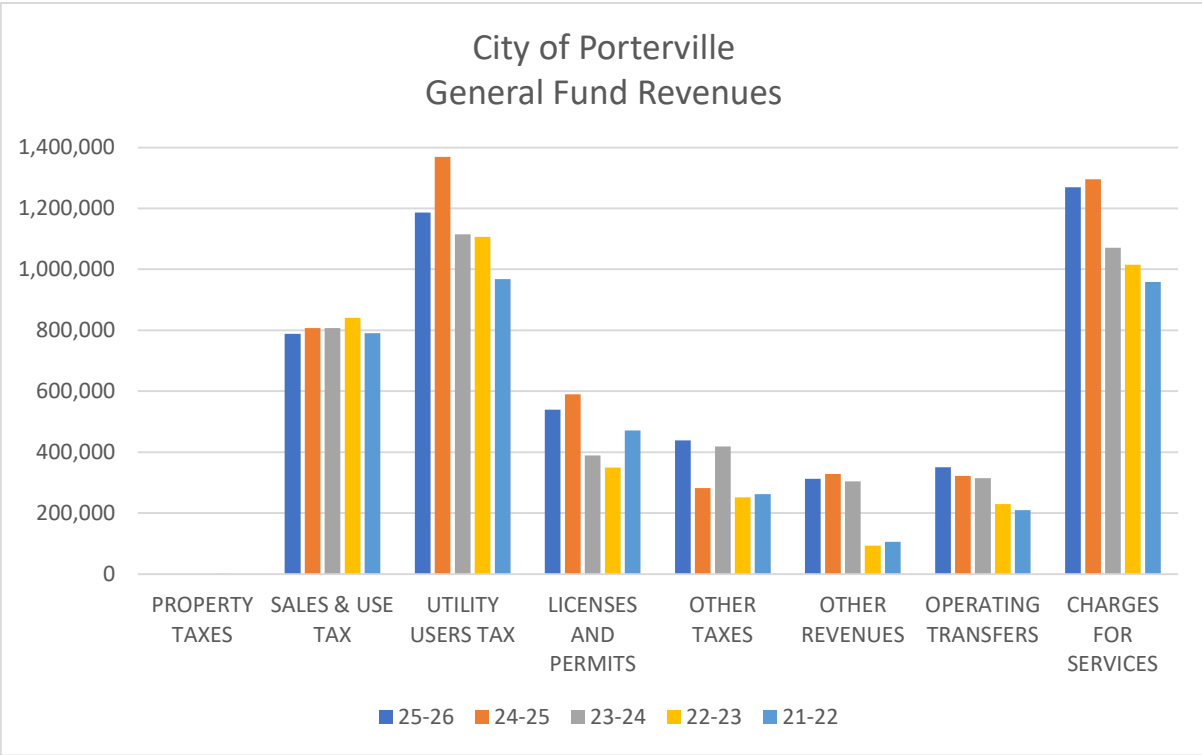
	<u>FY 2025-26</u>	<u>FY 2024-25</u>
REVENUES		
Sales Tax - Measure H	\$ 446,349	448,268
Interest	33,492	35,834
Police Services	361	-
TOTAL REVENUES	<u>480,201</u>	<u>484,102</u>
EXPENDITURES		
Police Department	635,532	540,844
Fire Department	622,427	647,586
Public Safety Station	72,158	60,414
Library & Literacy	151,644	112,831
TOTAL EXPENDITURES	<u>1,481,761</u>	<u>1,361,675</u>
CAPITAL PROJECTS		
Fire Department Classroom/Training	<u>-</u>	<u>51,082</u>
TOTAL CAPITAL PROJECTS	<u>-</u>	<u>51,082</u>
REVENUE OVER/(UNDER) EXPENDITURES	\$ <u><u>(1,001,560)</u></u>	\$ <u><u>(928,655)</u></u>

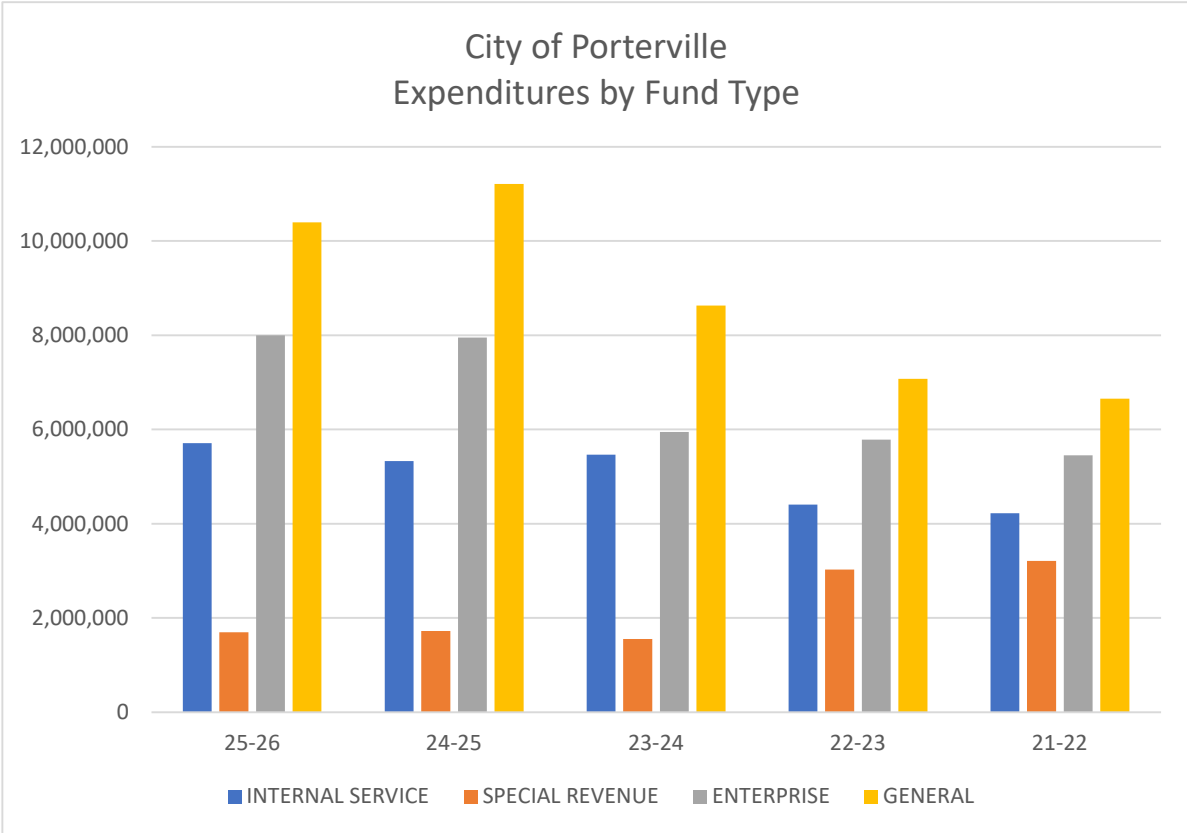
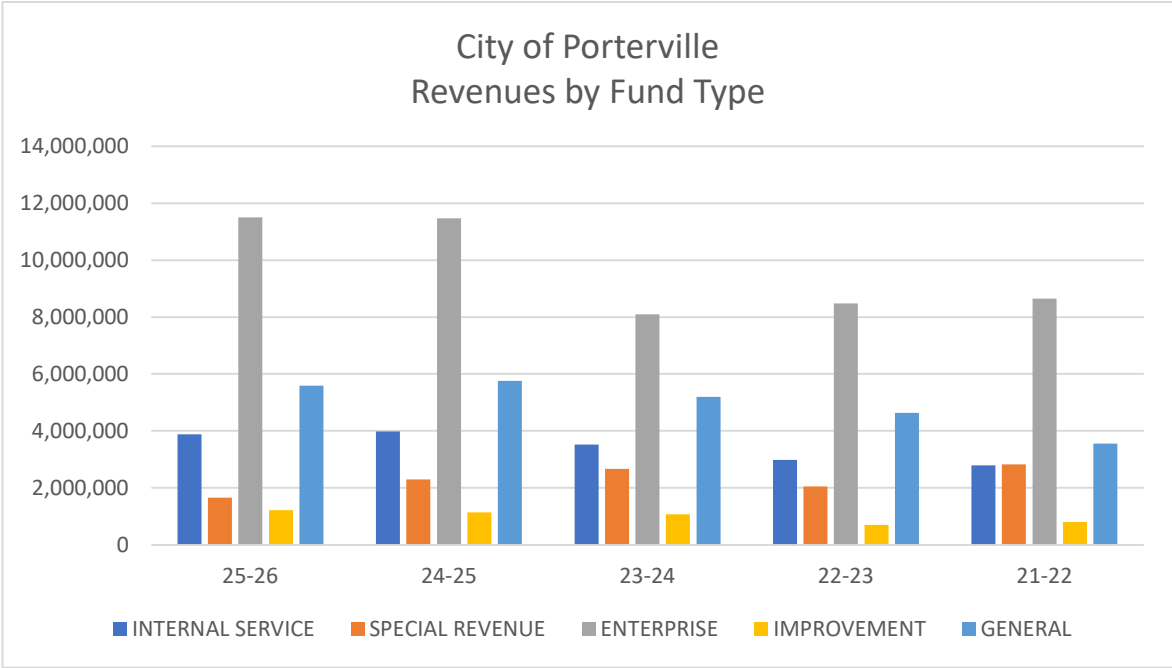
CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - MEASURE I
For the Quarters Ended September 30, 2025 and September 30, 2024

	<u>FY 2025-26</u>	<u>FY 2024-25</u>
REVENUES		
Sales Tax - Measure I	\$ 893,145	\$ 892,528
Sales Tax - Measure R	-	5,186
Interest	105,258	133,848
Police Services	476	1,442
TOTAL REVENUES	<u>998,879</u>	<u>1,033,004</u>
EXPENDITURES		
Police Department	1,420,676	1,542,613
Fire Department	740,316	791,408
Streets Program	70,191	5,281
Litter Abatement Program	-	24,156
Trail Maintenance	-	-
TOTAL EXPENDITURES	<u>2,231,183</u>	<u>2,363,458</u>
CAPITAL PROJECTS		
AC Pavement Repair/Overlay	75,049	-
Fire Dept Training Grounds Dev	2,311	-
Fire Station Remodel/Additions	9,126	-
Grand Ave Reconstruction - Henrahan to Leggett	548,258	-
Morton Ave Reconstruction	-	12,673
Pavement Management Program	2,207	-
Villa St Reconstruction - Olive to Henderson	-	2,257,603
Street Overlay Program	1,200,000	-
TOTAL CAPITAL PROJECTS	<u>1,836,951</u>	<u>2,270,276</u>
REVENUE OVER/(UNDER) EXPENDITURES	<u>\$ (3,069,255)</u>	<u>\$ (3,600,730)</u>

CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - ENTERPRISE FUNDS
For the Quarters Ended September 30, 2025 and September 30, 2024

<u>FUND</u>	<u>REVENUES</u>	<u>EXPENSES</u>	<u>9/30/2025 NET OPERATING PROFIT (LOSS)</u>	<u>9/30/2024 NET OPERATING PROFIT (LOSS)</u>
Transit	\$ 41,634	\$ (1,946,852)	\$ (1,905,218)	\$ (1,540,126)
Sewer Operating	\$ 3,381,590	\$ (1,573,999)	\$ 1,807,591	\$ 1,460,518
Solid Waste	\$ 2,851,639	\$ (2,073,164)	\$ 778,475	\$ 830,904
Airport	\$ 937,036	\$ (679,248)	\$ 257,788	\$ 616,242
Water Operating	\$ 4,290,250	\$ (2,339,518)	\$ 1,950,732	\$ 2,147,969







CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Acceptance of Quarterly Investment Portfolio Report as of September 30, 2025

SOURCE: Finance

COMMENT: This report presents the City's investment portfolio as of September 30, 2025, in compliance with California Government Code Sections 27000 et seq. and 53600 et seq., and in accordance with the City of Porterville's Statement of Investment Policy. Investments are managed with the statutory objectives of safety, liquidity, and yield.

As of September 30, 2025, the City's total portfolio market value was \$125,642,172 with a weighted average rate of earnings of 3.27% and an average maturity of 506 days. The portfolio remains well diversified, with 33.7% held in liquid instruments, ensuring sufficient cash flow to meet the City's short-term operational needs.

The portfolio continues to reflect prudent investment management practices consistent with the City's financial policies and current market conditions. The next quarterly investment report will cover the period ending December 31, 2025, and will be presented to the City Council at its February 3, 2026, meeting.

RECOMMENDATION: That the City Council accept the Quarterly Investment Portfolio Report as of September 30, 2025.

ATTACHMENTS: 1. Investment Portfolio Summary - September 30, 2025

Appropriated/Funded:

Review By:

Department Director:
Janie Rodriguez, Finance Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

CITY OF PORTERVILLE
PORTFOLIO SUMMARY AS OF SEPTEMBER 30, 2025

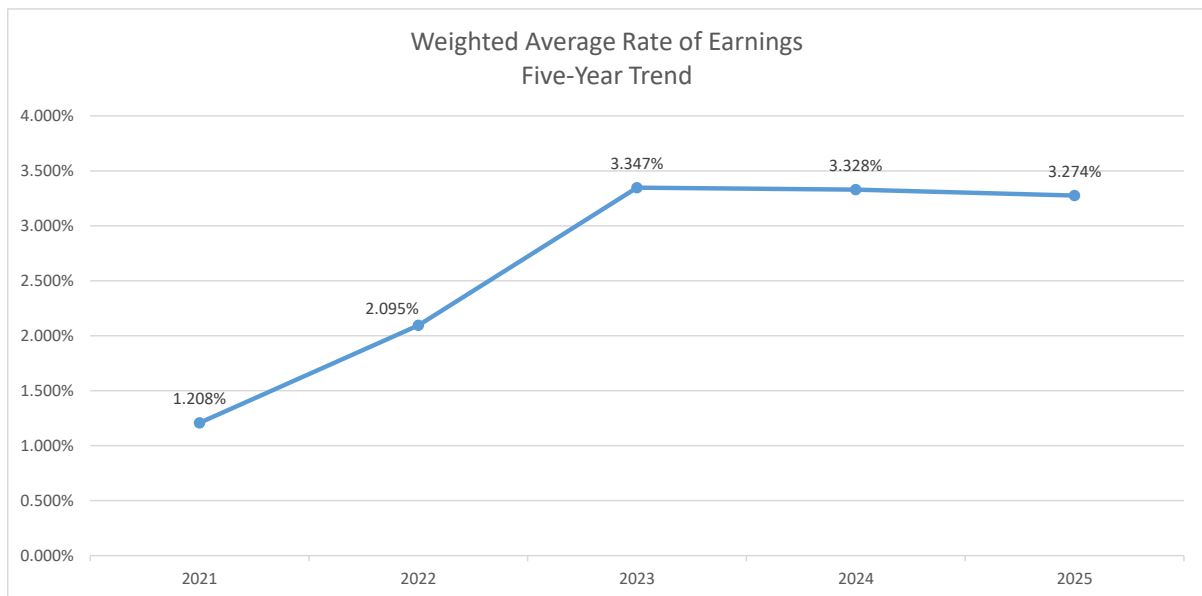
INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1006	LOCAL AGENCY INVESTMENT FUND \$	9,843,025	\$ 9,843,025	4.340%	DAILY	DAILY	1
1104	CSJVRMA INVESTMENT FUND	7,760,684	7,991,908	3.270%	DAILY	DAILY	30
866	TULARE COUNTY INVESTMENT POOL	10,642,047	10,642,047	3.940%	DAILY	DAILY	30
90262Y802	US TREASURY MONEY MARKET FUND	7,050,945	7,050,945	4.090%	DAILY	DAILY	1
CA-01-0026	CALIFORNIA CLASS	7,183,891	7,183,891	4.188%	DAILY	DAILY	1
	CORNERSTONE MAIN PARTNERS, L.P.	2,778,511	2,778,511	2.400%	12/12/2018	11/30/2038	4,809
3130AQJJ3	FEDERAL HOME LOAN BANKS	1,000,000	993,680	1.250%	1/26/2022	1/26/2026	118
3130AKXB7	FEDERAL HOME LOAN BANKS	2,000,000	1,976,060	0.580%	3/18/2021	2/11/2026	134
3130ALGJ7	FEDERAL HOME LOAN BANKS	975,000	961,974	1.000%	3/23/2021	3/23/2026	174
3133EMUK6	FEDERAL FARM CREDIT BANKS	1,000,000	986,150	1.050%	3/25/2021	3/25/2026	176
3130ALS62	FEDERAL HOME LOAN BANKS, STEPUP	1,000,000	990,750	1.500%	3/30/2021	3/30/2026	181
3130AM3R1	FEDERAL HOME LOAN BANKS	1,000,000	983,670	1.000%	4/29/2021	4/29/2026	211
3134GXXF6	FEDERAL HOME LOAN MORTGAGE COF	1,000,000	996,970	3.500%	6/28/2022	6/26/2026	269
3130ASD71	FEDERAL HOME LOAN BANKS	1,000,000	996,630	3.200%	6/29/2022	6/29/2026	272
3130ANM64	FEDERAL HOME LOAN BANKS	1,000,000	976,340	1.000%	8/26/2021	8/26/2026	330
3130ANUN8	FEDERAL HOME LOAN BANKS	2,000,000	1,949,920	1.040%	9/21/2021	9/21/2026	356
3130ANUX6	FEDERAL HOME LOAN BANKS	1,000,000	975,040	1.100%	9/28/2021	9/28/2026	363
3130APCH6	FEDERAL HOME LOAN BANKS	1,000,000	974,870	1.125%	9/29/2021	9/29/2026	364
3130APDK8	FEDERAL HOME LOAN BANKS	1,000,000	973,290	1.100%	9/30/2021	9/30/2026	365
3130B2VY8	FEDERAL HOME LOAN BANKS	1,000,000	1,000,000	4.270%	9/25/2024	10/1/2026	366
3130APC11	FEDERAL HOME LOAN BANKS	1,000,000	974,450	1.250%	10/26/2021	10/26/2026	391
3130APDQ5	FEDERAL HOME LOAN BANKS	1,000,000	974,350	1.250%	10/28/2021	10/28/2026	393
3130APG82	FEDERAL HOME LOAN BANKS	1,000,000	986,370	0.850%	11/2/2021	10/28/2026	393
3130APTJ4	FEDERAL HOME LOAN BANKS	1,000,000	972,610	1.250%	11/24/2021	11/24/2026	420
3130APU37	FEDERAL HOME LOAN BANKS	1,000,000	972,130	1.300%	11/24/2021	11/24/2026	420
3130AQ7F4	FEDERAL HOME LOAN BANKS	1,500,000	1,461,870	1.600%	12/30/2021	12/30/2026	456
3130AQ5Q2	FEDERAL HOME LOAN BANKS	2,000,000	1,946,760	1.500%	12/30/2021	12/30/2026	456
3133ENNG1	FEDERAL FARM CREDIT BANKS	2,000,000	1,951,540	1.860%	2/8/2022	2/8/2027	496
3130AQRH8	FEDERAL HOME LOAN BANKS	1,000,000	977,070	2.000%	2/25/2022	2/25/2027	513
3130ARA76	FEDERAL HOME LOAN BANKS	2,000,000	1,958,280	2.250%	3/30/2022	3/30/2027	546
3130ARU74	FEDERAL HOME LOAN BANKS	1,000,000	991,650	3.375%	5/17/2022	5/17/2027	594
3130ARUX7	FEDERAL HOME LOAN BANKS	1,000,000	998,260	3.750%	5/19/2022	5/19/2027	596
3130ASD63	FEDERAL HOME LOAN BANKS	1,000,000	992,640	3.250%	6/28/2022	6/28/2027	636
3130ASFQ7	FEDERAL HOME LOAN BANKS	1,000,000	997,520	4.000%	6/29/2022	6/29/2027	637
3130ASPE3	FEDERAL HOME LOAN BANKS	1,000,000	999,150	4.300%	7/28/2022	7/28/2027	666
3133ENL32	FEDERAL FARM CREDIT BANKS	1,000,000	999,110	4.230%	9/8/2022	9/8/2027	708
3133ERSM4	FEDERAL FARM CREDIT BANKS	1,000,000	1,000,000	4.330%	9/10/2024	9/10/2027	710
3130B7TD6	FEDERAL HOME LOAN BANKS	1,950,000	1,946,120	4.125%	9/16/2025	9/10/2027	710
3134HAPM9	FEDERAL HOME LOAN MORTGAGE COF	1,000,000	998,430	3.600%	9/30/2024	9/30/2027	730
3133ERXY2	FEDERAL FARM CREDIT BANKS	1,000,000	1,001,720	4.000%	10/21/2024	10/21/2027	751
3130B6L38	FEDERAL HOME LOAN BANKS	1,000,000	999,850	4.600%	5/27/2025	5/24/2028	967
3133ETUD7	FEDERAL FARM CREDIT BANKS	1,000,000	999,850	4.320%	8/21/2025	8/21/2028	1,056
3134HAGR8	FEDERAL HOME LOAN MORTGAGE COF	500,000	497,825	4.000%	8/28/2024	8/28/2028	1,063
3130B7TN4	FEDERAL HOME LOAN BANKS	2,000,000	1,999,300	4.125%	9/17/2025	9/8/2028	1,074
3130B7QC1	FEDERAL HOME LOAN BANKS	2,000,000	1,999,140	4.250%	9/16/2025	9/23/2030	1,819
06748XQR5	BARCLAYS BANK	1,000,000	1,000,680	4.500%	9/12/2022	3/12/2026	163
89114TK84	TORONTO DOMINION BANK	2,000,000	1,962,860	1.050%	6/16/2021	3/16/2026	167
06368EWM0	BANK OF MONTREAL	2,000,000	1,967,580	1.220%	3/17/2021	3/17/2026	168
06048WV56	BANK OF AMERICA	1,000,000	995,260	4.000%	5/5/2022	5/5/2026	217
17290A3E8	CITIGROUP INC	1,000,000	975,670	1.250%	7/1/2021	7/1/2026	274
38150AHV0	GOLDMAN SACHS GROUP INC	1,000,000	971,460	1.400%	9/30/2021	9/30/2026	365
06055JGS2	BOFA	1,000,000	1,000,020	4.750%	10/31/2024	11/1/2027	762
61766YMT5	MORGAN STANLEY FIN	1,000,000	996,130	5.150%	1/20/2023	1/20/2028	842
25161FUC0	DEUTSCHE BANK	1,000,000	1,002,050	5.150%	2/13/2024	2/13/2029	1,232
63305MER8	NATIONAL BANK	1,000,000	999,780	5.000%	4/9/2025	4/9/2029	1,287
91159XAM7	U S BANCORP	1,000,000	1,004,570	5.050%	11/5/2024	11/5/2029	1,497
78014RA91	ROYAL BANK OF CANADA	1,000,000	1,005,030	5.000%	4/30/2025	4/30/2030	1,673
06168LAB4	CERTIFICATE OF DEPOSIT	244,000	243,995	4.150%	10/12/2022	10/14/2025	14
693963AB6	CERTIFICATE OF DEPOSIT	249,000	249,005	4.200%	10/14/2022	10/14/2025	14
178180GQ2	CERTIFICATE OF DEPOSIT	244,000	244,181	4.850%	11/9/2022	11/10/2025	41
05580AM92	CERTIFICATE OF DEPOSIT	248,000	246,418	2.750%	4/22/2022	4/22/2026	204
60425SKA6	CERTIFICATE OF DEPOSIT	249,000	249,744	4.400%	4/24/2023	4/24/2026	206
86158RBA6	CERTIFICATE OF DEPOSIT	249,000	250,601	4.700%	6/30/2023	6/30/2026	273
02007GWJ8	CERTIFICATE OF DEPOSIT	246,000	244,603	3.150%	7/21/2022	7/21/2026	294
682325DH5	CERTIFICATE OF DEPOSIT	250,000	252,545	4.800%	4/6/2023	10/6/2026	371

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
65504UAF4	CERTIFICATE OF DEPOSIT	248,000	248,032	4.500%	10/25/2024	11/9/2026	405
87165FE42	CERTIFICATE OF DEPOSIT	249,000	241,762	1.100%	11/12/2021	11/12/2026	408
07181JAU8	CERTIFICATE OF DEPOSIT	249,000	252,493	5.000%	11/22/2022	11/23/2026	419
14042TEH6	CERTIFICATE OF DEPOSIT	249,000	241,766	1.250%	12/8/2021	12/8/2026	434
89235MMH1	CERTIFICATE OF DEPOSIT	249,000	241,752	1.250%	12/9/2021	12/9/2026	435
052392CH8	CERTIFICATE OF DEPOSIT	248,000	251,524	4.950%	12/16/2022	12/16/2026	442
25844MAN8	CERTIFICATE OF DEPOSIT	247,000	249,003	4.400%	1/18/2023	1/19/2027	476
856285F63	CERTIFICATE OF DEPOSIT	246,000	239,806	1.800%	1/31/2022	2/1/2027	489
70962LBE1	CERTIFICATE OF DEPOSIT	249,000	242,195	1.700%	2/18/2022	2/18/2027	506
011852AD2	CERTIFICATE OF DEPOSIT	248,000	251,388	4.700%	3/8/2027	3/8/2027	524
02589ABQ4	CERTIFICATE OF DEPOSIT	245,000	239,101	2.000%	3/9/2022	3/9/2027	525
39573LDA3	CERTIFICATE OF DEPOSIT	245,000	239,382	2.100%	3/15/2022	3/15/2027	531
58404DNW7	CERTIFICATE OF DEPOSIT	248,000	244,560	2.800%	4/29/2022	4/29/2027	576
254673D94	CERTIFICATE OF DEPOSIT	246,000	243,997	3.200%	5/18/2022	5/19/2027	596
07371C6Y0	CERTIFICATE OF DEPOSIT	246,000	243,203	3.000%	6/15/2022	6/9/2027	617
38150VCG2	CERTIFICATE OF DEPOSIT	246,000	243,149	3.000%	6/15/2022	6/15/2027	623
50625LBN2	CERTIFICATE OF DEPOSIT	249,000	247,197	3.250%	6/15/2022	6/15/2027	623
472312AA5	CERTIFICATE OF DEPOSIT	249,000	253,278	4.700%	6/29/2023	6/29/2027	637
88413QDN5	CERTIFICATE OF DEPOSIT	245,000	243,282	3.300%	8/19/2022	8/19/2027	688
89789AAG2	CERTIFICATE OF DEPOSIT	248,000	252,846	4.700%	3/10/2023	9/10/2027	710
32022RSY4	CERTIFICATE OF DEPOSIT	249,000	247,800	3.400%	9/14/2022	9/14/2027	714
52470QBV5	CERTIFICATE OF DEPOSIT	249,000	248,275	3.500%	9/23/2022	9/23/2027	723
530520AB1	CERTIFICATE OF DEPOSIT	249,000	253,121	4.400%	1/17/2023	1/17/2028	839
30191MAJ6	CERTIFICATE OF DEPOSIT	249,000	252,850	4.300%	3/27/2024	3/27/2028	909
61776NPG2	CERTIFICATE OF DEPOSIT	250,000	252,977	4.150%	3/26/2025	3/27/2028	909
32082BGK9	CERTIFICATE OF DEPOSIT	250,000	252,085	4.000%	4/9/2025	4/10/2028	923
61690U4M9	CERTIFICATE OF DEPOSIT	250,000	254,440	4.400%	4/20/2023	4/20/2028	933
00224TAP1	CERTIFICATE OF DEPOSIT	249,000	254,505	4.550%	4/28/2023	4/28/2028	941
67054NBJ1	CERTIFICATE OF DEPOSIT	249,000	255,656	4.700%	5/30/2023	5/30/2028	973
29669XAT5	CERTIFICATE OF DEPOSIT	248,000	257,417	5.000%	9/20/2023	9/20/2028	1,086
00782JAC6	CERTIFICATE OF DEPOSIT	248,000	257,476	5.000%	9/27/2023	9/27/2028	1,093
23204HQW1	CERTIFICATE OF DEPOSIT	250,000	254,318	4.250%	2/26/2025	2/26/2029	1,245
1204	CERTIFICATE OF DEPOSIT	249,000	249,000	4.000%	4/24/2025	4/24/2030	1,667
1282	CERTIFICATE OF DEPOSIT	250,000	250,000	4.040%	6/21/2025	6/21/2030	1,725
1285	CERTIFICATE OF DEPOSIT	250,000	250,000	3.900%	4/29/2023	4/29/2028	942
1286	CERTIFICATE OF DEPOSIT	250,000	250,000	3.100%	6/25/2025	6/25/2027	633
1309	CERTIFICATE OF DEPOSIT	249,000	249,000	1.800%	2/14/2022	2/14/2027	502
1311	CERTIFICATE OF DEPOSIT	250,000	250,000	3.200%	6/23/2022	6/23/2027	631
1317	CERTIFICATE OF DEPOSIT	249,000	249,000	4.500%	12/13/2022	12/13/2027	804
1324	CERTIFICATE OF DEPOSIT	249,000	249,000	4.250%	1/11/2024	1/11/2029	1,199
1328	CERTIFICATE OF DEPOSIT	249,000	249,000	4.365%	3/25/2024	3/25/2029	1,272
1332	CERTIFICATE OF DEPOSIT	249,000	249,000	4.160%	6/12/2024	6/12/2027	620
1334	CERTIFICATE OF DEPOSIT	250,000	250,000	5.000%	7/31/2024	7/31/2029	1,400
1336	CERTIFICATE OF DEPOSIT	249,000	249,000	3.750%	9/17/2024	9/17/2029	1,448
1339	CERTIFICATE OF DEPOSIT	275,607	275,607	3.300%	12/27/2024	12/27/2029	1,549
1340	CERTIFICATE OF DEPOSIT	249,000	249,000	3.450%	12/4/2024	12/4/2029	1,526
1341	CERTIFICATE OF DEPOSIT	249,000	249,000	3.200%	1/8/2025	1/8/2030	1,561
1343	CERTIFICATE OF DEPOSIT	249,000	249,000	3.200%	1/23/2025	1/23/2028	845
1345	CERTIFICATE OF DEPOSIT	265,081	265,081	3.150%	6/9/2022	6/9/2027	617
1346	CERTIFICATE OF DEPOSIT	249,000	249,000	3.250%	6/21/2022	6/21/2027	629
1347	CERTIFICATE OF DEPOSIT	249,000	249,000	3.320%	7/21/2022	7/21/2027	659
1348	CERTIFICATE OF DEPOSIT	249,000	249,000	3.200%	7/20/2022	7/20/2027	658
1349	CERTIFICATE OF DEPOSIT	249,000	249,000	3.100%	8/30/2022	3/1/2026	152
1350	CERTIFICATE OF DEPOSIT	249,000	249,000	3.800%	10/28/2022	10/28/2025	28
1351	CERTIFICATE OF DEPOSIT	249,000	249,000	3.250%	11/30/2024	11/30/2026	426
1352	CERTIFICATE OF DEPOSIT	249,000	249,000	4.450%	11/28/2024	11/28/2025	59
1353	CERTIFICATE OF DEPOSIT	249,000	249,000	5.150%	12/12/2022	12/12/2027	803
1354	CERTIFICATE OF DEPOSIT	249,000	249,000	4.000%	12/22/2022	12/22/2025	83
1355	CERTIFICATE OF DEPOSIT	249,000	249,000	4.010%	2/2/2025	2/2/2026	125
1356	CERTIFICATE OF DEPOSIT	249,000	249,000	4.700%	4/3/2023	4/3/2026	185
1357	CERTIFICATE OF DEPOSIT	249,000	249,000	4.200%	4/12/2023	4/12/2028	925
1358	CERTIFICATE OF DEPOSIT	249,000	249,000	4.140%	4/25/2023	4/25/2027	572
1359	CERTIFICATE OF DEPOSIT	249,000	249,000	4.020%	6/24/2025	6/24/2027	632
1360	CERTIFICATE OF DEPOSIT	249,000	249,000	4.400%	6/2/2023	6/1/2028	975
1362	CERTIFICATE OF DEPOSIT	249,000	249,000	4.750%	2/13/2024	2/13/2029	1,232
1363	CERTIFICATE OF DEPOSIT	249,000	249,000	4.000%	3/1/2024	3/1/2028	883
1364	CERTIFICATE OF DEPOSIT	249,000	249,000	4.450%	5/8/2024	5/8/2029	1,316
1365	CERTIFICATE OF DEPOSIT	249,000	249,000	4.300%	6/14/2024	6/14/2028	988
1366	CERTIFICATE OF DEPOSIT	249,000	249,000	4.170%	7/9/2024	7/9/2027	647
1367	CERTIFICATE OF DEPOSIT	249,000	249,000	3.780%	9/27/2024	9/27/2029	1,458
1368	CERTIFICATE OF DEPOSIT	249,000	249,000	3.440%	1/23/2025	1/23/2030	1,576

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1369	CERTIFICATE OF DEPOSIT	249,000	249,000	3.910%	4/23/2025	4/23/2030	1,666
	TOTALS	\$ <u>126,109,791</u>	\$ <u>125,642,172</u>				
WEIGHTED AVERAGE RATE OF EARNINGS					% OF LIQUID PORTFOLIO		WEIGHTED AVERAGE DAYS TO
ONE YEAR HISTORY				CURRENT	HOLDINGS		MATURITY
9/30/2024	12/31/2024	3/31/2025	6/30/2025	9/30/2025	33.685%		506
3.328%	3.353%	3.347%	3.944%	3.274%			
WEIGHTED AVERAGE RATE OF EARNINGS							
FIVE YEAR HISTORY				CURRENT			
9/30/2021	9/30/2022	9/30/2023	9/30/2024	9/30/2025			
1.208%	2.095%	3.347%	3.328%	3.274%			

Comments:

Portfolio holdings as of September 30, 2025, are in compliance with the current Investment Policy. With 33.685% of the portfolio being held in liquid instruments, the cash needs of the City will be met. The next portfolio report will be calculated for the fourth calendar quarter ending December 31, 2025, and will be presented during the February 3, 2026 Council meeting.





CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Request for Proclamation - National Family Caregivers Month

SOURCE: Administrative Services

COMMENT: On December 19, 2023, the City Council amended the process for approving proclamations. Under this process, if more than two Council Members indicate interest in signing a requested proclamation, the item is placed on the consent calendar of the next scheduled City Council meeting for full Council consideration.

Valley Adult Day Services has requested a proclamation recognizing the month of November as “National Family Caregivers Month” in the City of Porterville. Council Member Beltran is sponsoring the request. Because more than two Council Members expressed interest in signing the proclamation, this item is presented for Council consideration in accordance with the adopted policy.

If approved, the proclamation will be prepared with the appropriate number of Council Member signature blocks and affixed with the City Seal.

RECOMMENDATION: That the City Council approve the request to proclaim the month of November 2025 as “National Family Caregivers Month” in the City of Porterville.

ATTACHMENTS: 1. Proclamation Request - National Family Caregivers Month - 2025

Appropriated/Funded:

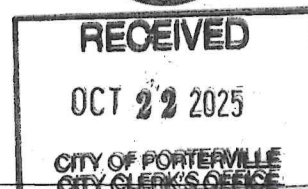
Review By:

Department Director:
Yuliana Andrade, Administrative Services Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



City of Porterville
REQUEST FOR PROCLAMATION



Date of Request: October 21, 2025

Name of Event/Individual: National Family Caregivers Month
i.e. "Porterville Tourism Week", "Mr. John Doe"

Name of Sponsoring Organization: Valley Adult Day Services

Name of Contact Person: Marina Chavez

Address: 227 E. Oak Avenue, Porterville, Ca 93257

Phone: 559-783-9815 Email: marina@valleyaduldayservices.org

I would like the proclamation: ☐ mailed ☒ call for pick up ☐ presented at an event

Date Needed: November 18, 2025 Date of Event: _____

Please attach a sample of your proclamation, or the pertinent information needed to formulate your proclamation. It is recommended that you submit your request at least four to six weeks in advance. If assistance is needed, or if you need a sample provided, or to return this form, contact:

Office of City Clerk
291 North Main Street
Porterville, CA 93257
(559) 782-7464 / Fax (559) 782-7452

Please be advised that a Proclamation is ceremonial in nature and does not convey official legislative action. The City reserves the right to correct grammar and spelling; to reject all advocacy of unlawful acts; and to reject all discriminatory language.

City Clerk's Section

Request Received by: Fernando Routed by: Fernando Date: 10/22/25

Granted by Council Member: Beltran Date: 10/22/25

Signatures: Beltran, McKeeney, Knas, Green

Date Requestor Notified of Completion: _____ in writing ☐ by phone ☐

Comments: _____

WHEREAS: family caregivers are the cornerstone of our communities, providing compassionate care and unwavering support to aging parents, children with disabilities, spouses, and other loved ones in need; and

WHEREAS: millions of Americans each year make countless personal and financial sacrifices to ensure their loved ones can live with dignity and independence in their homes and communities; and

WHEREAS: the City of Porterville recognizes the tireless dedication and selflessness service of family caregivers, whose care enhances the quality of life for those they assist and strengthens the social fabric of our community; and

WHEREAS: National Family Caregiver Month provides an opportunity to honor, celebrate, and support the many caregivers who give so much of themselves, and to raise awareness of the resources available to them; and

WHEREAS: local organizations such as Valley Adult Day Services continue to provide vital programs, respite opportunities, and education to assist caregivers and ensure they do not face their challenges alone; and

NOW, THEREFORE, I, GREG MEISTER, Mayor of the City of Porterville, on behalf of the Porterville City Council, do hereby proclaim November 2025, as,

“NATIONAL FAMILY CAREGIVERS MONTH”

in the City of Porterville and encourage all citizens to join in recognizing, celebrating, and supporting the extraordinary caregivers who strengthen our families and our community every day.

PROCLAIMED this 1st day of November, 2025.



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Reappointment to the Library and Literacy Commission

SOURCE: Administrative Services

COMMENT: The Library and Literacy Commission is a seven-member advisory body to the City Council that provides recommendations on library and literacy programs, policies, and community services.

Commissioner Susan Uptain has actively served on the Library and Literacy Commission, with her current term expiring on October 31, 2025.

Commissioner Uptain has submitted a request for reappointment and expressed her continued interest in serving another term.

Staff recommends the following action to maintain quorum and ensure continuity of Commission operations. Recruitment for remaining vacancies will continue, and staff will return to City Council with additional recommendations as applications are received.

RECOMMENDATION: That the City Council reappoint Susan Uptain to the Library and Literacy Commission for a term expiring October 31, 2028.

ATTACHMENTS: 1. Request for Appointment: Susan Uptain

Appropriated/Funded:

Review By:

Department Director:
Yuliana Andrade, Administrative Services Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

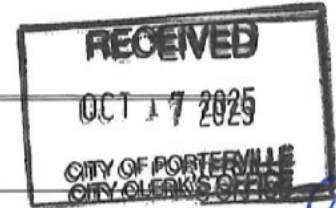


CITY OF PORTERVILLE REQUEST FOR APPOINTMENT



Please complete all blanks.

Name: Susan Uptain
(Please Print)



Appointment to: Library Commission
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, Please provide:

Street Address: _____

Mailing Address: _____

Name of Business: _____

☐ Own ☐ Operate

Business Address: _____

Telephone: Home _____

Work retired

FAX -

E-mail _____

City of Porterville Resident:

☒ Yes

☐ No

Select District:

☐ 1 ☐ 2 ☐ 3

☒ 4 ☐ 5

I think

Registered Voter:

☒ Yes

☐ No

Qualifications: (It is recommended that a resume or letter accompany this form.)

Please tell us why you are interested in this position.

☐ Resume attached

☐ Letter of request attached

Submitted By:



10-1-25
Date

Received by:

Fernando Gabriel Marquez

Forwarded to: City Clerk

☒

Date: 10/17/25

City Council

☐

Date: _____

Staff Liaison

☐

Date: _____

Tentative Council Mtg Date:

11/4/25



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Cancellation of First City Council Meetings in January and July 2026

SOURCE: City Manager's Office

COMMENT: The first regularly scheduled City Council meetings in January and July 2026 fall on January 6 and July 7, respectively. Historically, the City Council has canceled the first meetings in these months when they coincide with the New Year's and Independence Day holiday periods.

Canceling these meetings would provide flexibility for staff and the community during peak holiday and travel periods and would not affect the City's ability to conduct essential business. If time-sensitive matters arise requiring Council action, a special meeting may be scheduled to ensure timely consideration.

This action is administrative in nature and consistent with past Council practice.

RECOMMENDATION: That the City Council:

1. Cancel the regularly scheduled City Council meeting of January 6, 2026, due to its proximity to the New Year's holiday; and
2. Cancel the regularly scheduled City Council meeting of July 7, 2026, due to its proximity to the Independence Day holiday.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Status and Review of Declaration of Local Flood Emergency

SOURCE: City Manager's Office

COMMENT: On March 13, 2023, former Mayor Martha A. Flores, in conjunction with Acting City Manager Patrice Hildreth, declared the existence of a local emergency within the City of Porterville. This declaration was made pursuant to Chapter 9 of the Porterville Municipal Code and in response to a series of storm systems impacting the Porterville area, increasing flows in the Tule River and posing a significant threat to life and property. The City Council ratified the declaration at its Special Meeting on March 17, 2023, in accordance with the California Emergency Services Act (Government Code § 8558 et seq.). Per State requirements, the declaration must be renewed every sixty (60) days to remain in effect. At its most recent meeting on October 21, 2025, the Council renewed the emergency declaration.

Staff continues to work with FEMA to resolve outstanding claims and identify a timeline and path forward. In an effort to reduce the size of the agenda binder while still keeping the Council informed, staff is including only the most current Armory Census as an attachment to this report. Once the declaration of local flood emergency is officially concluded, and in coordination with FEMA guidance, staff will prepare a final close-out report that includes all supporting documentation and attachments currently on file.

Chronology of Emergency Response Actions:

- March 10–19, 2023: Tulare County Sheriff and City officials issued a series of evacuation warnings and mandatory orders due to rising water levels and flood threats, including areas near Success Lake, River Springs Drive, and Rio Vista Avenue.
- March 13, 2023: The City declared a Local Emergency.
- March 15–25, 2023: City Public Works performed extraordinary flood mitigation efforts. Evacuation orders were adjusted based on river activity.
- March 17, 2023: The City Council ratified the emergency declaration.
- April 11, 2023: The Temporary Evacuation Point (TEP) and Emergency Shelter relocated from Porterville College to the Porterville Armory.

- April 14–May 5, 2023: The City and County executed an MOU to continue Armory TEP operations without Cal OES funding.
- May 5, 2023: The City assumed full operational and financial responsibility for the Armory site.
- May 16, 2023: The Council approved a one-year no-cost license agreement for exclusive use of the Armory.
- April–July 2023:
 - Council approved emergency expenditures including water rescue equipment, mobile ADA-compliant restrooms, and flood mitigation services.
 - Due to contract violations, TopKnotch Security was terminated and replaced by Good Guard Security for ongoing Armory safety services.
- State and Federal Declarations:
 - Governor Newsom issued Executive Orders N-6-23, N-7-23, and N-10-23 to support flood response and recovery.
 - President Biden’s Major Disaster Declaration (April 3, 2023) activated federal recovery funding; FEMA formally closed the incident period on July 10, 2023.

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.

ATTACHMENTS: 1. Armory Census

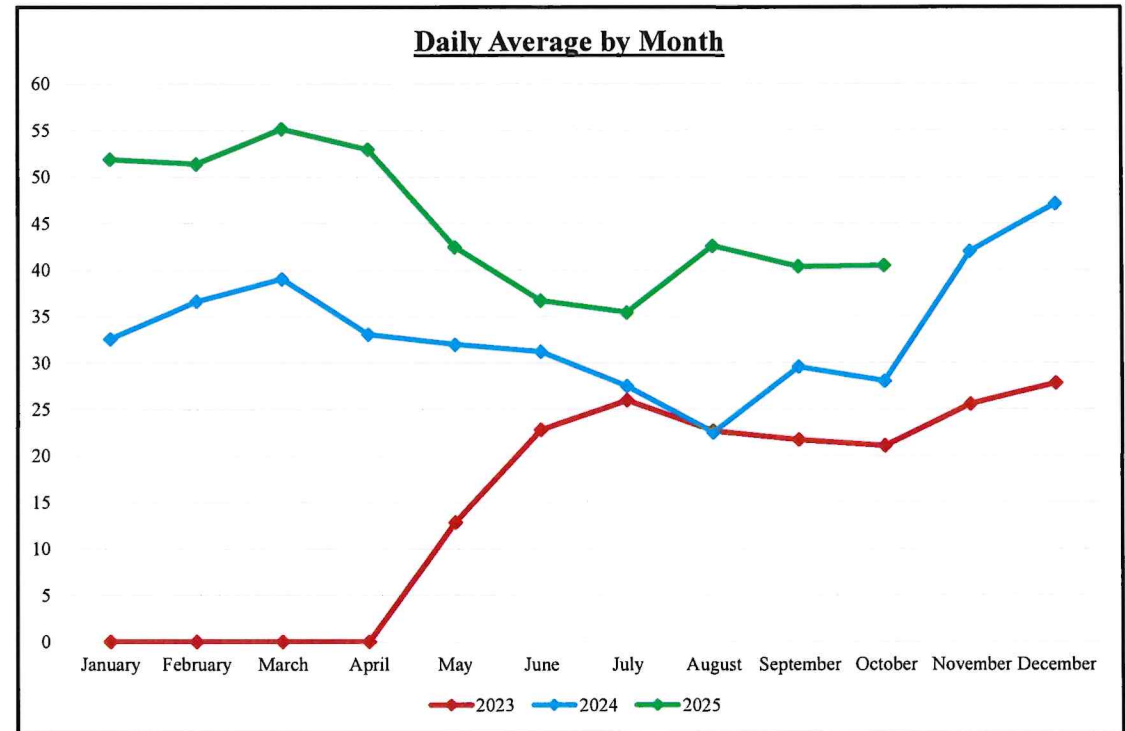
Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

Daily Average by Month (Adults Only)			
	2023	2024	2025
January	-	32.55	51.87
February	-	36.59	51.36
March	-	39.00	55.13
April	-	33.03	52.93
May	12.85	31.97	42.45
June	22.80	31.20	36.70
July	25.97	27.48	35.42
August	22.68	22.48	42.55
September	21.70	29.53	40.33
October	21.03	28.00	40.44
November	25.53	41.97	-
December	27.77	47.06	-





CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Adoption of the 2025 California Fire Code

SOURCE: Fire

COMMENT: The 2025 California Fire Code will become State-mandated on January 1, 2026. Each jurisdiction has the opportunity to adopt the Fire Code and incorporate local amendments tailored to local conditions. The Fire Code is updated every three years to reflect advances in materials, construction practices, and fire safety standards.

As is done with each code cycle, staff recommends that the City Council adopt the 2025 Edition of the California Fire Code by reference and amend Chapter 12, Article 1 of the Porterville Municipal Code to remain consistent with current State standards. The proposed Ordinance eliminates redundant language and makes minor updates to reflect local administrative procedures. No additional local provisions beyond those listed in the attached ordinance are being proposed.

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing to receive input regarding the adoption of the 2025 Edition of the California Fire Code; and
2. Approve the draft ordinance; give first reading by title only, and order the Ordinance to print; and
3. Waive further reading and schedule the second reading and adoption for the next regular City Council meeting.

ATTACHMENTS:

1. Draft Ordinance – 2025 California Fire Code (Strike-Through Version)
2. Draft Ordinance – 2025 California Fire Code (Final Version)

Appropriated/Funded:

Review By:

Department Director:

Bryan Cogburn, Fire Chief

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

ORDINANCE NO. _____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING CHAPTER 12, ARTICLE 1 OF THE CODE OF THE CITY OF
PORTERVILLE ADOPTING BY REFERENCE EXCEPT AS OTHERWISE PROVIDED
IN THIS ARTICLE, THE 2022 2025 EDITION OF THE CALIFORNIA FIRE CODE
ALONG WITH DESIGNATED APPENDICES, PUBLISHED BY THE INTERNATIONAL
CODE COUNCIL

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. That Chapter 12, Article 1, of the Porterville city code is hereby amended to read as follows:

12-1.1: CALIFORNIA FIRE CODE ADOPTION:

A. Adoption: There is hereby adopted by the Council of the City of Porterville for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the California Fire Code, published by the International Code Council being particularly the 2022 2025 edition thereof together with the following appendices thereto: 4, B, BB, C, CC, D, E, F, G, H, I, J, O, and P to all intents and purposes and to the same effect as if each and every sentence, paragraph, word and clause in said codes mentioned are referred to herein or therein were fully and specifically set forth herein, are hereby adopted and enacted by the Council of the City of Porterville as amended and changed as follows:

B. Fire Code Amendments:

1. Section [A] 103.1 is amended to read as follows:

[A] 103.1 Creation of agency. The ~~BUREAU OF FIRE PREVENTION~~ **PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION** is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

2. Section [A] 105.1.1 is amended to read as follows:

[A] 105.1.1 Permits required. A property owner or owner's authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application to the **Porterville** Building Department and obtain the required permit.

3. Section ~~444~~ **112** Means of Appeals is removed and replaced by Porterville City Code Section 12-1.7.

4. Section ~~[A]112.4~~ [A]113.4 is amended to read as follows:

~~[A]112.4~~ [A]113.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding one hundred eighty days (180) or six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Alternatively, the City of Porterville reserves the right to enforce violations of this code utilizing the Administrative Citation process outlined in Chapter 2, Article 14 of the Porterville City Code.

5. Section 311.1.1 is amended to read as follows:

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the 1997 Code for the Abatement of Dangerous Buildings, as adopted by reference in Section 7-80 of the Porterville City Code, and the California Building Code.

6. The Exception 1. to Section 603.5.2 is deleted, Exception 2. is amended to read:

2. Current taps and relocatable power taps shall not be required to connect directly to a permanently installed receptacle outlet, where used for 90 days or less for the purpose of testing the performance of such devices. This exception shall only apply to research conducted in a proper occupancy, under controlled conditions, in a facility that is protected by an automatic fire sprinkler system.

7. Appendix C, Section C103.1 is amended to read as follows:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, **they shall be on a looped system**, the distance between required fire hydrants shall be spaced at no greater than three hundred (300) feet in commercial, multi-family, or mixed-use applications and no greater than five hundred

(500) feet in single-family residential applications. Where a single hydrant is required, it shall be placed in a location approved by the fire code official.

8. Appendix CC, Section CC105.1 is amended to read as follows:

CC105.1 The spacing between fire hydrants shall comply with Section C103.1 as amended.

9. Appendix CC, Section CC105.2 is deleted.

10. The Exception to Section D104.2 of Appendix D is deleted.

11. Appendix D, Section D103.5 is amended to read:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 16 feet (4877 mm).

12. The Exception to Section D106.1 of Appendix D is deleted.

13. Appendix D, Section D107.1 is amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. Developments of one- or two-family dwellings where the number of dwelling units does not exceed 30 may be required to provide two separate and approved fire apparatus access roads.

14. Exceptions 1 and 2 of section D107.1 of Appendix D are deleted.

~~15. Chapter 1, Section 111 112; Chapter 36; Appendix A; Appendix K; Appendix L; Appendix M; and Appendix N are deleted. (Moved to item number 19)~~

15. Section 3304.3 (Site Security) is added to read as follows:

3304.3 Site Security. Where required by the fire code official or building official, sites under a valid permit for construction, demolition, rehabilitation, or repair, may be required to install adequate site security

to a level that would discourage the attractive nuisance and curiosity of vagrants, children, or persons of immoral character from gaining access.

16. Section 505.1.1 ("Rear Addressing") is added to read as follows:

505.1.3 Rear Addressing. When required by the fire code official, approved numbers or addresses shall be placed on all new and existing buildings and rear suite doors in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide an acceptable vehicular access. Number stroke and size shall comply with 505.1.

17. Section 505.1.2 ("Accessory Dwelling Unit Addressing") is added to read as follows:

505.1.2 Accessory Dwelling Unit Addressing. A detached accessory dwelling unit shall have a designated address. The address shall be the same Arabic numerals as the primary residence followed by the alphabetic letters identifying the accessory dwelling unit as "Unit A". Example: The primary residence is addressed as 123 Blank Street. The detached accessory dwelling unit shall be addressed as "123 Blank Street Unit A".

Addressing signage shall be affixed to the ADU structure next to the main entry door and shall meet all applicable requirements as outlined in all sections and subsections of Chapter 5 as amended or as otherwise directed by the fire code official.

For ADUs with addressing that cannot be viewed from the public way, addressing signage shall be installed in a manner visible from the street frontage and shall meet all applicable requirements as outlined in Chapter 5 subsections 505.1 through 505.2 as amended or as otherwise directed by the fire code official.

18. Section 606.2 ("Where Required") is amended to read as follows:

606.2 Where required. A Type I hood shall be required to be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease laden vapors. Cooking facilities in assembly occupancies, B occupancies containing kitchen cooking appliances, bed & breakfast, care facilities, community centers, congregate residences and/or other similar uses as determined by the fire code official shall be considered commercial operations. Protection of commercial cooking equipment shall be by means of an automatic fire-extinguishing system complying with UL-300, or another approved standard, that is listed and labeled for its intended use.

All Type I hood systems shall have a horn strobe device installed as a means of audible and visual notification. The horn strobe shall be

activated by actuation of the system. Where a fire alarm is provided in a building, then the kitchen hood extinguishing system shall be connected to the fire alarm system and all other applicable Codes and Standards shall apply so that the actuation of the extinguishing system will sound the fire alarm and upon activation of the system, an audible alarm horn and visual indicator strobe at the same location shall be provided

19. Chapter 1, Section 444-112; Chapter 36; Appendix A; Appendix K; Appendix L; Appendix M; and Appendix N are deleted.

C. Fire Code Copy On File: One (1) copy has been and now is filed in the Office of the Fire Marshal of the City of Porterville and the same hereby adopted with the amendments herein set forth and incorporated as fully as if at length herein and provisions thereto shall be controlling within the limits of the City of Porterville. (Ord. 1865, 11-19-2019)

12-1.1.1: SEVERABILITY:

If any provision of this article or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this article that can be given effect without the invalid provision of application, and to this end the provisions of this article are severable. (Ord. 1865, 11-19-2019)

12-1.2: ~~BUREAU OF~~ CITY OF PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION; ESTABLISHED; SUPERVISION; ENFORCEMENT OF CHAPTER:

The Fire Code adopted by section 12-1.1 of this article shall be enforced by the ~~Bureau of Fire Prevention~~ City of Porterville Fire Prevention Division in the Fire Department of the City which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department. (Ord. 1865, 11-19-2019)

12-1.3: ~~BUREAU OF~~ CITY OF PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION; FIRE MARSHAL IN CHARGE:

The Fire Marshal, named and appointed by the Chief of the Fire Department, shall be in charge of the ~~Bureau of Fire Prevention~~ City of Porterville Fire Prevention Division. (Ord. 1865, 11-19-2019)

12-1.4: ~~BUREAU OF~~ CITY OF PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION; MEANING OF TERM FIRE MARSHAL:

Where the Chief of the ~~Bureau of Fire Prevention~~ City of Porterville Fire Prevention Division is given the title "Fire Marshal" the words "Chief of the ~~Bureau of Fire Prevention~~ City of Porterville Fire Prevention Division " shall be held to mean the Fire Marshal who is the fire code official. (Ord. 1865, 11-19-2019)

12-1.5: APPLICABILITY OF COUNTY AIR POLLUTION RULES AND REGULATIONS TO ALL BURNING:

All burning within the City of Porterville shall comply with the rules and regulations of the Air Pollution Control District, County of Tulare, and State of California. (Ord. 1865, 11-19-2019)

12-1.6: STORAGE, OPERATION AND USE OF LIQUEFIED PETROLEUM GASES:

Nothing contained in the referenced edition of the Fire Code shall be construed as to exempt any person, firm or corporation from complying with all applicable regulations and restrictions of the zoning ordinance of the City of Porterville regarding the storage, operation and use of liquefied petroleum gases (LPG). LPG may be used as a second fuel for emergency generators as permitted by the Fire Code. LPG will also be permitted for fueling mobile equipment. (Ord. 1865, 11-19-2019)

12-1.7: APPEALS FROM ADMINISTRATIVE DECISIONS:

Whenever the Chief of the Fire Department or the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions or intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not apply, or an equally good or better form of construction is proposed, or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department or the Fire Marshal ~~to~~ **may be made to the following board. The local fire board of appeals shall consist of five fire code officials, or their designee, from the following jurisdictions: Tulare County Fire, Kings County Fire, Visalia, Tulare, Dinuba and Fresno City. The City of Porterville fire code official shall serve as an ex officio and this appeals board shall only convene as needed. As an alternative to the appeals board listed above, the applicant may appeal to the California Office of the State Fire Marshal (OSFM) within thirty (30) days from the date of the decision. An appeal to the OSFM shall not be for relief from the appeals board. Should an applicant opt to appeal to the OSFM in lieu of the appeals board** ~~the~~ the decision of the State Fire Marshal shall be final. (Ord. 1865, 11-19-2019)

12-1.8: OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES:

- A. All open burning, recreational fires and portable outdoor fireplaces shall comply with the requirements set forth in the California Fire Code.
- B. Nothing within this article shall be construed as exempting a person from complying with the requirements set forth with San Joaquin Valley Air Pollution Control District.
- C. Landowners must implement best management practices or reasonable alternatives to open burning for controlling and disposing of tumbleweeds on their property as set forth with San Joaquin Air Pollution Control District. A burn permit may be issued for burning tumbleweeds once the district has deemed that the only disposal method for the site is by open burning and the smoke will not affect smoke sensitive areas or contribute to a nuisance.

D. Permits are to be issued by SJVAPCD and permittee must comply with all requirements. Permittee must also notify the City of Porterville Fire Department prior to burning. (Ord. 1865, 11-19-2019)

12-1.9: PERMITS FOR NEW MATERIALS, PROCESSES OR OCCUPANCIES:

The City Manager, Chief of the Fire Department and the Chief of the ~~Bureau of Fire Prevention~~ **City of Porterville Fire Prevention Division** shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in such Code. The Chief of the ~~Bureau of Fire Prevention~~ **City of Porterville Fire Prevention Division** shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons. (Ord. 1865, 11-19-2019)

12-1.10: VIOLATIONS; PENALTIES:

Any person who shall violate any of the provisions of the Fire Code adopted by section [12-1.1](#) of this article, or its amendments, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the State Fire Marshal or by a court of competent jurisdiction, within the time fixed herein, and any person violating any of the terms and provisions of this chapter with its amendments, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment of not more than six (6) months in the City or County Jail, or by both such fine and imprisonment. Alternatively, the City of Porterville reserves the right to enforce violations of this code utilizing the Administrative Citation process outlined in Chapter 2, Article 14 of the Porterville City Code. (Ord. 1865, 11-19-2019)

12-1.11: INTERFERENCE WITH OPERATION OR WORK OF FIRE DEPARTMENT 1 :

It shall be unlawful for any person to interfere with any operation or work of the Fire Department of the City of Porterville or any of the members thereof while the same are **engaged in work, training, or any other recognized, or authorized activity, or while** responding to or operating at the same ~~or~~ of any fire or other emergency within the City of Porterville. (Ord. 1865, 11-19-2019)

Proposed Porterville City Code addition:

§ 12-1.12 FIRE LANES ON PRIVATE PROPERTY.

The Fire Chief, Fire Code Official, or their authorized representative, is hereby authorized to prohibit the parking of vehicles or other device on those portions of private streets, alleys and parking lots which have been deemed necessary in order to provide

adequate fire protection to such private property, pursuant to Section 504.4 of the 2025 California Fire Code, as adopted by the City of Porterville.

(A) It shall be unlawful for any person to stop, stand, or park any vehicle or other device on the private property of another where the owner of the property has, under the requirement of the Fire Chief, Fire Code Official, or their authorized representative, identified and required the marking of certain areas in accordance with the 2025 California Fire Code as adopted, sections 503.3 & D103.6. In addition to the signage requirements there shall also be a red painted curb marked with white lettering indicating "NO PARKING – FIRE LANE".

(B) In addition to the penalties associated with California Vehicle Code Section 22500.1, alternatively, or concurrent with a citation issued under that section, authorized Porterville City Officers and employees may enforce this ordinance through the Administrative Citation procedure outlined in Porterville City Code, Chapter 2, Article XIV. For the purpose of this violation, the fine amounts shall follow those amounts issued for Building and Life Safety violations.

(C) A designated fire lane shall not serve as the main entrance to a building, development, or facility if doing so would block emergency vehicle access. While the two can exist side-by-side or in parallel, the design must ensure that the fire lane remains unobstructed at all times. This ordinance shall not alleviate the requirement for secondary Fire Apparatus Access where required.

(D) An authorized and approved emergency vehicle as defined by the California Vehicle Code shall be exempt from the enforcement of this section when the vehicle and operator are recognized as in-service and on-duty.

C. Ordinance No. ~~1865~~ 1898 of the Municipal Code of the City of Porterville is hereby repealed.

D. This Ordinance shall be in full force and in effect on January 1, ~~2023~~ 2025.

PASSED, APPROVED AND ADOPTED this 1st day of November, ~~2022~~ 2025.

By: _____
Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

By: _____
Fernando Gabriel-Moraga, Chief Deputy City Clerk

ORDINANCE NO. _____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING CHAPTER 12, ARTICLE 1 OF THE CODE OF THE CITY OF
PORTERVILLE ADOPTING BY REFERENCE EXCEPT AS OTHERWISE PROVIDED
IN THIS ARTICLE, THE 2025 EDITION OF THE CALIFORNIA FIRE CODE ALONG
WITH DESIGNATED APPENDICES, PUBLISHED BY THE INTERNATIONAL CODE
COUNCIL

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. That Chapter 12, Article 1, of the Porterville city code is hereby amended to read as follows:

12-1.1: CALIFORNIA FIRE CODE ADOPTION:

A. Adoption: There is hereby adopted by the Council of the City of Porterville for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the California Fire Code, published by the International Code Council being particularly the 2025 edition thereof together with the following appendices thereto: 4, B, BB, C, CC, D, E, F, G, H, I, J, O, and P to all intents and purposes and to the same effect as if each and every sentence, paragraph, word and clause in said codes mentioned are referred to herein or therein were fully and specifically set forth herein, are hereby adopted and enacted by the Council of the City of Porterville as amended and changed as follows:

B. Fire Code Amendments:

1. Section [A] 103.1 is amended to read as follows:

[A] 103.1 Creation of agency. The PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

2. Section [A] 105.1.1 is amended to read as follows:

[A] 105.1.1 Permits required. A property owner or owner's authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application to the Porterville Building Department and obtain the required permit.

3. Section 112 Means of Appeals is removed and replaced by Porterville City Code Section 12-1.7.

4. Section [A]113.4 is amended to read as follows:

[A]113.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding one hundred eighty days (180) or six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Alternatively, the City of Porterville reserves the right to enforce violations of this code utilizing the Administrative Citation process outlined in Chapter 2, Article 14 of the Porterville City Code.

5. Section 311.1.1 is amended to read as follows:

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the 1997 Code for the Abatement of Dangerous Buildings, as adopted by reference in Section 7-80 of the Porterville City Code, and the California Building Code.

6. The Exception 1. to Section 603.5.2 is deleted, Exception 2. is amended to read:

2. Current taps and relocatable power taps shall not be required to connect directly to a permanently installed receptacle outlet, where used for 90 days or less for the purpose of testing the performance of such devices. This exception shall only apply to research conducted in a proper occupancy, under controlled conditions, in a facility that is protected by an automatic fire sprinkler system.

7. Appendix C, Section C103.1 is amended to read as follows:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, they shall be on a looped system, the distance between required fire hydrants shall be spaced at no greater than three hundred (300) feet in commercial, multi-family, or mixed-use applications and no greater than five hundred

(500) feet in single-family residential applications. Where a single hydrant is required, it shall be placed in a location approved by the fire code official.

8. Appendix CC, Section CC105.1 is amended to read as follows:

CC105.1 The spacing between fire hydrants shall comply with Section C103.1 as amended.

9. Appendix CC, Section CC105.2 is deleted.

10. The Exception to Section D104.2 of Appendix D is deleted.

11. Appendix D, Section D103.5 is amended to read:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 16 feet (4877 mm).

12. The Exception to Section D106.1 of Appendix D is deleted.

13. Appendix D, Section D107.1 is amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. Developments of one- or two-family dwellings where the number of dwelling units does not exceed 30 may be required to provide two separate and approved fire apparatus access roads.

14. Exceptions 1 and 2 of section D107.1 of Appendix D are deleted.

15. Section 3304.3 (Site Security) is added to read as follows:

3304.3 Site Security. Where required by the fire code official or building official, sites under a valid permit for construction, demolition, rehabilitation, or repair, may be required to install adequate site security to a level that would discourage the attractive nuisance and curiosity of vagrants, children, or persons of immoral character from gaining access.

16. Section 505.1.1 ("Rear Addressing") is added to read as follows:

505.1.3 Rear Addressing. When required by the fire code official, approved numbers or addresses shall be placed on all new and existing buildings and rear suite doors in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide an acceptable vehicular access. Number stroke and size shall comply with 505.1.

17. Section 505.1.2 ("Accessory Dwelling Unit Addressing") is added to read as follows:

505.1.2 Accessory Dwelling Unit Addressing. A detached accessory dwelling unit shall have a designated address. The address shall be the same Arabic numerals as the primary residence followed by the alphabetic letters identifying the accessory dwelling unit as "Unit A". Example: The primary residence is addressed as 123 Blank Street. The detached accessory dwelling unit shall be addressed as "123 Blank Street Unit A".

Addressing signage shall be affixed to the ADU structure next to the main entry door and shall meet all applicable requirements as outlined in all sections and subsections of Chapter 5 as amended or as otherwise directed by the fire code official.

For ADUs with addressing that cannot be viewed from the public way, addressing signage shall be installed in a manner visible from the street frontage and shall meet all applicable requirements as outlined in Chapter 5 subsections 505.1 through 505.2 as amended or as otherwise directed by the fire code official.

18. Section 606.2 ("Where Required") is amended to read as follows:

606.2 Where required. A Type I hood shall be required to be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease laden vapors. Cooking facilities in assembly occupancies, B occupancies containing kitchen cooking appliances, bed & breakfast, care facilities, community centers, congregate residences and/or other similar uses as determined by the fire code official shall be considered commercial operations. Protection of commercial cooking equipment shall be by means of an automatic fire-extinguishing system complying with UL-300, or another approved standard, that is listed and labeled for its intended use.

All Type I hood systems shall have a horn strobe device installed as a means of audible and visual notification. The horn strobe shall be activated by actuation of the system. Where a fire alarm is provided in a building, then the kitchen hood extinguishing system shall be connected to the fire alarm system and all other applicable Codes and Standards shall apply so that the actuation of the extinguishing system will sound

the fire alarm and upon activation of the system, an audible alarm horn and visual indicator strobe at the same location shall be provided

19. Chapter 1, Section 112; Chapter 36; Appendix A; Appendix K; Appendix L; Appendix M; and Appendix N are deleted.

C. Fire Code Copy On File: One (1) copy has been and now is filed in the Office of the Fire Marshal of the City of Porterville and the same hereby adopted with the amendments herein set forth and incorporated as fully as if at length herein and provisions thereto shall be controlling within the limits of the City of Porterville. (Ord. 1865, 11-19-2019)

12-1.1.1: SEVERABILITY:

If any provision of this article or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this article that can be given effect without the invalid provision of application, and to this end the provisions of this article are severable. (Ord. 1865, 11-19-2019)

12-1.2: CITY OF PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION; ESTABLISHED; SUPERVISION; ENFORCEMENT OF CHAPTER:

The Fire Code adopted by section 12-1.1 of this article shall be enforced by the City of Porterville Fire Prevention Division in the Fire Department of the City which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department. (Ord. 1865, 11-19-2019)

12-1.3: CITY OF PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION; FIRE MARSHAL IN CHARGE:

The Fire Marshal, named and appointed by the Chief of the Fire Department, shall be in charge of the City of Porterville Fire Prevention Division. (Ord. 1865, 11-19-2019)

12-1.4: CITY OF PORTERVILLE FIRE DEPARTMENT FIRE PREVENTION DIVISION; MEANING OF TERM FIRE MARSHAL:

Where the Chief of the City of Porterville Fire Prevention Division is given the title "Fire Marshal" the words "Chief of the City of Porterville Fire Prevention Division " shall be held to mean the Fire Marshal who is the fire code official. (Ord. 1865, 11-19-2019)

12-1.5: APPLICABILITY OF COUNTY AIR POLLUTION RULES AND REGULATIONS TO ALL BURNING:

All burning within the City of Porterville shall comply with the rules and regulations of the Air Pollution Control District, County of Tulare, and State of California. (Ord. 1865, 11-19-2019)

12-1.6: STORAGE, OPERATION AND USE OF LIQUEFIED PETROLEUM GASES:

Nothing contained in the referenced edition of the Fire Code shall be construed as to exempt any person, firm or corporation from complying with all applicable regulations and restrictions of the zoning ordinance of the City of Porterville regarding the storage, operation and use of liquefied petroleum gases (LPG). LPG may be used as a second fuel for emergency generators as permitted by the Fire Code. LPG will also be permitted for fueling mobile equipment. (Ord. 1865, 11-19-2019)

12-1.7: APPEALS FROM ADMINISTRATIVE DECISIONS:

Whenever the Chief of the Fire Department or the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions or intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not apply, or an equally good or better form of construction is proposed, or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department or the Fire Marshal may be made to the following board. The local fire board of appeals shall consist of five fire code officials, or their designee, from the following jurisdictions: Tulare County Fire, Kings County Fire, Visalia, Tulare, Dinuba and Fresno City. The City of Porterville fire code official shall serve as an ex officio and this appeals board shall only convene as needed. As an alternative to the appeals board listed above, the applicant may appeal to the California Office of the State Fire Marshal (OSFM) within thirty (30) days from the date of the decision. An appeal to the OSFM shall not be for relief from the appeals board. Should an applicant opt to appeal to the OSFM in lieu of the appeals board the decision of the State Fire Marshal shall be final. (Ord. 1865, 11-19-2019)

12-1.8: OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES:

- A. All open burning, recreational fires and portable outdoor fireplaces shall comply with the requirements set forth in the California Fire Code.
- B. Nothing within this article shall be construed as exempting a person from complying with the requirements set forth with San Joaquin Valley Air Pollution Control District.
- C. Landowners must implement best management practices or reasonable alternatives to open burning for controlling and disposing of tumbleweeds on their property as set forth with San Joaquin Air Pollution Control District. A burn permit may be issued for burning tumbleweeds once the district has deemed that the only disposal method for the site is by open burning and the smoke will not affect smoke sensitive areas or contribute to a nuisance.
- D. Permits are to be issued by SJVAPCD and permittee must comply with all requirements. Permittee must also notify the City of Porterville Fire Department prior to burning. (Ord. 1865, 11-19-2019)

12-1.9: PERMITS FOR NEW MATERIALS, PROCESSES OR OCCUPANCIES:

The City Manager, Chief of the Fire Department and the Chief of the City of Porterville Fire Prevention Division shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in such Code. The Chief of the City of Porterville Fire Prevention Division shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons. (Ord. 1865, 11-19-2019)

12-1.10: VIOLATIONS; PENALTIES:

Any person who shall violate any of the provisions of the Fire Code adopted by section 12-1.1 of this article, or its amendments, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the State Fire Marshal or by a court of competent jurisdiction, within the time fixed herein, and any person violating any of the terms and provisions of this chapter with its amendments, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment of not more than six (6) months in the City or County Jail, or by both such fine and imprisonment. Alternatively, the City of Porterville reserves the right to enforce violations of this code utilizing the Administrative Citation process outlined in Chapter 2, Article 14 of the Porterville City Code. (Ord. 1865, 11-19-2019)

12-1.11: INTERFERENCE WITH OPERATION OR WORK OF FIRE DEPARTMENT 1 :

It shall be unlawful for any person to interfere with any operation or work of the Fire Department of the City of Porterville or any of the members thereof while the same are engaged in work, training, or any other recognized, or authorized activity, or while responding to or operating at the same of any fire or other emergency within the City of Porterville. (Ord. 1865, 11-19-2019)

Proposed Porterville City Code addition:

§ 12-1.12 FIRE LANES ON PRIVATE PROPERTY.

The Fire Chief, Fire Code Official, or their authorized representative, is hereby authorized to prohibit the parking of vehicles or other device on those portions of private streets, alleys and parking lots which have been deemed necessary in order to provide adequate fire protection to such private property, pursuant to Section 504.4 of the 2025 California Fire Code, as adopted by the City of Porterville.

(A) It shall be unlawful for any person to stop, stand, or park any vehicle or other device on the private property of another where the owner of the property has, under the requirement of the Fire Chief, Fire Code Official, or their authorized representative, identified and required the marking of certain areas in accordance with the 2025 California Fire Code as adopted, sections 503.3 & D103.6. In addition to the signage

requirements there shall also be a red painted curb marked with white lettering indicating "NO PARKING – FIRE LANE".

(B) In addition to the penalties associated with California Vehicle Code Section 22500.1, alternatively, or concurrent with a citation issued under that section, authorized Porterville City Officers and employees may enforce this ordinance through the Administrative Citation procedure outlined in Porterville City Code, Chapter 2, Article XIV. For the purpose of this violation, the fine amounts shall follow those amounts issued for Building and Life Safety violations.

(C) A designated fire lane shall not serve as the main entrance to a building, development, or facility if doing so would block emergency vehicle access. While the two can exist side-by-side or in parallel, the design must ensure that the fire lane remains unobstructed at all times. This ordinance shall not alleviate the requirement for secondary Fire Apparatus Access where required.

(D) An authorized and approved emergency vehicle as defined by the California Vehicle Code shall be exempt from the enforcement of this section when the vehicle and operator are recognized as in-service and on-duty.

C. Ordinance No. 1898 of the Municipal Code of the City of Porterville is hereby repealed.

D. This Ordinance shall be in full force and in effect on January 1, 2025.

PASSED, APPROVED AND ADOPTED this 18th day of November, 2025.

Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

By: _____
Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Second Reading - Ordinance No. 1919, Approving an Amended and Restated Development Agreement between the City of Porterville and Cannabis Express, Inc.

SOURCE: City Attorney

COMMENT: Ordinance No. 1919, an Ordinance of the City Council of the City of Porterville, approving an amended and restated development agreement between the City of Porterville and Cannabis Express, Inc., for the continued operation of a commercial cannabis dispensary located at 200 North Main Street, Porterville, California, was given first reading on October 21, 2025, and has been printed.

RECOMMENDATION: That the City Council give Second Reading to Ordinance No. 1919, waive further reading, and adopt said Ordinance.

ATTACHMENTS: 1. Ordinance No. 1919

Appropriated/Funded:

Review By:

Department Director:
Yuliana Andrade, Administrative Services Director

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

ORDINANCE NO. 1919

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND CANNABIS EXPRESS, INC. RELATING TO ITS CANNABIS DISPENSARY

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the California State Legislature adopted Government Code Sections 65864 et seq. (the “Development Agreement Statute”) which authorizes cities to enter in agreements for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property;

WHEREAS, in accordance with the Development Agreement Statute, the City of Porterville has enacted regulations to implement procedures for the processing and approval of development agreements in accordance with the Development Agreement Statute;

WHEREAS, in accordance with Chapter 15, Article VII of the Porterville Municipal Code, the City of Porterville awarded, via a Request for Proposals process, an opportunity to Cannabis Express, Inc. to negotiate a Development Agreement and apply for a Cannabis Business regulatory permit for the establishment of a Retail Cannabis Dispensary;

WHEREAS, Pursuant to Chapter 15, Article VII, Section 15-87, subsection C. of the Porterville Municipal Code, no approval for a cannabis business regulatory permit may be granted unless the City Council, prior to or concurrently with such approval, also approves a Development Agreement, setting forth the terms and conditions under which the commercial cannabis activity will operate in addition to the requirements of Article VII of Chapter 15, all other local ordinances and regulations, state law and such other requirements promulgated by the City in order to protect and promote the public health, safety and welfare.

WHEREAS, the City and Cannabis Express, Inc. duly met, negotiated, and agreed upon the terms and conditions for said operation of the commercial cannabis business, to be operated at 200 North Main Street, Porterville, California;

WHEREAS, pursuant to Chapter 15, Article VII, Section 15-87, subsection C, the City and Cannabis Express, Inc. entered in a Commercial Cannabis Dispensary Development Agreement on July 24, 2023 (recorded August 2, 2023), and has developed and is operating a licensed dispensary at that location;

WHEREAS, the owner of Cannabis Express, (“Premium Blossom”) has requested a modification to the City’s requirements in the Agreement for contracted security;

WHEREAS, the City Council desires to make the modification, which also conforms to the security personnel requirements to the requirements as set forth in Chapters 11.4 and 11.5 of Division 3 of the California Business and Professions, and Title IV Section 15045 of the California Code of Regulations.

WHEREAS, the City Council has also opted to make additional changes in conformity with updates to its cannabis ordinances and applicable State law; and

WHEREAS, pursuant to Section 65867 of the California Government Code, and the City's Development Agreement regulations, the City Council on October 21, 2025, held a duly noticed public hearing concerning whether to adopt the Amended Development Agreement, during which public hearing, the Council received any comments from the Developer, City staff, and members of the public.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE HEREBY ORDAINS as follows:

SECTION 1. This Ordinance incorporates, and by this reference makes a part hereof, the Amended and Restated Development Agreement attached hereto as Exhibit A, subject to the provisions of Section 5 hereof.

SECTION 2. This Ordinance is adopted under the authority of California Government Code Section 65854 et seq., and pursuant to the City's Development Agreement regulations.

SECTION 3. In accordance with the City's Development Agreement regulations, the City Council hereby finds and determines, as follows:

- (a) The Amended Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan, in that it establishes certain development rights, obligations and conditions for the implementation of the subject property;
- (b) The Amended Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the general plan designations which will apply to the subject property;
- (c) The Amended Development Agreement is in conformity with public convenience, general welfare and good land use practice;
- (d) The Amended Development Agreement will not be detrimental to the public health, safety and general welfare; and
- (e) The Amended Development Agreement will not adversely affect the orderly development of property or preservation of property values.

SECTION 4. The foregoing findings and determinations are based upon the following:

- (a) The Recitals set forth in this Ordinance, which are deemed true and correct;
- (b) The City's General Plan, and any applicable amendments thereto.
- (c) All City staff reports (and all other public reports and documents) prepared for the City Council, related to the Development Agreement, and other actions relating to the subject property;
- (d) All documentary and oral evidence received at the public hearing or submitted to the City during the comment period relating to the Development Agreement, and other actions relating to the subject property; and
- (e) All other matters of common knowledge to the City Council, including but not limited to the City's fiscal and financial status, City general ordinances, policies and regulations.

SECTION 5. The City Council hereby approves the Amended Development Agreement, attached hereto as Exhibit A, subject to such minor, conforming and clarifying changes consistent with the terms thereof as may be approved by the City Manager, in consultation with the City Attorney prior to execution thereof, including completion of references and status of planning approvals, and completion and conformity of all exhibits thereto, as approved by the City Council.

SECTION 6. CEQA REVIEW. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant affirmative effect on the environment.] The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

SECTION 7. Upon the effective date of this Ordinance as provided in Section 11 hereof, the Mayor and City Clerk are hereby authorized and directed to execute the Development Agreement on behalf of the City of Porterville.

SECTION 8. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Development Agreement pursuant to the terms of the Agreement.

SECTION 9. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Porterville hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 10. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent.

SECTION 11. EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the passage and adoption. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Porterville Recorder, a newspaper printed and published in the City of Porterville, State of California, together with the names of the Council members voting for and against the same.

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PASSED, APPROVED AND ADOPTED this 4th day of November, 2025.

Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

By: _____
Fernando Gabriel-Moraga,
Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Selection of Preferred Fixed-Route Service Design

SOURCE: Public Works

COMMENT: Fehr & Peers, Transit Consultants, conducted a detailed analysis of Porterville Transit's service performance, city demographics, key destinations, and travel patterns of riders and non-riders. Public and stakeholder input was provided during the development of the Short Range Transit Plan (S RTP).

At the October 21, 2025 City Council meeting, staff presented Concepts 4 and 5 for Council consideration. Concept 4 focused on maintaining four routes operating every 45 minutes, improving frequency but slightly reducing service coverage along portions of Olive Avenue and South Porterville.

Concept 5 emphasized coverage by extending routes to the city's north and south ends, but with longer travel times and less coordination between routes at the Transit Center. Both concepts sought to balance operational efficiency with improved access but generated discussion regarding the loss of service in certain areas and the need for better community connectivity.

Following that meeting, staff, the consultant, and Councilman Rivas collaborated to prepare an additional design, Concept 6, incorporating feedback and priorities shared by the City Council.

Concept 6 restores fixed-route service in South Porterville by reinstating Route 4 and Route 6 on a 60-minute headway while maintaining cost neutrality within existing staffing and fleet resources. This design enhances connectivity to key destinations including Porterville College, the Overland Community Center and Park, the Skate Park, Family Healthcare Network, and other community landmarks.

Strong public feedback at the October 21st meeting indicated significant community support for restoring southern coverage and providing direct access to Porterville College, Family Healthcare Network, and new recreational and community facilities. The proposed network represents a balanced approach that improves citywide coverage while maintaining operational efficiency and reliability.

Concept 6 combines select routes and maintains coordination through the downtown Transit Center. While the longer route cycles present scheduling considerations, the concept successfully reestablishes full citywide coverage and enhances service accessibility for neighborhoods that previously experienced reduced service.

Minor adjustments may be required prior to finalizing the route modifications; however, these adjustments will not affect the integrity of the approved route modifications and improvements.

RECOMMENDATION: That the City Council:

1. Approve Concept 6 as the preferred fixed-route service design for implementation effective January 2, 2026; or
2. Provide direction on the preferred fixed-route service design for implementation effective January 2, 2026.

ATTACHMENTS:

1. October 21, 2025 Staff Report
2. Draft Fixed Route Concepts

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – OCTOBER 21, 2025

SUBJECT: Selection of Preferred Fixed-Route Service Design Concept and Implementation Direction for the Short Range Transit Plan

SOURCE: Public Works

COMMENT: In 2025, the City initiated an update to its Short Range Transit Plan (SRTP) to evaluate opportunities to improve system efficiency, rider experience, and alignment with current travel patterns. The review follows service adjustments implemented earlier this year that consolidated routes and temporarily suspended service on Routes 4 and 6 due to low productivity. These changes improved operational cost recovery but also created service gaps in several high-demand areas, including access to Porterville College.

The design concepts were developed specifically to reestablish fixed-route service to Porterville College and strengthen connections to key educational, employment, and medical destinations throughout the community. The goal of this effort is to ensure that residents, students, and employees have consistent, reliable, and affordable transportation options.

The draft SRTP presents two design alternatives, Concept 4 and Concept 5, each developed to strengthen coverage, simplify operations, and improve frequency. Both concepts are designed to be cost-neutral and operate within existing staffing and fleet resources.

Concept 4 proposes a four-route design operating every 45 minutes. It restores service south of downtown, reintroduces coverage along key corridors such as Westfield Avenue, and provides north-south connections west of Highway 65 to shopping areas along Prospect Street and Henderson Avenue. Each route connects to the downtown Transit Center and serves major destinations including Porterville College, Sierra View Medical Center, and the South County Justice Center.

Concept 5 consolidates service into three routes with enhanced frequency. Route B operates every 30 minutes along Morton Avenue, Henderson Avenue, and Main Street, providing direct service to Porterville College and downtown. Routes A and C operate hourly, maintaining access to schools, medical facilities, and key commercial destinations while simplifying route design and

improving reliability.

Both concepts balance ridership productivity with geographic coverage and are intended to strengthen the long-term sustainability of the City's fixed-route network. Public outreach and technical evaluation indicate that each design would improve connections to educational institutions, employment centers, medical services, and recreational destinations.

The City Council may select one of the proposed service design concepts, or provide alternative direction to modify service parameters consistent with City priorities. Staff will incorporate the Council's direction into the final Short Range Transit Plan and proceed with implementation of the approved service design.

Staff is requesting that the City Council provide direction on which concept best aligns with City priorities and authorize implementation of the selected service network effective January 2, 2026.

RECOMMENDATION:

That the City Council:

1. Review the draft fixed-route service design concepts developed as part of the City's Short Range Transit Plan;
2. Select the preferred service design concept that best aligns with City Council priorities and community needs; and
3. Direct staff to implement the selected service design effective January 2, 2026.

ATTACHMENTS:

1. Draft Service Plan Concepts

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

Porterville SRTP Draft Service Concepts

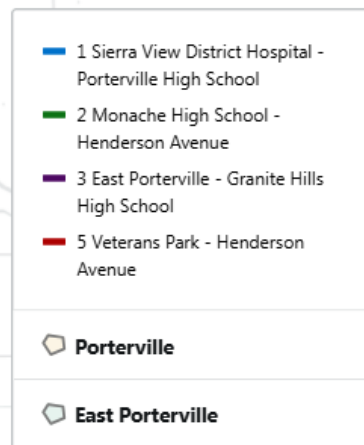
November 4, 2025



Fehr & Peers

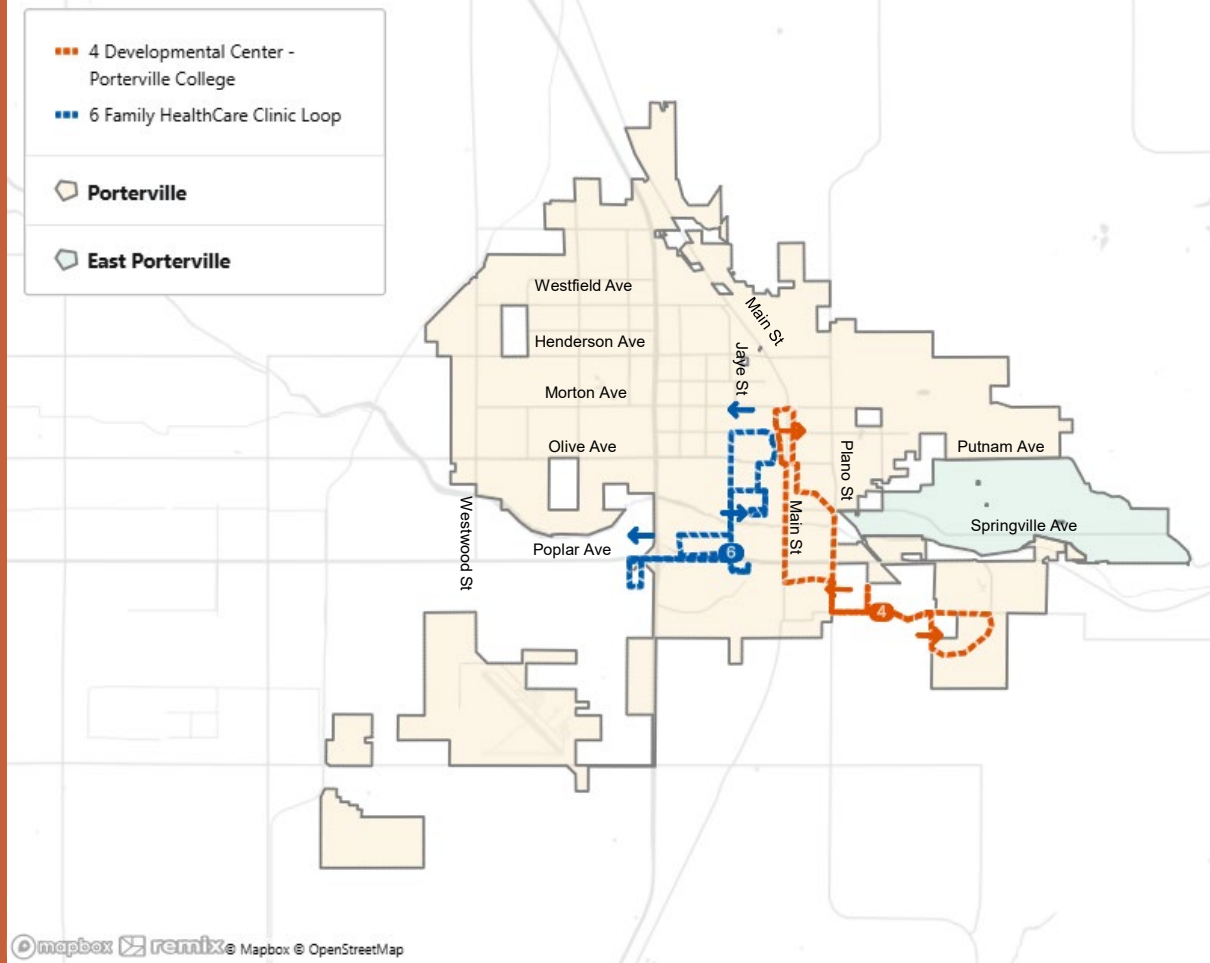
Existing Transit Service

- Routes operate every 40 minutes from the Transit Center



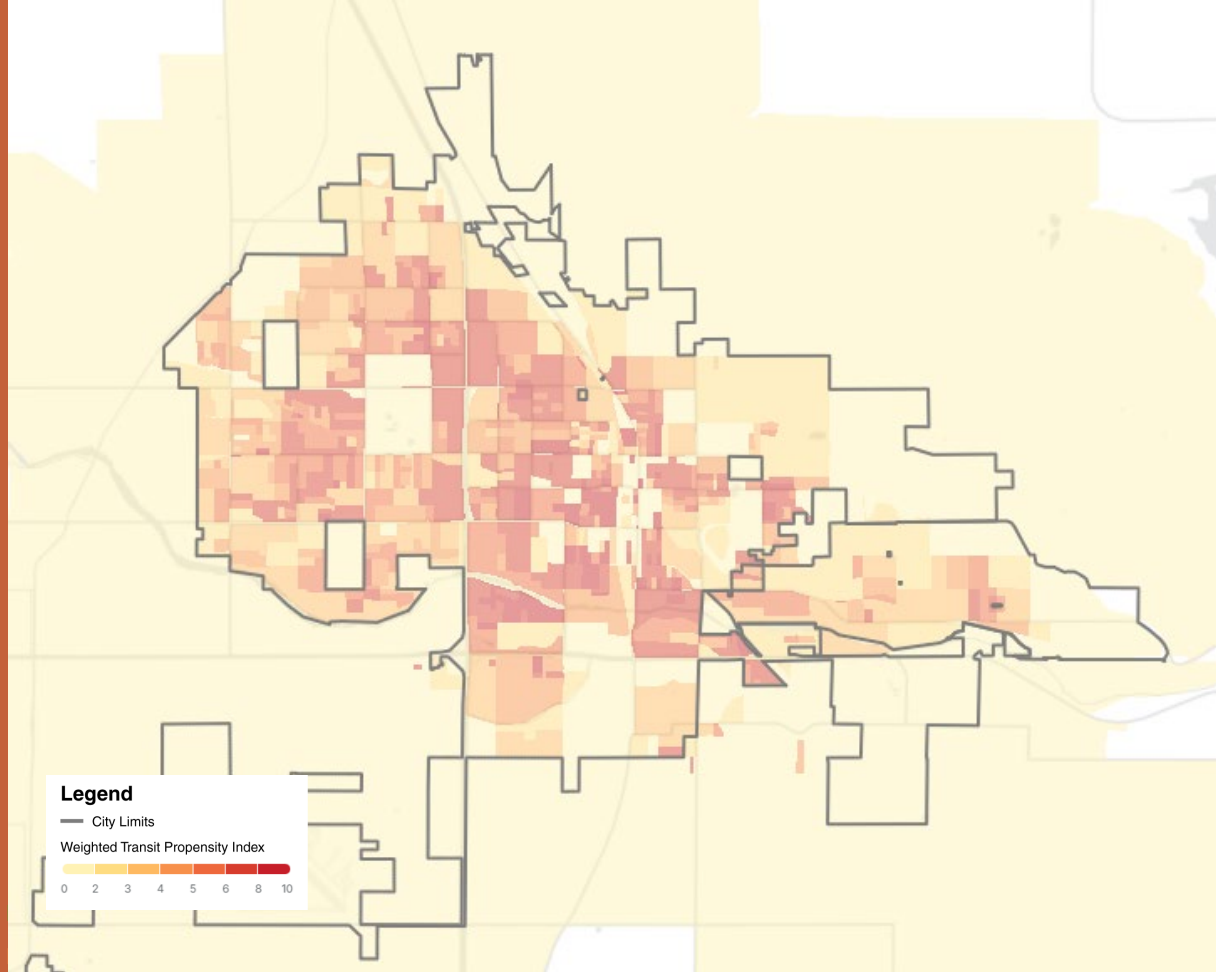
Suspended Transit Service

- Service on routes 4 and 6 suspended in July 2025



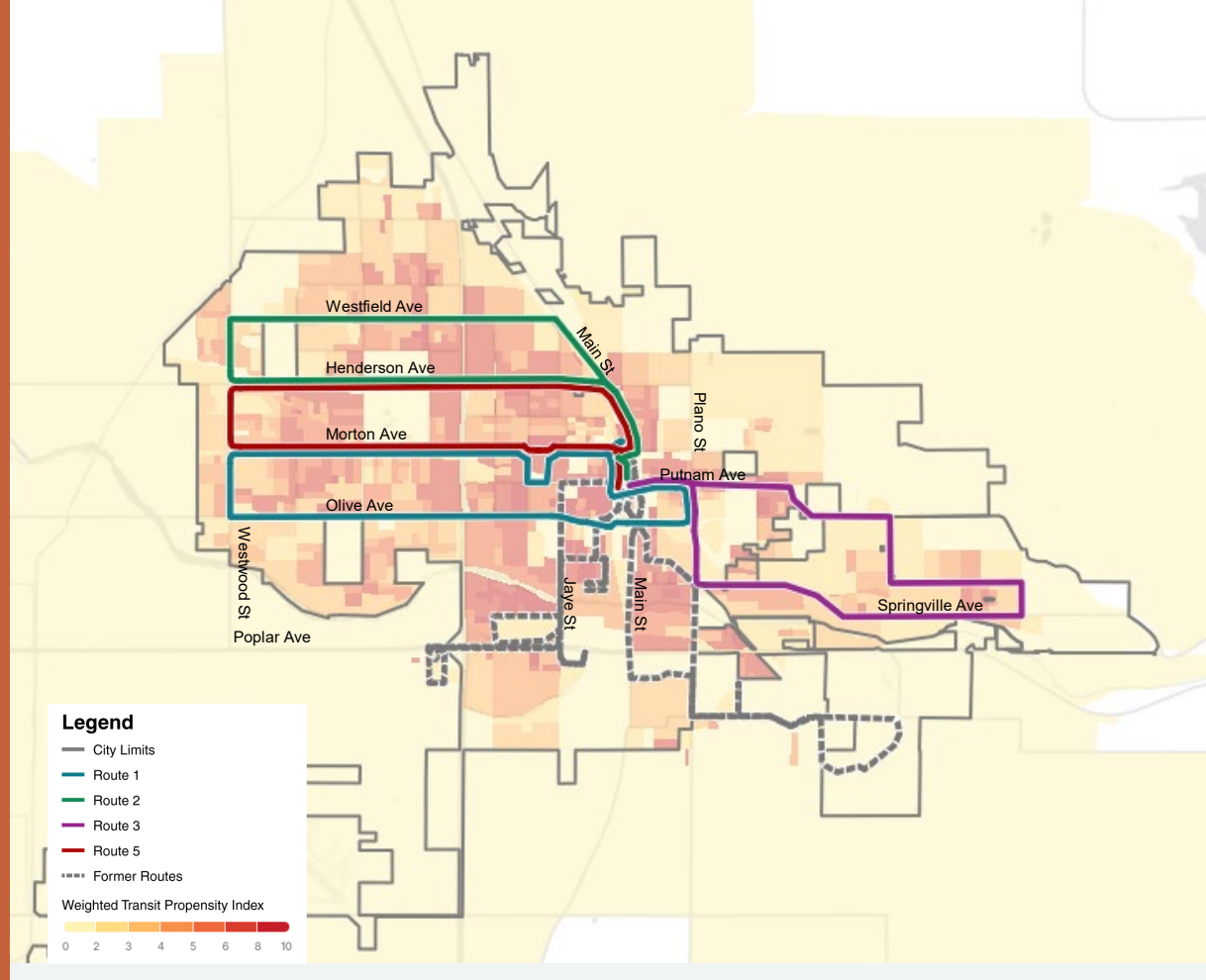
Transit Propensity

- “Transit Propensity” uses demographics to map **where transit service is most likely to be successful**. Routes should link these areas together efficiently.
- Density
- Household income
- Zero Vehicle Households
- Key Destinations
- Planned Housing and Commercial Projects
- Proximity to Schools



Existing Transit and Transit Propensity

- Noticeable gaps in service to areas with high transit propensity after the removal of Routes 4 and 6



Future Service Concepts



Development of Concepts

- Multiple iterations to balance each route:
 - Connecting neighborhoods to schools, downtown, services and shopping
 - Timing to meet regular intervals and make connections at the Transit Center
 - Frequency no less than once an hour
 - Use same four bus resources as today
- Each concept reviewed to ensure navigability for buses
- Service timing based on industry standards

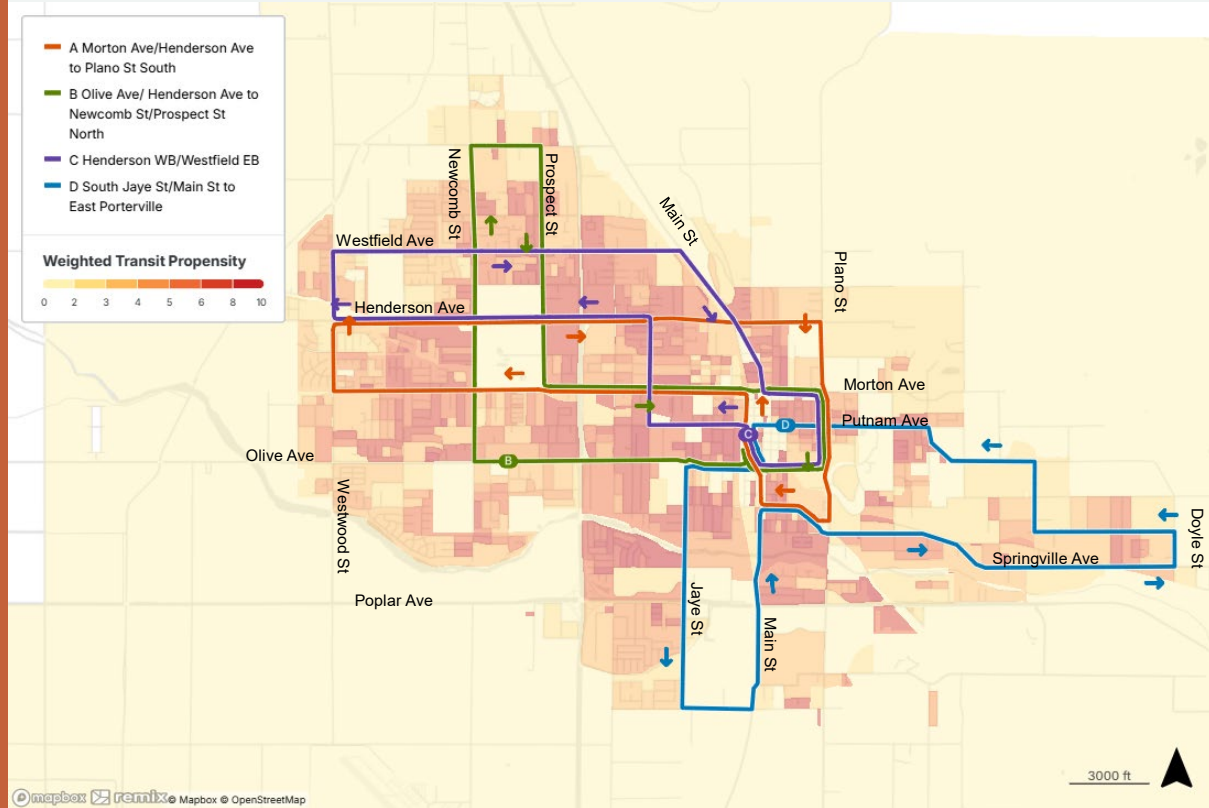
Preferred Service Intervals

- When a route network operates from a central hub (the Transit Center), all routes should operate on the same **service interval** or **headway**
- When all buses leave the TC at the same time, it allows riders to make **connections to get across town**
- Transit service **intervals should be regular, easy to follow**
 - Every 15, 30, or 60 minutes is best
 - 40, 45, and 80-minute intervals are OK if all routes do the same
 - Irregular intervals / different times every hour is least desirable

Concept 4 and Transit Propensity

Modifies current four-route design to restore service south of downtown, and provide north-south service for neighborhoods west of Hwy 65 to reach shopping center at Prospect/Henderson

All routes operate every 45 minutes



Concept 4

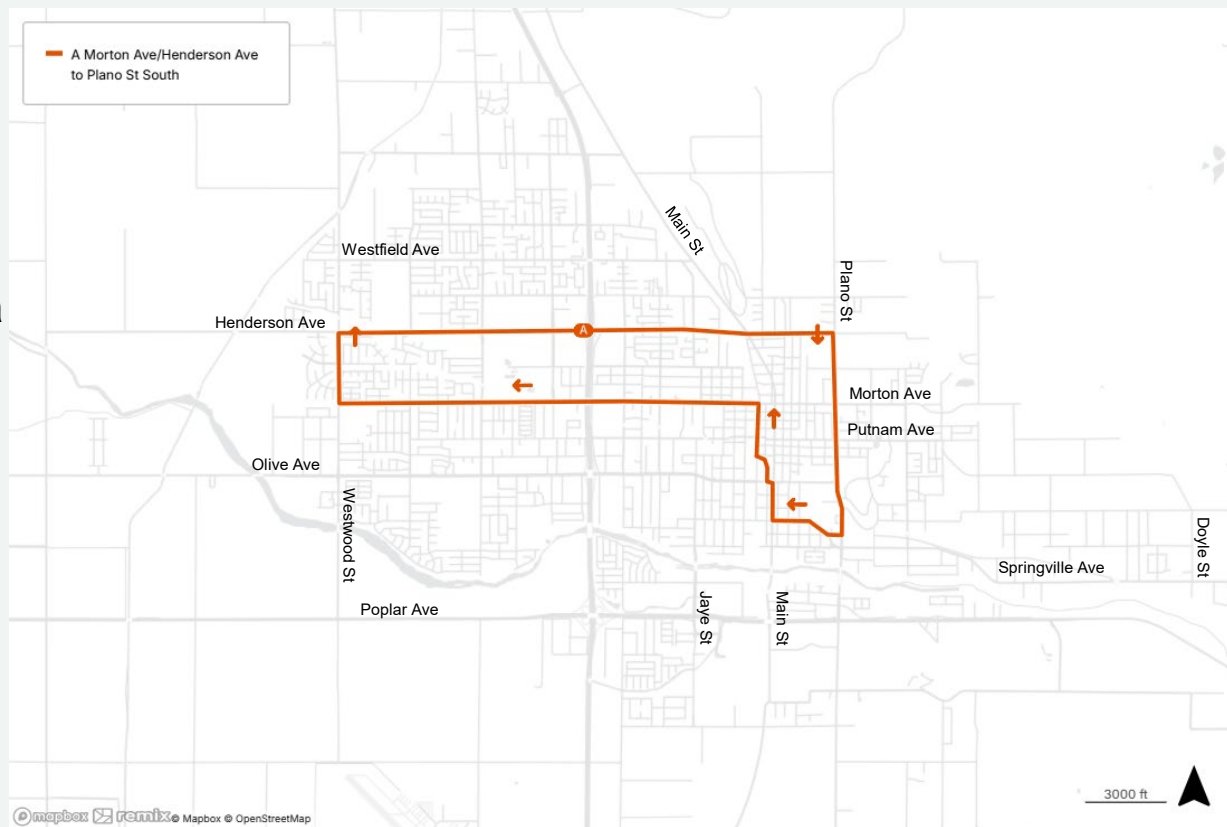
Route A

45-Minute Service

**Henderson Ave and
Morton Ave to
Downtown Porterville via
Plano St and D St**

Destinations:

- Downtown Porterville
- Prospect St and Henderson Ave Shopping Centers
- Veteran's Park and Zalud Park
- Porterville DMV
- Monache HS
- Porterville Town Center



Concept 4

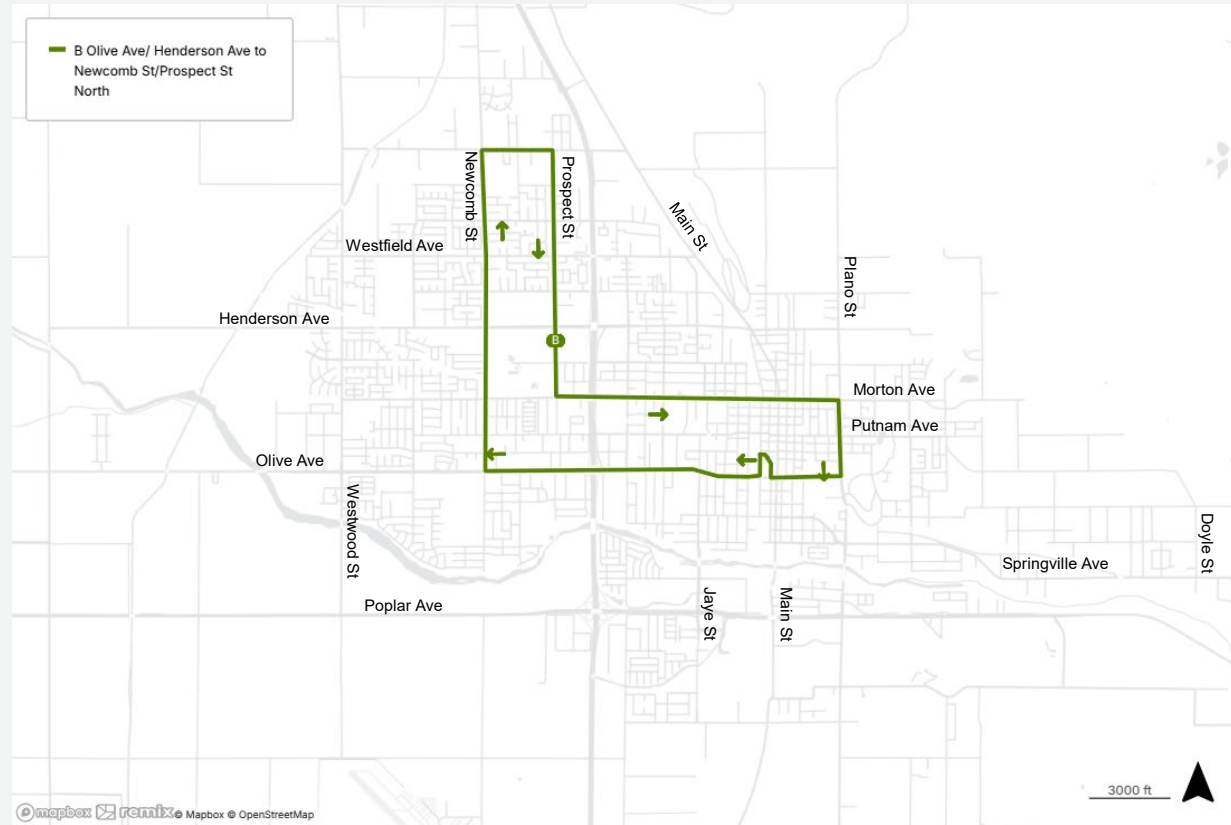
Route B

45-Minute Service

**Morton Ave, Olive Ave,
Prospect St, and
Newcomb St**

Destinations:

- Downtown Porterville
- Sierra View Hospital
- Porterville HS, Monache HS, Sequoia MS
- Prospect St at Henderson Ave Shopping centers
- Veteran's Park
- South County Justice Center



Concept 4

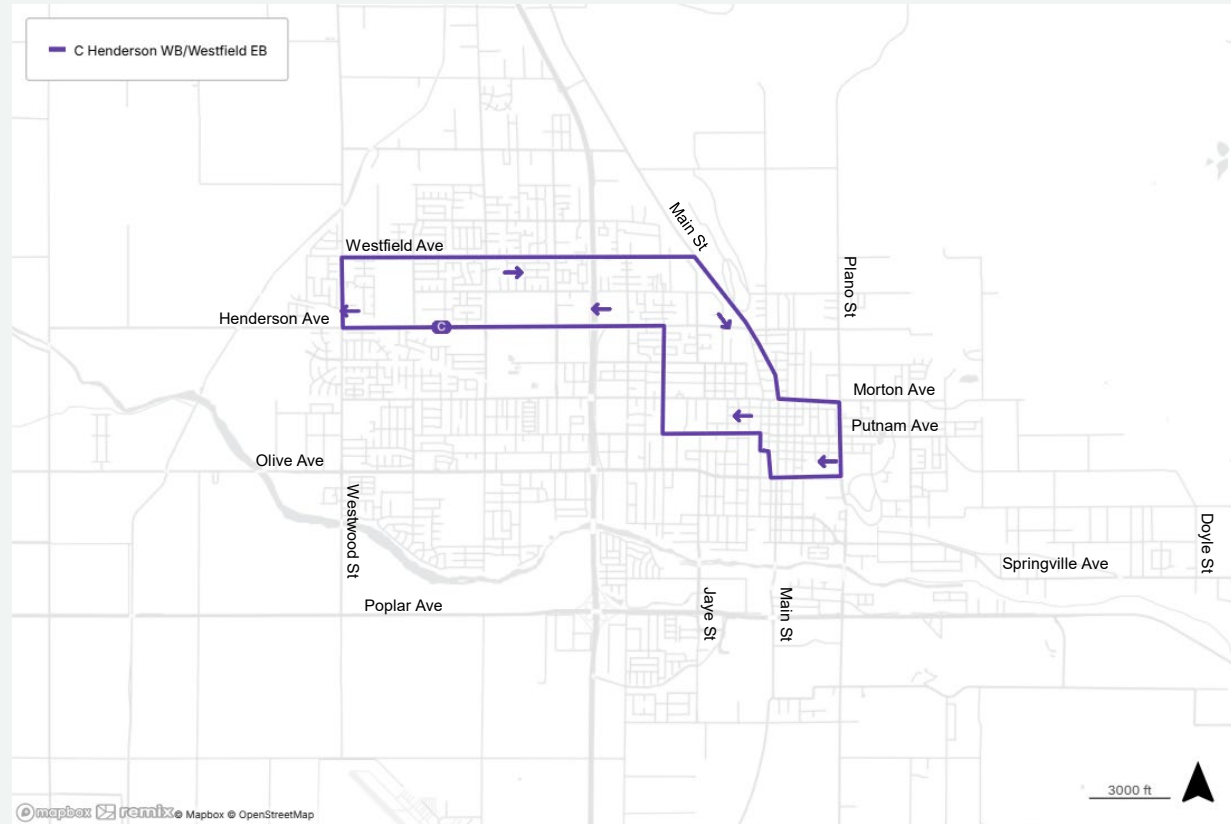
Route C

45-Minute Service

Main St, Westfield Ave, and Henderson Ave to Downtown Porterville

Destinations:

- Downtown Porterville
- Westfield Neighborhood
- Prospect St at Henderson Ave Shopping Centers
- Veteran's Park
- Sierra View Medical Center
- Porterville Town Center
- South County Justice Center



Concept 4

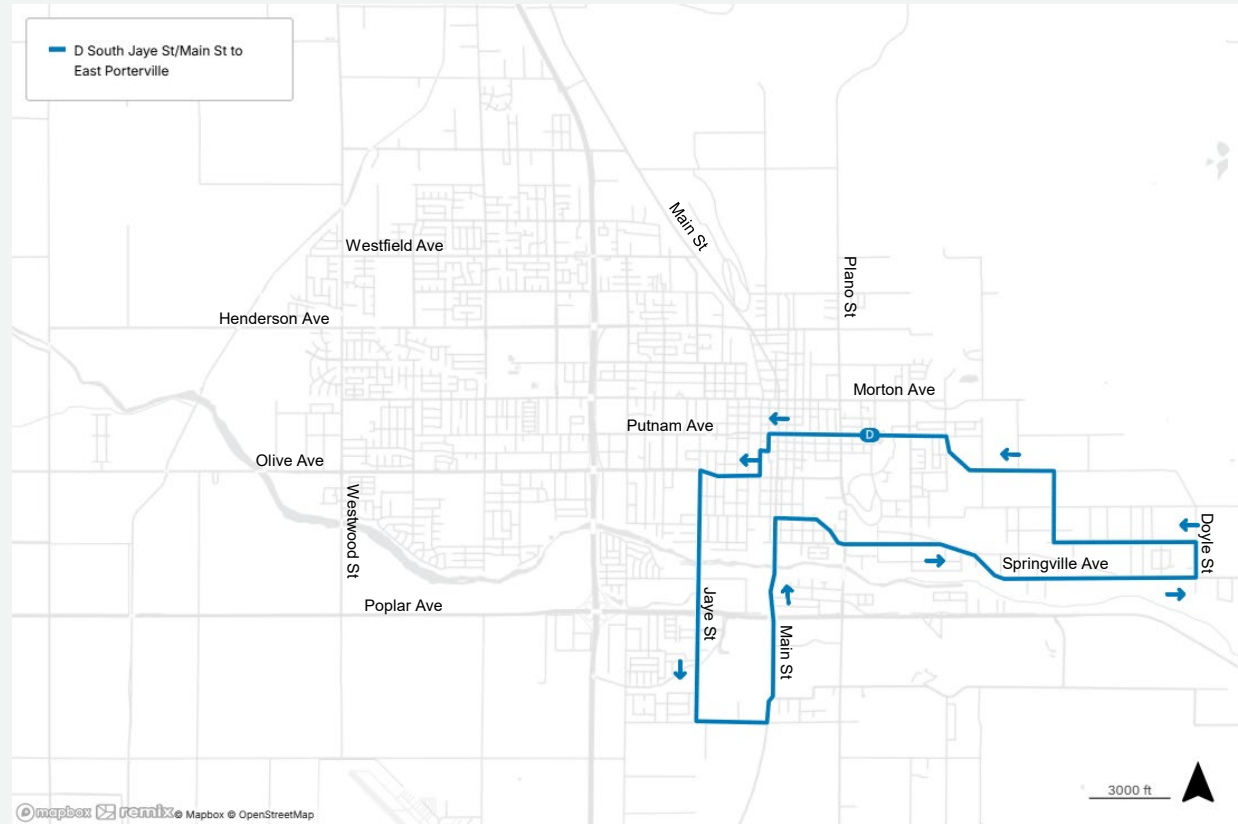
Route D

45-Minute Service

Jaye St and Main St to East Porterville

Destinations

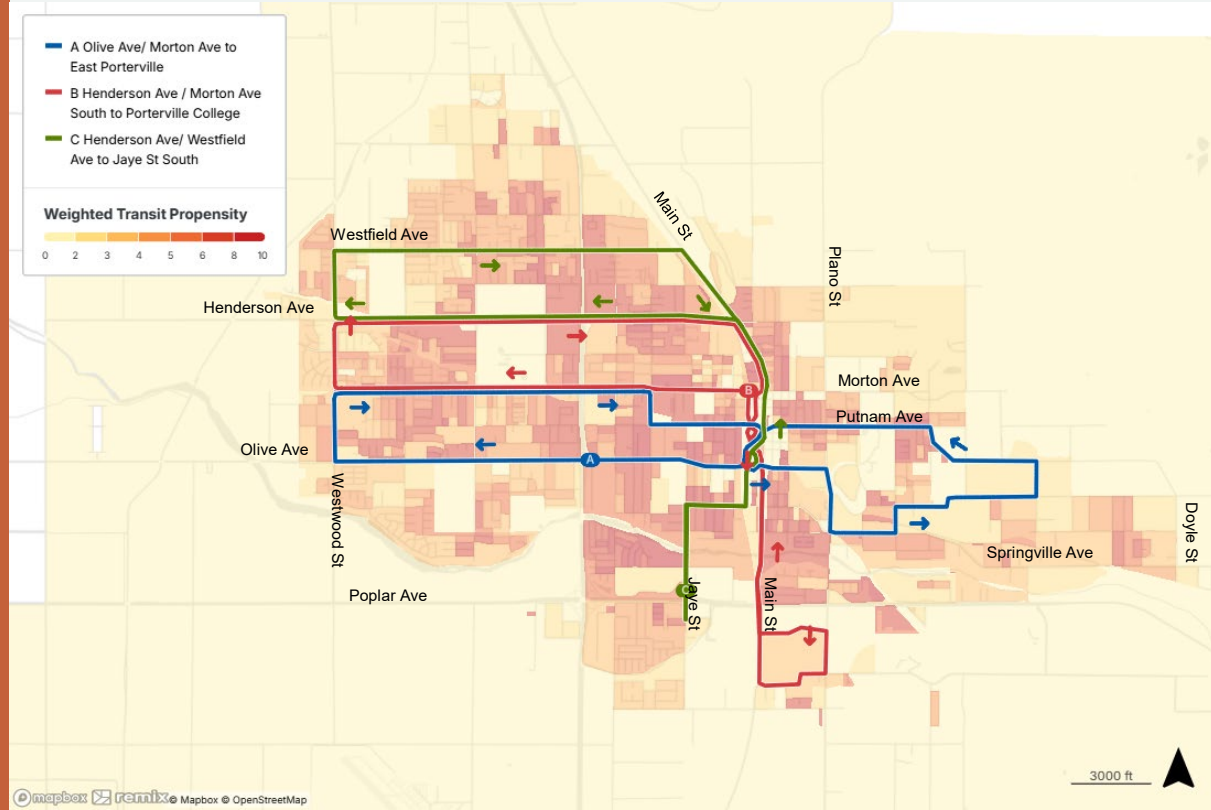
- Downtown Porterville and East Porterville
- Murray Park
- Porterville HS and Granite Hills HS
- Riverwalk Marketplace, Jaye St Crossing
- Porterville College



Concept 5 and Transit Propensity

Modifies route design to only three routes and extends routes to restore service south of downtown.

Service every half-hour on Route B (Morton/Henderson and Main Street), routes A and C every hour.



Concept 5

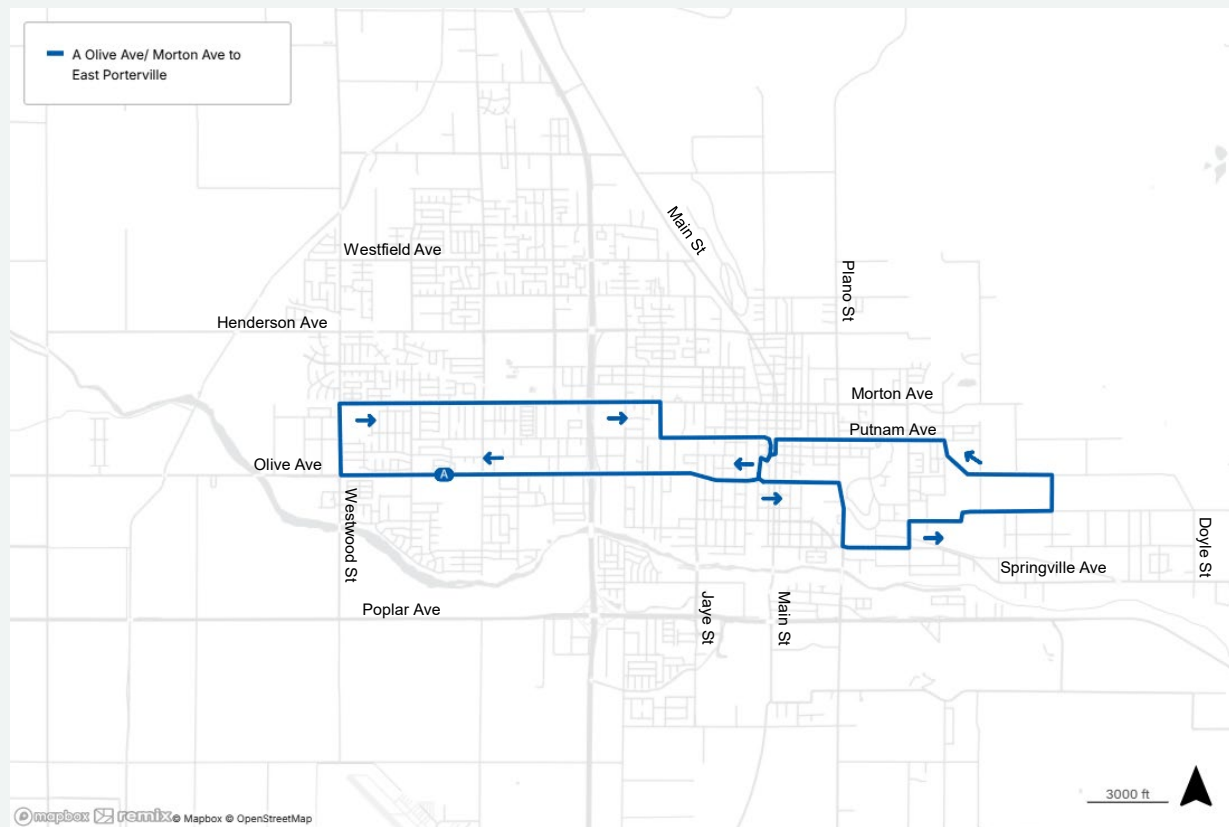
Route A

Hourly Service

Henderson Ave, Putnam Ave, and Olive Ave to East Porterville

Destinations

- Downtown Porterville
- Sierra View Hospital
- Porterville HS, Granite Hills HS, Summit Charter Academies
- Murray Park
- East Porterville
- South County Justice Center



Concept 5

Route B

30-Minute Service

Morton Ave and Henderson Ave to Main St South

Destinations

- Sierra View Hospital
- Porterville College
- Downtown Porterville
- Prospect St and Henderson Ave Shopping Centers
- Monache HS
- Veteran's Park, Zalud Park



Concept 5

Route C

Hourly Service

Henderson Ave and Westfield Ave to Jaye St South

Destinations

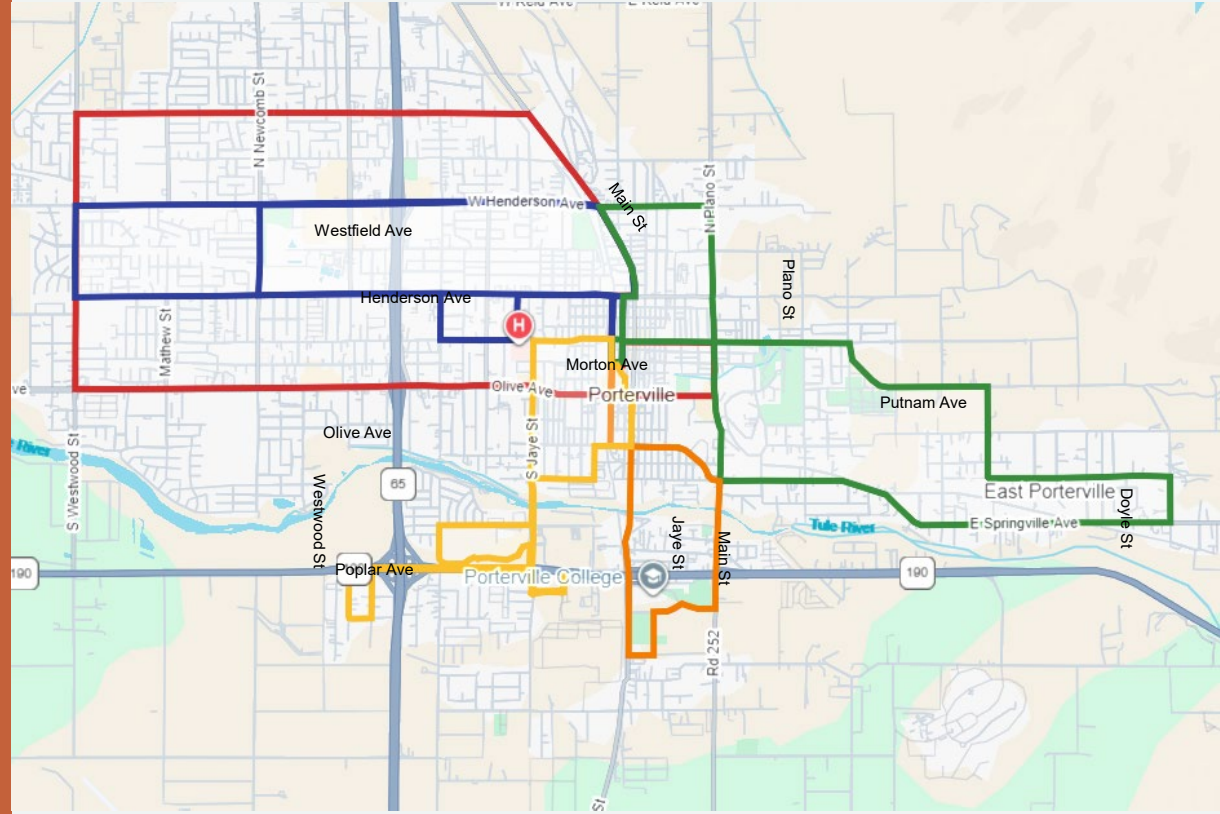
- Downtown Porterville
- Prospect St at Henderson Ave Shopping Centers
- Riverwalk Marketplace, Jaye St Crossing
- Porterville HS, Monache HS
- Veteran's Park, Zalud Park



Concept 6 and Transit Propensity

Modifies route design to
serve south Porterville
and provide more
frequent service to the
center of town

Service periods vary



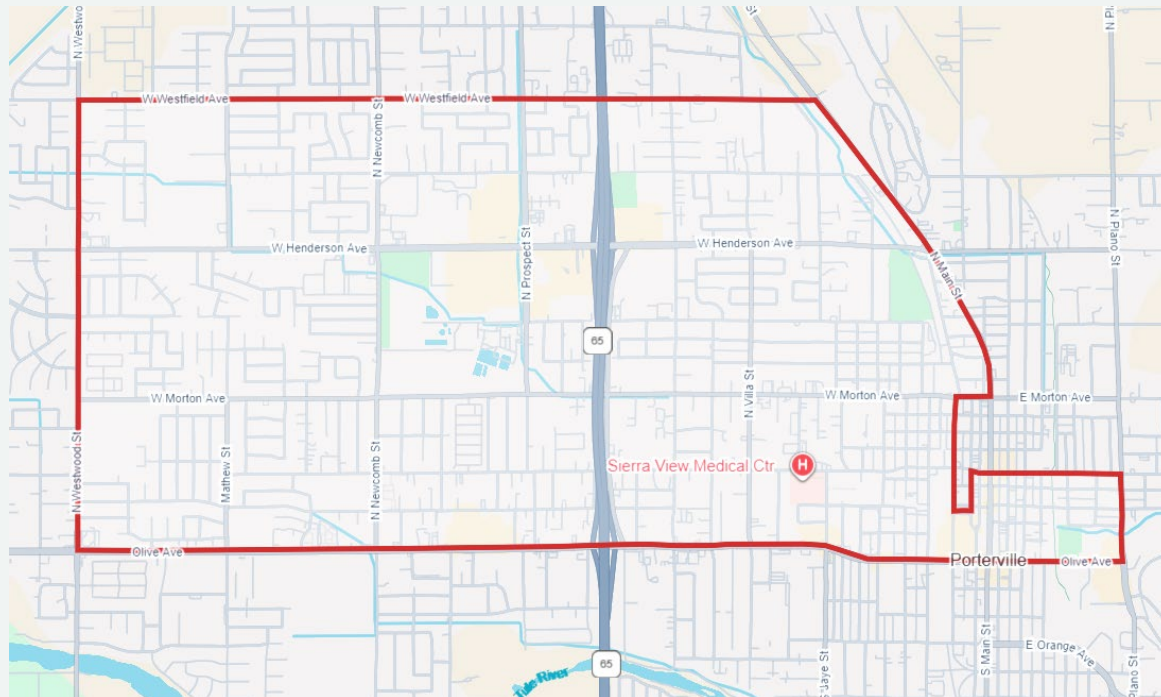
Concept 6 Route A

60 Minute Service

**Olive Ave, Westwood St,
Westfield Ave, and Main
St circulator**

Destinations

- South County Justice Center
- Porterville High School
- Summit Collegiate High School
- Lombardi School
- Westfield Neighborhood



Concept 6

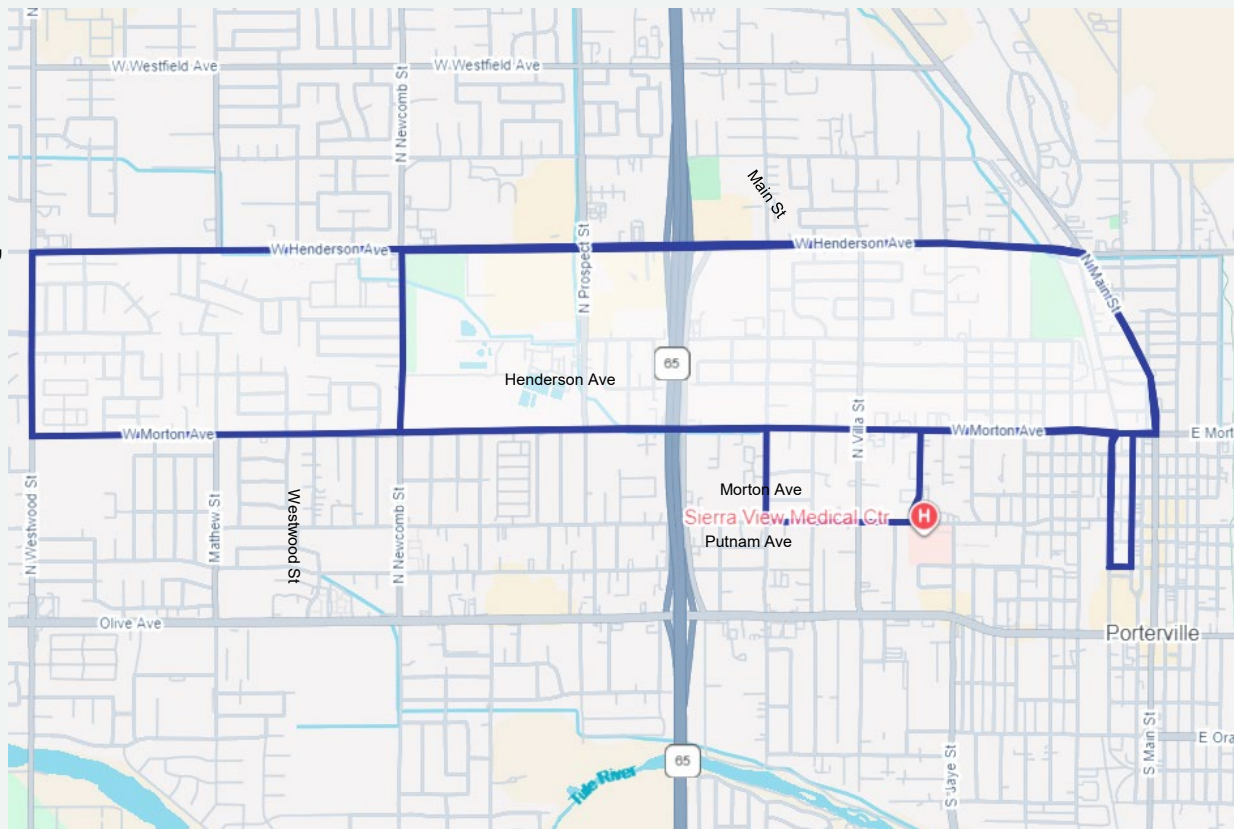
Route B

60 Minute Service

**Main St, Henderson, Ave,
Westfield Ave, Morton
Ave Circulator**

Destinations

- Morton & Henderson Avenues
- Monache HS
- Veteran's Park
- Sierra View Medical Center



Concept 6

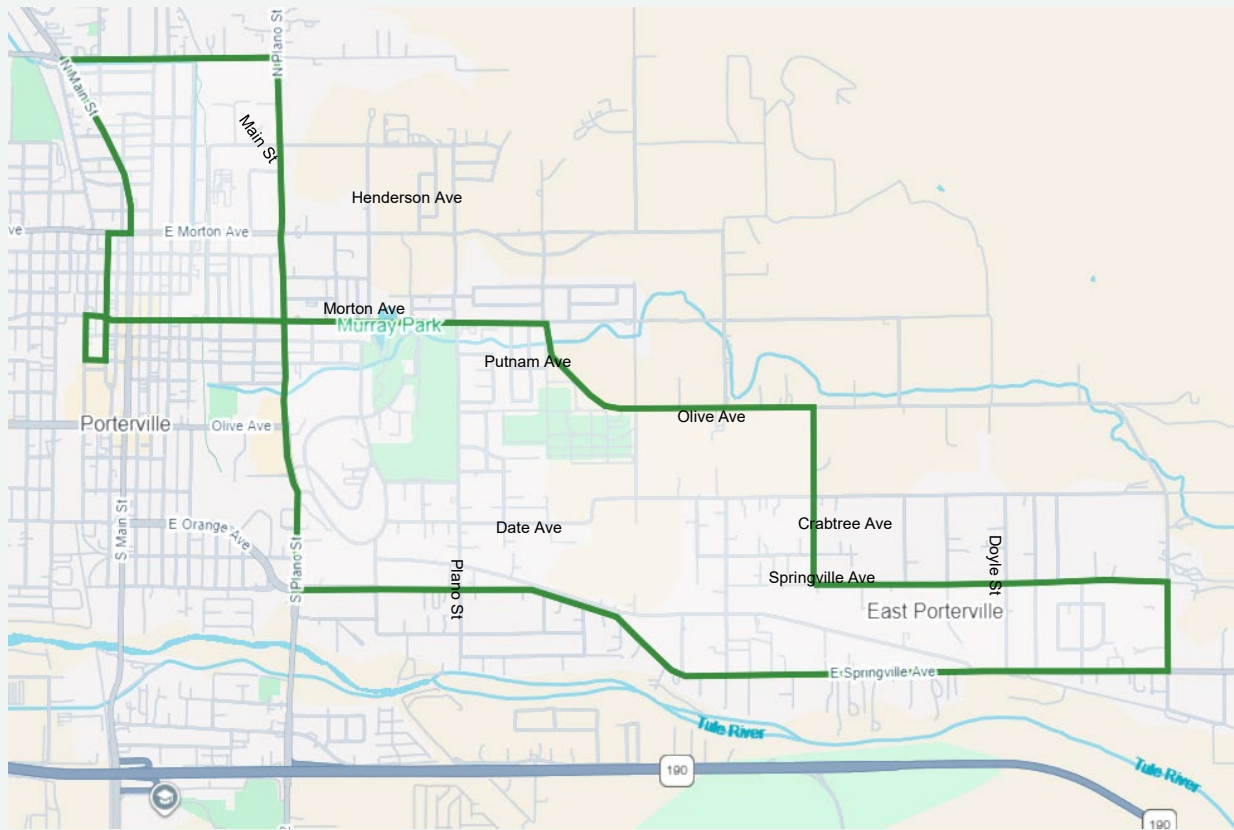
Route C

60 Minute Service

**E. Henderson, Plano,
East Porterville, Putnam**

Destinations

- Overland Community Center & Park (New)
- East Porterville
- Granite Hills High School
- Murray Park



Concept 6

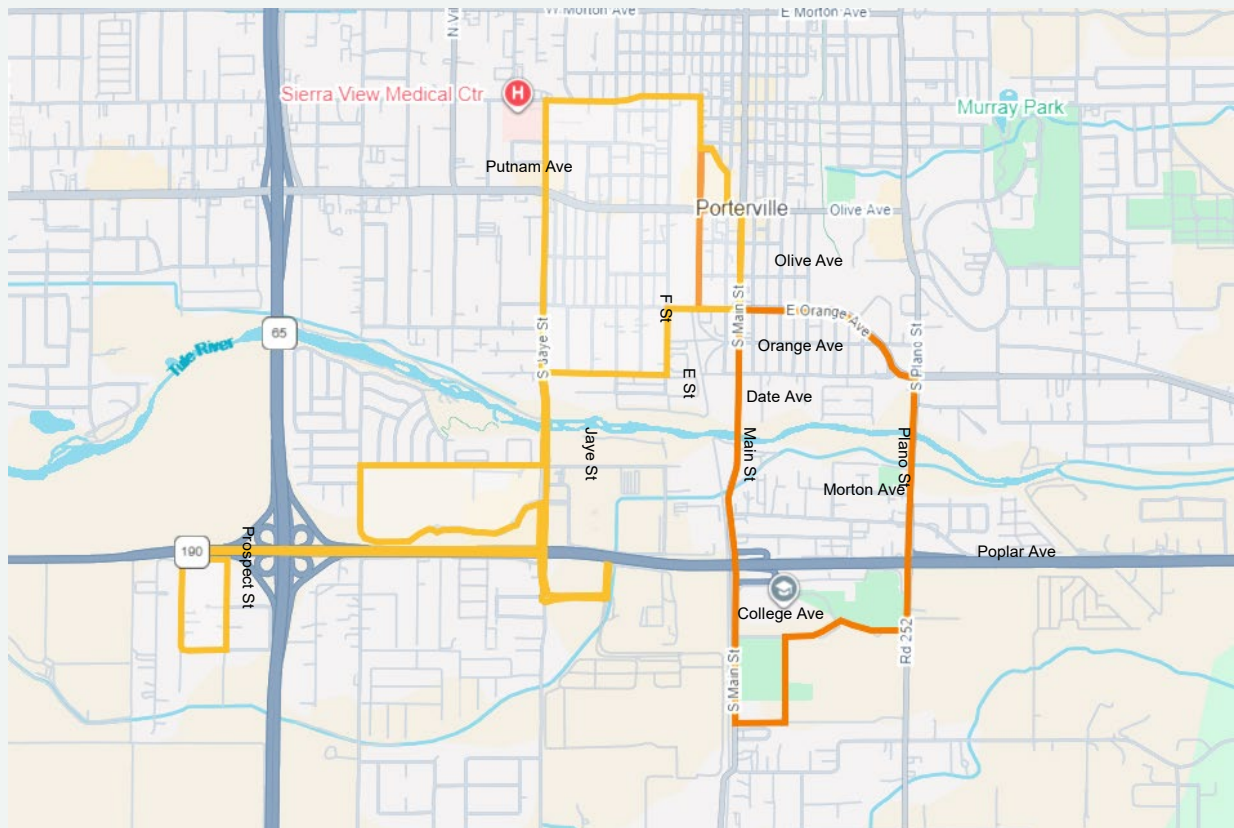
Route D

80 Minute Service

**Jaye St, Main St, Plano St,
Poplar Ave to South
Porterville**

Destinations

- Vandalia & Pioneer Schools
- Porterville College
- Sierra View Medical Center
- Riverwalk Marketplace
- Family Health Care Network





CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization of Monthly American Flag Replacement and Ceremonial Distribution Program

SOURCE: City Manager's Office

COMMENT: At the October 21, 2025 City Council Meeting, Councilman Beltran requested that an item be placed on the agenda to authorize a monthly replacement of the American flag displayed in front of City Hall. The intent of the program is to maintain a dignified display of the flag while also creating opportunities to present retired flags during City-sponsored events that celebrate civic pride and community service.

Under the proposed program, a new flag will be raised on or near the first business day of each month, beginning December 1, 2025. The replaced flag will be properly folded, identified by the month and year it was flown, and stored by the City Manager's Office for future presentation. These flags may be presented at City events such as the Annual Wall of Fame, proclamations, or memorial recognitions of former mayors and community leaders. Flags that remain in good condition will be presented as keepsakes, while those no longer suitable for display will be respectfully retired in accordance with flag protocol.

The program can be managed by existing staff within the City Manager's Office and implemented at minimal cost. The estimated cost for the flag and display case is \$166.67 each, for an estimated annual cost of \$2,000. Funding for this program will be provided through the Community Promotion Budget, and no additional appropriation is required.

RECOMMENDATION: That the City Council:

1. Authorize a program to raise a new American flag at the front of City Hall each month, beginning December 1, 2025.
2. Direct staff to retire the prior month's flag from duty, identify it with the month and year it was flown, and make it available for presentation at future City ceremonial events such as the Annual Wall of Fame and occasions honoring past mayors; and
3. Authorize the allocation of \$2,000 annually from the Community Promotion Budget for the purchase of flags and

related presentation costs.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Authorization of Stuff the Bus Community Food Drive Event

SOURCE: City Manager's Office

COMMENT: At the request of the Mayor, staff proposes implementation of the Stuff the Bus Community Food Drive to support local families in need during the holiday season. The event is intended to bring the community together to collect food and essential household items for residents experiencing hardship, while encouraging citywide participation in the spirit of giving.

If approved, the Transportation Department will coordinate the use of a Porterville Transit bus as a mobile donation site. The bus will be stationed at local grocery stores on weekends throughout the holiday season to collect non-perishable food items, baby supplies, pet food, and other household essentials from community members.

To further expand the campaign, the Fire Department and Police Department will partner to host a complementary Stuff the Truck event. This joint effort will allow each department to engage directly with residents, enhance public visibility, and increase overall community participation.

The City will collaborate with local grocery stores, community organizations, and food pantries to promote the event and distribute collected items to households in need. Promotion will include social media announcements, City website updates, and direct community outreach.

The cost of the event will be funded through the Community Promotion Fund Budget. No additional appropriation is required.

The combined Stuff the Bus and Stuff the Truck campaign mirrors successful community programs hosted by other cities across California and demonstrates Porterville's continued commitment to compassion, collaboration, and public service.

RECOMMENDATION: That the City Council authorize the Stuff the Bus Community Food Drive and companion Stuff the Truck events.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 4, 2025

SUBJECT: Consideration of Amendments to the City Council Procedural Handbook

SOURCE: City Manager's Office

COMMENT: The City Council Procedural Handbook serves as the guiding document for the Council's operating procedures, communication protocols, and standards for the use of City resources. The Handbook is periodically reviewed and updated to reflect current practices, evolving legal standards, and Council direction.

Over the years, the City Council has approved several updates to the Procedural Handbook to ensure consistency and transparency in City operations. Notably, amendments were adopted on December 17, 2019, to reorganize meeting procedures and improve readability; on December 20, 2022, and February 7, 2023, to include provisions related to social media practices, the Council communication log, and responses to state and federal directives; and on December 19, 2023, to clarify the process for issuing City and Council Member proclamations.

As part of the City's continued commitment to effective governance and clear communication, staff recommends that the City Council review the Procedural Handbook to consider adding language that provides clear and consistent guidance regarding when and how City facilities, staff support, the City logo, and official City social media platforms may be used for community outreach and informational meetings. Establishing such guidance will help ensure transparency, consistency, and compliance with applicable laws and City policies.

To assist with the discussion, staff recommends that the Council consider incorporating the following clarifications into the City Council Procedural Handbook:

1. Establish guidelines defining permissible and prohibited uses of City facilities, equipment, and staff resources by Council Members for public outreach events.
2. Clarify when and how the City seal and logo may be used in connection with Council Member communications, to ensure that the seal and logo are not inappropriately used for private or political activities.
3. Add language requiring Council approval of any new or expanded use

Item No. 27.

- of City resources or official City social media for Council Member events, beyond what is provided for in the Handbook.
4. Include a reference to relevant provisions of the California Government Code and Fair Political Practices Commission (FPPC) rules regarding the use of public resources for campaign-related purposes.

For historical reference, the most recently adopted City Council Procedural Handbook (2023) is attached. This version includes policies concerning the use of City devices, email, and social media, as well as the Council communication log, which together provide the framework for current Council operations.

Any proposed revisions would be prepared by staff and the City Attorney and returned for City Council consideration at a future meeting.

RECOMMENDATION: That the City Council review and discuss potential amendments to the City Council Procedural Handbook and provide direction to staff and the City Attorney regarding any desired revisions.

ATTACHMENTS: 1. Council Procedural Handbook

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

Final Approver: Fernando Gabriel-Moraga, Chief Deputy City Clerk

CITY COUNCIL PROCEDURAL HANDBOOK



The Office of City Clerk
291 North Main Street
Porterville, CA 93257
Tel: (559) 782-7464
Fax: (559) 782-7452
www.ci.porterville.ca.us

As of December 19, 2023

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PREAMBLE

The residents and businesses of the City of Porterville are entitled to have fair, ethical, and accountable local government. Such a government requires that:

- Public Officials comply with both the letter and spirit of the laws and policies affecting operations of the government;
- Public Officials be independent, impartial, and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

No part of this Handbook shall be interpreted so as to violate any federal or state law; a Council Member's Oath of Office; a Council Member's moral or ethical responsibilities; or the exercise of a Council Member's individual rights afforded him/her by the U.S. Constitution.

To this end, the City Council of the City of Porterville hereby approves of and affirms the above to encourage public confidence in the integrity of local government and its operations.

(Minute Order 21-070511, July 5, 2011.)



II. MEETINGS OF COUNCIL

The Council shall provide by ordinance the time and place of holding regular meetings and the manner in which special meetings may be called. Public interest and convenience shall be primary consideration when decisions are made as to time, location and frequency.

Except as otherwise provided by law, all meetings of the Council shall be open to the public.

A. REGULAR MEETINGS

1. Pursuant to Section 10 of the City Charter, Regular Meetings of the Porterville City Council shall be held on the first and third Tuesday of each month in the Council Chambers at City Hall, 291 North Main Street, in the City. The Regular Meetings will commence at five thirty o'clock (5:30) P.M., with Closed Sessions commencing at five thirty o'clock (5:30) P.M., and Open Session commencing at six thirty o'clock (6:30) P.M. In the event that a regular meeting of the Council shall fall on a legal holiday, that regular meeting shall be held at the same place and time on the next succeeding working day, or as determined by Council. (*Ordinance 1766, August 17, 2010; M.O. 15-09181, September 18, 2012.*)
2. Following the mid-meeting break (around 9:00 p.m.) the Mayor, with assistance from the City Manager, will review the balance of the agenda with Council to discuss how it can be handled in the allowed time. If it is necessary to continue any items, it will be announced at that time.

B. ADJOURNED MEETINGS/STUDY SESSIONS (Open to the public)

1. The purpose of these meetings shall be for informal discussions between staff, advisory bodies or consultants and the City Council regarding specific programs, projects or policies. If noticed, formal action may be taken at such a meeting.
2. Adjourned Meetings/Study Sessions will be held at a time and place convenient to Council and advantageous for public participation.
3. Participation of the public shall be at the discretion of the Presiding Officer, upon consensus of the Council.

C. SPECIAL MEETINGS

1. Special meetings may be called by the Mayor or three members of the City Council. (*Gov. Code Section 54956*) Written notice of each special meeting must be given not less than twenty-four (24) hours before such meeting to each member of the City Council not joining the call.
2. Written notice must be given to the City Council and to the media 24 hours prior to each meeting. (*Gov. Code Section 54956*)
3. A supplemental telephone call shall be made if necessary to notify each Council Member.
4. No business other than that announced shall be discussed.
5. Any special meeting held at a place other than City Hall shall be open to the public. Notice requirements of the Brown Act shall be complied with for any such meetings; regular minutes shall be taken by the City Clerk and shall be available for public inspection.

D. ORDER OF BUSINESS:

Meeting called to Order
Roll Call
Oral Communications (closed session items only)
Closed Session(s)
Reconvene Open Session
Report on Action taken in Closed Session
Pledge of Allegiance
Invocation
Presentations
Oral Communications (on any matter of interest)
Committee and Commission Reports
Staff Informational Reports
Consent Calendar – to include:
 Approval of Minutes
 Claims Against the City
 Payment of Bills
 Payments on Public Works Projects
 Authorization to Purchase
 Authorization to Call for Bids
 Award of Bids
 Acceptance of Projects
 Acceptance of Dedications/Property

Approval of Final Tract Maps
Annexations
Requests for City Services
Reports
Other Routine Matters
Public Hearings
Second Readings of Ordinances
Scheduled Matters
AB 1234 Reports
Oral Communications (on any matter of interest)
Council Comments
Adjournment
(*Resolution 08-2023, February 7, 2023, attached as Appendix A.*)

E. CONSENT ITEMS

1. Consent items are the first items on the open session portion of the agenda (items that are routine, have been discussed before, relate to implementation of approved budget items, or to City operations or item to be later set for public hearing).
2. Any item removed from the Consent Calendar shall be considered immediately after the last Scheduled Matter on the agenda and immediately before the Second Oral Communications. (*M.O. 16-091812, September 18, 2012.*)



III. MEETING PROCEDURES

A. PRESIDING OFFICER

1. The Mayor is the Presiding Officer and acts as Chair at Council meetings.
2. In the absence or incapacity of the Mayor, the Vice Mayor as Mayor Pro Tempore will serve as Presiding Officer. In the absence of both the Mayor and Vice Mayor, the Council Members present shall select one of their number to serve as Presiding Officer for that meeting. *(Amended via Minute Order 08-071911, July 19, 2011.)*
3. Seating arrangement of the Council:

Seating arrangements shall be at Council discretion with preference being given to health conditions, seniority, individual Council Member preferences, and the Mayor's preference, in that order. *(Amended via Minute Order 08-071911, July 19, 2011.)*
4. Signing of City Documents:

The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts and other documents which have been adopted by the City Council and require an official signature; except when the City Manager, or his or her designee, has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Vice Mayor may sign the required documents. *(Amended via Minute Order 08-071911, July 19, 2011.)*

B. QUORUM

A majority of the Council Members shall constitute a quorum for the transaction of business. *(City Charter)*

C. DISCUSSION RULES

1. Obtaining the floor:
 - a. A member of the City Council, staff, or public shall first address the Presiding Officer and gain recognition.

- b. Comments and questions shall be limited to the issue before Council except when members of the public are addressing the Council under Oral Communications.
 - c. Cross-exchange between Council Members, staff or public shall be avoided.
 - d. Any citizen may arise and address the City Council on any business especially concerning them or affecting their interests during Oral Communications, but preference will be given to those who have first presented matters in the form of a written communication or who have personally notified the presiding officer of their desire to speak.
 - e. Any member or other person using profane, vulgar, loud or boisterous language at any meeting, or otherwise interrupting the proceedings, who refuses to be seated or keep quiet when ordered to do so by the Mayor or Mayor Pro Tem of the City Council, shall be guilty of a misdemeanor. It shall be the duty of the Chief of Police, upon order of the presiding officer, to eject any such member or person from the council room.
(Ordinance 1537)
2. Questions to staff:
- A Council Member shall, after recognition by the Presiding Officer, address questions to duly designated staff members through the City Manager.
3. Interruptions:
- a. Once recognized, a Council Member shall not be interrupted while speaking except to make a point of order or personal privilege.
 - b. If a Council Member is called to order while speaking, the individual shall cease speaking until the question of order is determined.
 - c. Upon being recognized by the Presiding Officer, members of staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.



IV. COUNCIL REQUESTS FROM THE PUBLIC

A. Response to Letters from the Public

Periodically Council Members receive letters requesting their response. If a Council Member wishes to answer the letter, the matter can be handled in either of three ways:

1. The Council Member can give the letter to the City Manager's Secretary along with direction on how they wish their response to be worded. The City Manager's staff will then prepare the letter on City Council stationery and forward it to the appropriate Council Member for approval and signature. Copies of both letters are kept on file in the City Manager's Office, and copies are available upon request.
2. If the letter requires specific information or details only available from another City Department, the City Manager may refer the letter to the appropriate Department Head for response by them or their designee. Copies of the letters will then be forwarded to the City Manager's Office for filing.
3. If the Council Member wishes to answer their own correspondence, City stationery is available upon request from the City Manager's secretary. Copies of all such letters on City Letterhead shall be provided to all other Council members, and the letter shall include a provision clearly defining that the correspondence represents the views and/or feelings of the specific Council member signing the letter. If the Council Member wishes to have a copy of the letters in their file, they should submit a copy to the City Manager's staff for filing.

If a Council Member receives an informational item and wants a copy to be given to the other Council Members and the City Manager or other Directors, the item should be given to the City Manager's staff and copies will be made and sent out.

B. Referrals to Council Agenda

Periodically Council Members receive correspondence or verbal requests for items to be acted upon, or considered, by the City Council. If a Council Member wishes to respond to the request, the matter should be referred to the City Manager. The request can then be handled as follows:

1. The Council Member may request the City Manager to place the item on the Council agenda as a written communication (however, the request must be stated on the agenda face sheet for Council to be able to act on it at the meeting); or
2. Upon research, the request may be determined to be a violation of City, State or Federal law, policy, or previous Council determination, in which case an appropriate response as to why the matter can not be heard will be provided to the requesting party.

Correspondence requesting that an item be acted upon, or considered, by the City Council, which is received directly by the City Manager, is handled in either of two ways:

1. The City Manager shall place any routine and/or legitimate written request under written communications*, or have a staff report prepared if time permits, for the next City Council agenda; or
2. The City Manager shall place any request which has already been acted upon by Council, cannot legally be accomplished, or which has a potential for litigation, in an Administrative Memorandum.

C. Telephone Calls

Citizens attempting to communicate with the City Council often call the offices at City Hall. Such calls are referred to the City Manager's Office. The City Manager's staff will take a message and refer it to the appropriate Council Member, or give the caller the telephone number of the City Council Member so they may call them directly, according to instructions given by the Council Member [see X-D (3)].

D. Personal Meetings

Council Members who wish to meet with their constituents may use various rooms at City Hall. The Council Member should call the City Manager's Secretary as soon as they know a room is needed so that it can be reserved for their use. No more than two Council Members may attend a meeting to discuss City matters without the meeting becoming a public meeting and therefore falling under the requirements of the Brown Act Open Meeting Laws.

E. Personal Correspondence

Council Members who wish to send their own correspondence using City stationery shall include a provision clearly defining that the correspondence represents the views and/or feelings of the specific Council member signing the letter. Copies of all such letters on City Letterhead shall be provided to all other Council members. Letterhead stationery is available upon request from the City Manager's secretary, and if the Council Member wishes to have a copy of their letter in their file, they should submit a copy to the City Manager's staff for filing.

F. Out-of-District Requests

On occasion, Council Members will be contacted by citizens residing outside of their respective districts. When this occurs, City Council Members agree to advise the appropriate Council Member of the contact and matter of concern. A Council Communication Log (see Appendix G) is provided for Council's convenience and optional use.

G. Requests for Proclamations

The City routinely receives requests for proclamations. To qualify as a proclamation, the language should be ceremonial and not convey legislative action or represent that it is establishing City policy or directives. Each individual Council Member has the authority to grant and sign proclamations on their own respective behalf if they are processed in accordance with this Section. The City Council may grant and sign "City Proclamations," only if the proclamation is approved by the City Council at a noticed and public City Council meeting in accordance with the Brown Act, and these proclamations shall be deemed to be "City Proclamations" and have the City Seal affixed.

Within one business day of receipt of a Request for Proclamation, staff shall scan and email the request to all City Council Members. In the event a Council Member is interested in granting the request, they shall individually notify staff of their interest. If more than one Council Member responds, the first responsive notification received by staff shall be the grantor. Staff shall then advise the remaining Council Members as to interest in signing the proclamation, and the Council Members shall have one business day to reply, after which the proclamation will be drafted with the appropriate number of signature blocks for execution by the Council Members. If more than two council members respond that they are interested in signing the proclamation, a consent calendar item will be prepared for the next scheduled city council meeting, for full City Council consideration. Approved City Proclamations may be signed by the Mayor, although the Mayor's signature shall not be compelled. Additionally, the City Council

may provide express authority regarding additional members who wish to also be signatories.

All signed proclamations will be made available in the Office of City Clerk for pick up by the requestor unless arrangements have been made for presentation at a certain event. Proclamations shall not be included on the Council Agenda nor presented at a Council Meeting unless approved by a majority of the entire Council. Staff shall provide a monthly informational report to the City Council identifying the proclamations for the preceding month. (*Amended via Minute Order 15-121923, December 19, 2023.*)



V. COUNCIL MEMBER REQUESTS TO STAFF

A. General Information

All City Council Member requests for information or documents shall be referred through the City Manager. Any Department Head who receives a direct request from a Council Member shall submit the request, including the name of the requesting Council Member, to the City Manager.

B. Research

All City Council Member requests for information or documents which require extensive research, in the opinion of the City Manager, shall be referred through the City Manager to the Council for direction. The City Manager will discuss the matter with the appropriate department and relay the approximate time table for completion to the City Council for discussion and action at the next available meeting of the City Council. If the request is approved by the Council, upon completion of the research, the information or documents will be forwarded to the City Council Members by the City Manager. *(Amended via Minute Order 08-071911, July 19, 2011.)*

C. Items for inclusion in Council Agenda

The City Manager shall compile the agenda for each meeting and shall include as agenda items, business in the normal course of City affairs, including but not limited to staff proposals to improve services, support the economy and land use, and enhance the efficiency and effectiveness of the City organization, items relating to current, past, and proposed City contracts, leases, franchises, agreements and similar documents, and matters affecting future or proposed City equipment and property, items relating to City employees, agents and contractors, and such other matters as are defined in this handbook or otherwise directed by the City Council.

All City Council Member requests for an item to be placed on the Council agenda shall be made in writing to the City Manager. Such request shall be submitted prior to Wednesday noon of the week before the Council meeting in order to be placed on the next regularly scheduled meeting. *(Amended via M.O. 13-111814, November 18, 2014, and via M.O. 13-052119, May 21, 2019.)*

The City Manager shall place any Council Member request for an agenda item on the next available agenda as a Consent Calendar item for Council approval to be included as a Scheduled Matter on the next available agenda. This does not prevent any Council Member from moving to place an item on the next available agenda during Other Matters of the current agenda. *(Amended via Minute Order 08-071911, July 19, 2011.)*



VI. COUNCIL AGENDA

A. Preparation:

Each Department Head submits their departmental agenda items to the City Manager for approval utilizing the City's electronic agenda management system. (*Amended via M.O. 11-111814, November 18, 2014.*)

The City Council meeting agendas are prepared on the Thursday prior to the Tuesday meeting. Any questions regarding whether items have been scheduled for consideration at a particular meeting may be directed to the Chief Deputy City Clerk and/or Deputy City Clerk.

B. Deadlines:

The deadlines for the agenda are the Monday preceding the Thursday preparation day. Public hearing items, scheduled matter items, Consent calendar items, and written communications must be submitted by the Monday deadline. The deadline for a Council member request for any item shall be Wednesday noon preceding the Thursday preparation day. (*Amended via M.O. 13-111814, November 18, 2014.*)

C. Delivery:

Agendas will be delivered to Council on the Thursday prior to the Tuesday meeting via an emailed link to the electronic agenda packet posted on the City's website. No items, or additional materials, shall be delivered after the initial delivery to Council on Thursday, except in the instance of a designated emergency item.

Once the Agenda is made available to the City Council, it is available to the public. (*Amended via M.O. 11-111814, November 18, 2014.*)



VII. THE RALPH M. BROWN ACT

The Ralph M. Brown Act (California Government Code Section 54950 et seq.) governs meetings conducted by local legislative bodies such as city councils, boards of supervisors, special districts, and school boards. The Act represents the State Legislature's determination of how the balance should be struck between the public access to meetings of multi-member public bodies on one hand, and the need for confidential candor, debate, and information gathering on the other.

The Act contains specific exceptions from the open meeting requirements where government has a demonstrated need for confidentiality. Where matters are not subject to a closed meeting exception, the Act has been interpreted to mean that all of the deliberative processes by legislative bodies, including discussion, debate and the acquisition of information, be open and available for public scrutiny.

Meetings are defined as any gathering of a quorum of a legislative body (which includes newly elected but unsworn members of the body) to discuss or transact business under the body's jurisdiction and serial meetings are prohibited. Exemptions are individual contacts between board members and others which do not constitute serial meetings, attendance at conferences and meetings which are open to the public so long as legislative bodies do not discuss amongst themselves business of a specific nature under the body's jurisdiction, and attendance at social or ceremonial events where no business of the body is discussed.

The Act requires that notices of regular meetings must be posted at least seventy-two (72) hours prior to the meeting, and twenty-four (24) hour notice must be provided to members of the legislative body and media outlets for special meetings.

A user's guide to the Ralph M. Brown Act is provided to Council Members for their information. If a Council Member has a specific question which does not seem to be covered in the guide, the Council Member should contact the City Attorney for a legal opinion.



VIII. TRAVEL, MEETINGS AND EXPENSES

This policy would satisfy the requirements of California Government Code §§ 53232.2 and 53233.3 in the event such requirements could be constitutionally applied to charter cities.

The City Manager, or his staff, will notify the City Council Members about any League of California Cities' Conferences, Committee meetings, and/or local meetings that may be of interest to the Council. If a Council Member is interested in attending any such meeting, the following procedures should be followed:

A. Requests for Reservations:

When a City Council Member wishes to attend a conference or meeting, he/she should contact the City Manager's office and indicate the following:

1. The date(s) of the conference or meeting;
2. If the Council Member will be accompanied by anyone else, i.e. spouse, child;
3. Any personal preferences for hotel reservations, such as smoking or non-smoking, king or double beds, etc.; and
4. Whether special travel arrangements need to be made, i.e. airplane tickets, ride-sharing, etc.

A disbursement will then be prepared and the payment for the conference or meeting will be forwarded, and, if applicable, the hotel will be contacted to make the appropriate reservations. When making hotel reservations to attend a conference or meeting, a request for a room sales tax waiver shall be made on behalf of the applicable Council member. If a prior room reservation request is not made, the Council member shall request a room sales tax waiver prior to payment for a room.

For lodging in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question, if such rates are available at the time of booking. If the group rate is not available, government rates must be used when available. Lodging rates that are equal or less than the government rates are presumed to be reasonable and allowed per this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence allowed.

B. Travel and Expense Form:

A Travel and Expense Form will then be prepared for the Council Member which indicates the following:

1. The amount of money to be issued to the traveler as per diem*; and
2. Mileage expense* (if a personal vehicle is used for travel and cost is paid in advance).

** Amount set in Administrative Policy Manual Sec. II-E-1, Travel & Conference Expenses. In regard to the per diem amount, if payments for expenses are made in advance pursuant to the specified per diem amounts, the disbursement shall not be considered to be reimbursable expense under AB 1234.*

The Council Member will then be issued a packet of materials several days prior to the meeting which contains the following:

1. A check for per diem and mileage;
2. Confirmation notification and informational materials regarding the conference;
3. Confirmation notification for any hotel reservations; and
4. A City credit card to pay for the room charges at the end of the meeting.

C. Receipts:

The Council Member shall then bring the receipt for the hotel charges to the City Manager's staff upon his/her return, together with the credit card, and any refund due the City. The Council Member shall sign the original Travel and Expense Form at that time, which shall then be filed with the Finance Department for final processing.

If a refund is due the Council Member, a check will be issued by the Finance Department and then distributed to the Council Member.

D. Eligibility:

The City shall pay for any Council Member to attend any meetings or conferences of their choice. City Council approval shall not be required unless it is required by AB 1234. A Council Member may request mileage and other expenses associated with attending meetings of boards, commissions, committees, or other groups to which the Council Member has been elected, appointed, or designated to attend by the City Council without further approval or ratification. When accompanied by a spouse, significant other, and/or one or more children, the Council Member shall pay for expenses incurred above that which would otherwise have been paid for the Council Member. Any charge placed on a City credit card for someone other than a Council

Member shall also be considered a refund due the City, payable within 10 days of the receipt of the charges. *(Amended via Minute Order 18-091812, September 18, 2012.)*

E. Event Tickets :

1. City and City-Sponsored Events:

A Council Member may accept no more than two (2) tickets issued by the City to a City event or a City-sponsored event. Any tickets in excess of two (2) accepted by a Council Member shall be paid for by the Council Member from non-City funds at the time of acceptance of the tickets. *(Resolution No. 97-2019, December 3, 2019, attached as Appendix B)*

2. Non-City Sponsored Events:

A Council Member may accept one (1) ticket issued by the event sponsor if attending the event in his/her capacity as a City Council Member. Any additional tickets shall be paid for by the Council Member from non-City funds at the time of acceptance of the tickets. *(Resolution No. 97-2019, December 3, 2019, attached as Appendix B)*

F. Council Member Meetings with District Constituents:

No City funds or resources shall be used to pay for expenses related to meetings held by individual Council Members with their constituents, unless prior approval is received from the Council. This does not pertain to City Council Members holding meetings in designated conference rooms at City Hall. Under no circumstances shall City funds or resources be used for campaign purposes. *(Via M.O. 13-052119, May 21, 2019.)*



IX. CONFLICT OF INTEREST

A. City Council Members Filing Requirements

City Council Members are under the provisions of the Political Reform Act (Gov. Code, Section 81000 et seq. known as "the Act") as enforced by the Fair Political Practices Commission ("FPPC"). The Act applies to campaign contributions requirements, as well as matters of conflict of interest while in office.

1. Disclosure of Economic Interests:

City Council Members must file assuming office and leaving office statements, as well as annual statements while in office. The statements basically require the disclosure of the following information:

- Investments or interests in real property and its fair market value;
- Income, and the name and address of each source of income aggregating five hundred dollars (\$500) or more, or fifty (\$50) or more if a gift, and a general description of the business activity, if any of each source;
- Interests in real property held by a business entity or trust;
- Loans, and its annual interest rate and the security, if any, given for the loan;

2. Disqualification of Participation (Conflict of Interest):

A Council Member shall not make, participate in making, or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest. This might include decisions which affect property within up to 500 feet of the subject property in which the Council Member has an interest.

A financial interest in a decision, within the meaning of Section 87100 of the Act, is if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the Council Member or:

- A member of his or her immediate family;
- A business entity in which the Council Member has a direct or indirect investment worth \$2000 or more;
- Any real property in which the Council Member has a direct or indirect interest worth \$2,000 or more;
- Any source of income, other than gifts or commercial lending institutes loans, aggregating \$500 or more received or promised to the City Council Member within twelve months prior to the time when the decision is made;
- Any business entity in which the City Council Member is a director, partner, trustee, employee, or holds any position of management;
- Any donor, or any intermediary or agent for a donor, or a gift or gifts aggregating \$420 or more in value provided to, received by, or promised to the City Council Member within 12 months prior to the time when the decision is made.

Indirect investment or interest means any investments or interest owned by the spouse or dependent child of a City Council Member, by an agent on behalf of a Council Member, or by a business entity or trust in which the Council Member, the Council Member's agents, spouse, and dependent children own directly, indirectly, or beneficially a 10% interest or greater.

Section 87100 of the Act does not prevent any Council Member from making or participating in the making of a governmental decision to the extent his participation is legally required for the action or decision to be made. The fact that a Council Member's vote is needed to break a tie does not make his participation legally required for purposes of this section.

Pursuant to Section 87105 of the Act, a public official who holds an office specified in Section 87200 who has a financial interest in a decision within the meaning of Section 87100 shall, upon identifying a conflict of interest or a potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

- a. Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail

sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

- b. Recuse himself or herself from discussing and voting on the matter, or otherwise acting in violation of Section 87100.
- c. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.
- d. Notwithstanding paragraph (3), a public official may speak on the issue during the time that the general public speaks on the issue.

B. Other Agencies:

Whenever a Council Member is required to file a Statement of Economic Interest for an outside agency, the Deputy City Clerk will provide the correct form, and using the Statement of Economic Interest Form 700 filed in the City Clerk's Office for the City of Porterville, prepare a duplicate statement for signature, and forward the appropriate form to the requesting agency.

D. City of Porterville Conflict of Interest Code:

Certain designated City employees are also required to file conflict of interest forms under the provisions of the Political Reform Act Code, Sections 87100-87500 et seq. The City of Porterville Conflict of Interest Code was adopted by the City Council and is reviewed biennially to make sure it is kept current.

If Council Members have a question on whether an interest they have is sufficient for disqualification, they should contact the Fair Political Practices Commission at (866) 275-3772, or <http://www.fppc.ca.gov>, for a ruling or opinion.



X. GENERAL ITEMS

A. Different Hats

Members of the City Council also serve as the governing bodies for the following local agencies:

1. Successor Agency to the Porterville Redevelopment Agency
2. Industrial Development Authority
3. Public Financing Authority
4. Public Improvement Corporation
5. Planning Commission
6. Conflicts and Disclosure Monitor Agency

B. Compensation

As stated in the City Charter, Section 9, City Council Members shall receive \$20 per Council meeting, \$25 per Council meeting for the Mayor, with a maximum of seven paid Council meetings per month.

C. Issuance of Electronic Devices to Council Members

An Electronic Device, Internet, and Email Policy has been developed as set forth in Minute Order 14-090605. (*See Appendix D*)

D. Social Media

The City Council Members recognize that their individual use of social media tools such as Facebook, Twitter, Instagram, etc. should be done in a manner consistent with the Public Records Act, Brown Act and other applicable laws. The City council has adopted a policy in an effort to strike an appropriate balance between privacy, liability and public records concerns, and to keep clear distinctions between official and personal accounts. (*See Appendix F*)

E. Direction to Support Staff:

Upon assuming office, Council Members should notify the City Manager's staff regarding the following items:

1. Where to deliver Administrative Reports and Memorandums, i.e. home or business.

2. How to direct citizens who wish to speak to Council Members, i.e. take a message, give out home telephone numbers, give out business telephone numbers, etc.

F. City Attorney

The City Attorney is the legal advisor of the City Council, and all other City officials. The City Attorney shall prosecute all violations of City ordinances and shall draft all contracts and other legal documents and instruments, required by the Council or the City Manager. The City Attorney shall perform such other legal services as the Council may direct and shall attend all meetings of the Council unless excused therefrom by three members or by the Mayor.

The types of questions referred to the City Attorney are as follows:

1. Generally whether a conflict of interest exists for a Council Member and whether they should abstain from voting on a specific matter.

Please note: Any advice received from the City Attorney relating to Conflicts of Interests is informal only and not binding; the Council Member must seek and obtain a formal written opinion from the FPPC in order to be afforded any statutory immunities. FPPC Advice Line: (866) 275-3772.

2. Whether an issue has a legal standing, and what type of action would be appropriate.
3. Legal recommendations for matters of litigation.

G. Annual City Manager/City Attorney Evaluations

The City Council shall provide for annual evaluations for the City Manager and the City Attorney. A standardized evaluation form shall be used which shall address the areas of importance as set forth by the City Council. (*See Appendix C.*)

H. Response to President/Governor Directives

Directives issued by the President of the United States and/or Governor of the State of California shall not be considered a mandatory directive to the City of Porterville except as authorized and/or approved by the City Council. The one exception to this rule is that flags on City buildings shall be flown at half-staff upon orders by the President, Governor and/or Mayor, or by majority approval of the City Council.



APPENDICES

- A. Resolution 08-2023, Order of Business
- B. Resolution 97-2019, Ticket Policy
- C. Annual City Manager/City Attorney Evaluation Forms
- D. Electronic Device, Internet, and Email Policy
- E. Email Retention Policy
- F. Social Media Policy
- G. Optional Council Communication Log

RESOLUTION NO. 08 -2023

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE RESCINDING RESOLUTION 100-2019
AND ESTABLISHING NEW ORDER OF BUSINESS TO BE FOLLOWED
AT REGULAR MEETINGS OF THE CITY COUNCIL**

BE IT RESOLVED by the City Council of the City of Porterville that Resolution No. 100-2019 is herein rescinded.

BE IT FURTHER RESOLVED that the following is the order of business to be followed in conducting the regular meetings of the City Council:

- MEETING CALLED TO ORDER
- ROLL CALL
- ORAL COMMUNICATIONS (closed session items only)
- CLOSED SESSION
- RECONVENE OPEN SESSION
- REPORT ON ACTION TAKEN IN CLOSED SESSION
- PLEDGE OF ALLEGIANCE
- INVOCATION
- PRESENTATIONS
- ORAL COMMUNICATIONS (on any matter of interest)
- STAFF INFORMATIONAL REPORTS
- CONSENT CALENDAR – to include:
 - Approval of Minutes
 - Claims Against the City
 - Payment of Bills
 - Payments on Public Works Projects
 - Authorization to Purchase
 - Authorization to Call for Bids
 - Award of Bids
 - Acceptance of Projects
 - Acceptance of Dedications/Property
 - Approval of Final Tract Maps
 - Annexations
 - Requests for City Services
 - Reports
 - Other Routine Matters
- PUBLIC HEARINGS
- SECOND READINGS
- SCHEDULED MATTERS
- AB1234 REPORTS

- ORAL COMMUNICATIONS (on any matter of interest)
- COUNCIL COMMENTS
- ADJOURNMENT

PASSED, APPROVED AND ADOPTED this 7th day of February, 2023.



Martha A. Flores, Mayor

ATTEST:

John D. Lollis, City Clerk



By: Patrice Hildreth, Chief Deputy City Clerk

STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at a meeting of the Porterville City Council duly called and held on the 7th day of February, 2023.

Said resolution was duly passed, approved, and adopted by the following vote:

Council:	FLORES	CARRILLO	WEYHRAUCH	BELTRAN	MEISTER
AYES:	X	X	X	X	X
NOES:					
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk

By: 
Fernando Gabriel-Moraga, Deputy City Clerk

RESOLUTION NO. 97-2019

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE REPEALING AND REPLACING RESOLUTION NO. 99-2012
TO AMEND THE POLICY CONCERNING THE ACCEPTANCE OF
TICKETS BY COUNCIL MEMBERS TO CITY SPONSORED AND
NON-CITY SPONSORED EVENTS**

WHEREAS, changes have been made to the City Council's Procedural Handbook, in particular, the policy concerning the acceptance of tickets by Council Members to both City sponsored and non-City sponsored events

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that Resolution No. 99-2012 shall be repealed and replaced as follows:

SECTION 1: A Council Member may accept no more than two (2) tickets issued by the City to a City event or a City-sponsored event. Any tickets in excess of two (2) accepted by a Council Member shall be paid for by the Council Member from non-City funds at the time of acceptance of the tickets.

SECTION 2: A Council Member may accept one (1) ticket issued by the event sponsor if attending the event in his/her capacity as a City Council Member. Any additional tickets shall be paid for by the Council Member from non-City funds at the time of acceptance of the tickets.

PASSED, APPROVED AND ADOPTED this 3rd day of December, 2019.


Martha A. Flores, Mayor

ATTEST:
John Lollis, City Clerk

By: 
Fernando Gabriel-Moraga, Deputy City Clerk

STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at a meeting of the Porterville City Council duly called and held on the 3rd day of December, 2019.

Said resolution was duly passed, approved, and adopted by the following vote:

Council:	PEÑALOZA	REYES	FLORES	STOWE	GURROLA
AYES:	X	X	X	X	X
NOES:					
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk


By: Fernando Gabriel-Moraga, Deputy City Clerk



CITY MANAGER PERFORMANCE EVALUATION

	<u>WEAK</u>			<u>STRONG</u>	
A. Providing Information					
1. Does the City Manager keep you informed, in a timely manner, of the things you want to know about?	1	2	3	4	5
2. Do you feel that you receive information on an equal basis with other Council members?	1	2	3	4	5
3. Do reports provide adequate information and analysis to help you make sound decisions?	1	2	3	4	5
4. Are agenda items and supporting documents appropriate and brought to Council in sufficient time for deliberations?	1	2	3	4	5
5. Does the City Manager follow established policy concerning the placement of items on the agenda?	1	2	3	4	5
6. Does the City Manager follow up promptly on Council requests for information or action without having to be reminded?	1	2	3	4	5
7. Are Council packets relatively free of errors and omissions?	1	2	3	4	5
Average score					

	<u>WEAK</u>			<u>STRONG</u>	
B. Providing Advice					
1. Does the City Manager have adequate knowledge of municipal affairs?	1	2	3	4	5
2. Does he exercise good judgment?	1	2	3	4	5

3. Do you feel that the City Manager considers alternatives before making recommendations?	1	2	3	4	5
4. Does the City Manager plan ahead, anticipate needs and recognize potential problems?	1	2	3	4	5
5. How do you feel about the quality of analysis that accompanies recommendations?	1	2	3	4	5
6. Does he have a good sense of timing in bringing issues to the Council for action?	1	2	3	4	5

Average score

INTERNAL ADMINISTRATION

	<u>WEAK</u>			<u>STRONG</u>	
A. Financial Management					
1. Are you comfortable with the City Manager’s approach to budget preparation and review?	1	2	3	4	5
2. Is the City Manager effective in controlling costs through economical utilization of manpower, materials, and equipment?	1	2	3	4	5
3. Does the City Manager have sufficient knowledge of financial matters?	1	2	3	4	5
4. Does the City Manager provide you with sufficient information on the financial status of the City government?	1	2	3	4	5
5. Is the budget submitted on time?	1	2	3	4	5

Average score

	<u>WEAK</u>			<u>STRONG</u>	
B. Personnel Management					
1. Is the City Manager successful in guiding people so that they work together as a team toward common objectives?	1	2	3	4	5

	<u>WEAK</u>			<u>STRONG</u>	
2. Is the City Manager effective in selection and placing personnel?	1	2	3	4	5
3. Does the City Manager develop and motivate personnel so that they are increasingly effective in performing their duties?	1	2	3	4	5
4. Is the City Manager willing to face up to disciplinary problems and take action when warranted?	1	2	3	4	5
5. Is the City Manager effective in promoting positive employer-employee relations?	1	2	3	4	5
6. Is the City Manager effective on assuring that staff makes a positive impression on citizens?	1	2	3	4	5

Average score

	<u>WEAK</u>			<u>STRONG</u>	
C. Getting the Job Done					
1. Do you have the feeling that things the Council decides or directs get done?	1	2	3	4	5
2. Does the City Manager organize or assign work so that it is performed efficiently and effectively?	1	2	3	4	5
3. Does the City Manager pay sufficient attention to detail to avoid error or things “slipping through the cracks”?	1	2	3	4	5
4. Does the City Manager put in sufficient time and effort to perform to your expectations?	1	2	3	4	5
5. Does the City Manager have a good sense of priorities in the way he spends his time on the job?	1	2	3	4	5
6. Is the City Manager able to analyze problems or issues and identify causes, reasons, and implications?	1	2	3	4	5

- | | | | | | |
|---|---|---|---|---|---|
| 7. Does the City Manager develop and carry out short- and long-term action plans? | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|

Average score

EXTERNAL RELATIONS

	<u>WEAK</u>			<u>STRONG</u>	
A. Citizen Relations					
1. Does the City Manager generally make a positive impression on citizens and is he respected in Porterville?	1	2	3	4	5
2. Is he effective in handling disputes or complaints involving citizens?	1	2	3	4	5
3. Does the City Manager have appropriate visibility or identity in the community?	1	2	3	4	5
4. Does the City Manager represent Council positions and policies accurately and effectively?	1	2	3	4	5
5. Does the City Manager have the insight and knowledge to work with the Council, staff, and citizens to find effective solutions to issues?	1	2	3	4	5

Average score

	<u>WEAK</u>			<u>STRONG</u>	
B. Intergovernmental Relations					
1. Is the City Manager effective representing the City's interests in dealing with other agencies?	1	2	3	4	5
2. Does the City Manager participate in enough intergovernmental activity to have an impact on behalf of the City?	1	2	3	4	5

Average score

PERSONAL CHARACTERISTICS

	<u>WEAK</u>			<u>STRONG</u>	
A. Personality					
1. Is the City Manager's personality suited to effective performance of his duties?	1	2	3	4	5

Average score

	<u>WEAK</u>			<u>STRONG</u>	
B. Communications					
1. Is the City Manager easy to talk to?	1	2	3	4	5
2. Do you feel he is a good listener?	1	2	3	4	5
3. Are communications thoughtful, clear, and to the point?	1	2	3	4	5
4. Does the City Manager show sensitivity to the concerns of others?	1	2	3	4	5

Average score

	<u>WEAK</u>			<u>STRONG</u>	
C. Management Style					
1. Does the City Manager demonstrate interest and enthusiasm in performing his duties?	1	2	3	4	5
2. Does he have sufficient leadership characteristics to command respect and good performance from employees?	1	2	3	4	5
3. Does the City Manager show initiative and creativity in dealing with issues, problems, and unusual situations?	1	2	3	4	5
4. Is the City Manager open to new ideas and suggestions for change?	1	2	3	4	5
5. Does the City Manager create an atmosphere in which employees can enjoy working for the City?	1	2	3	4	5

6. Is the City Manager honest and ethical?	1	2	3	4	5
7. Does the City Manager work well under pressure?	1	2	3	4	5
8. Is the City Manager able to change his approach to fit new situations?	1	2	3	4	5
9. Can the City Manager consistently put aside personal views and implement Council policy and direction?	1	2	3	4	5

Average score

ACHIEVEMENTS

List the top three achievements or strong points of the City Manager for the past twelve (12) months:

1.

2.

3.

FUTURE DEVELOPMENT

List three performance objectives for the City Manager that you feel are the most important targets for this year:

1.

2.

3.

Total Overall Score

OVERALL RATING	<u>WEAK</u>				<u>STRONG</u>
	1	2	3	4	5

Date:

Martha A. Flores, Mayor

Kellie Carrillo, Vice Mayor

Donald Weyhrauch, Council Member

Raymond Beltran, Council Member

Greg Meister, Council Member



CITY ATTORNEY PERFORMANCE EVALUATION

	WEAK			STRONG	
A. Providing Information					
1. Does the City Attorney keep you informed, in a timely manner, of the legal issues affecting the City?	1	2	3	4	5
2. Does the City Attorney demonstrate initiative and resourcefulness in identifying legal problems, and advising and recommending resolutions?	1	2	3	4	5
3. Do reports/memoranda from the City Attorney provide adequate information and analysis to help you make sound decisions?	1	2	3	4	5
4. Do the legal solutions that are developed appropriately address the issues to be resolved?	1	2	3	4	5
5. Does the City Attorney follow up promptly on Council requests for information or action without having to be reminded?	1	2	3	4	5

Average score

	WEAK			STRONG	
B. Providing Advice					
1. Does the City Attorney have adequate knowledge of municipal legal affairs?	1	2	3	4	5
2. Does he/she exercise good judgment?	1	2	3	4	5
3. Do you feel that the City Attorney considers alternatives before making recommendations?	1	2	3	4	5
4. Does the City Attorney plan ahead, anticipate needs and recognize potential legal problems?	1	2	3	4	5
5. How do you feel about the quality of analysis that accompanies recommendations?	1	2	3	4	5

Average score

	WEAK			STRONG	
C. Getting the Job Done					
1. Do you have the feeling that things the Council decides or directs get done?	1	2	3	4	5
2. Does the City Attorney pay sufficient attention to detail to avoid error or things “slipping through the cracks”?	1	2	3	4	5
3. Does the City Attorney put in sufficient time and effort to perform to your expectations?	1	2	3	4	5
4. Does the City Attorney have a good sense of priorities in the way he/she spends his/her time on the job?	1	2	3	4	5
5. Is the City Attorney able to analyze problems or issues and identify causes, reasons, and implications?	1	2	3	4	5
6. Does the City Attorney perform well under pressure?	1	2	3	4	5
7. When work is delegated to staff/deputy attorneys, is the project/issue handled appropriately?	1	2	3	4	5
Average score					

EXTERNAL RELATIONS

	WEAK			STRONG	
A. Citizen Relations					
1. Does the City Attorney generally make a positive impression on citizens and is he/she respected in Porterville?	1	2	3	4	5
2. Is he/she effective in handling disputes or complaints involving citizens?	1	2	3	4	5
3. Does the City Attorney have appropriate visibility or identity in the community?	1	2	3	4	5
4. Does the City Attorney think and act in a manner reflecting an attitude that client (Council, staff, or citizens) perceptions and satisfactions are key?	1	2	3	4	5
Average score					

	WEAK			STRONG	
B. Intergovernmental Relations					
1. Is the City Attorney effective representing the City's interests in dealing with other agencies?	1	2	3	4	5
Average score					

PERSONAL CHARACTERISTICS

	WEAK			STRONG	
A. Personality					
1. Is the City Attorney's personality suited to effective performance of his/her duties?	1	2	3	4	5
Average score					

	WEAK			STRONG	
B. Communications					
1. Is the City Attorney easy to talk to?	1	2	3	4	5
2. Do you feel he/she is a good listener?	1	2	3	4	5
3. Are communications thoughtful, clear, and to the point?	1	2	3	4	5
4. Does the City Attorney show sensitivity to the concerns of others?	1	2	3	4	5
Average score					

	WEAK			STRONG	
C. Management Style					
1. Does the City Attorney demonstrate interest and enthusiasm in performing his/her duties?	1	2	3	4	5
2. Does the City Attorney show initiative and creativity in dealing with issues, problems, and unusual situations?	1	2	3	4	5
3. Is the City Attorney honest and ethical?	1	2	3	4	5
4. Does the City Attorney work well under pressure?	1	2	3	4	5

	WEAK			STRONG	
5. Is the City Attorney able to change his/her approach to fit new situations?	1	2	3	4	5
6. Can the City Attorney consistently put aside personal views and implement Council policy and direction?	1	2	3	4	5

Average score

ACHIEVEMENTS

List the top three achievements or strong points of the City Attorney for the past twelve (12) months:

1.

2.

3.

FUTURE DEVELOPMENT

List three performance objectives for the City Attorney that you feel are the most important targets for this year:

1.

2.

3.

TOTAL OVER ALL SCORE

	<u>WEAK</u>				<u>STRONG</u>
OVERALL RATING	1	2	3	4	5
<i>Date:</i>					

Martha A. Flores, Mayor

Kellie Carrillo, Vice Mayor

Donald Weyhrauch, Council Member

Raymond Beltran, Council Member

Greg Meister, Council Member



CITY COUNCIL CITY DEVICE, INTERNET & EMAIL POLICY

Electronic devices are made available to Council Members upon taking office and assuming Council duties. Access to email and the internet is a resource also made available to City Council Members as a means of communicating with City administration and constituents. The City Council recognizes that access to electronic communications contributes to the efficiency of conducting city business. The City Council has adopted this policy to ensure that all City of Porterville computer and network resources are used for purposes appropriate to City business; to inform Council Members of the applicability of laws and policies to computer and network usage; to establish policies on privacy, confidentiality, and security in electronic communications; and to provide guidance concerning rights and responsibilities with respect to the proper use of City of Porterville computer and network resources.

SCOPE

This policy applies to:

1. All City Council Members, as authorized users, whether elected or appointed;
2. All computer and mobile devices and network resources leased, owned, or managed by the City of Porterville; and
3. All electronic communications records in the possession of the City of Porterville.

CONFIDENTIALITY AND SECURITY

1. All materials sent or received over the Internet on electronic devices and/or network resources leased, owned or managed by the City, shall be considered property of the City. An authorized user does not have privacy rights in any matter created, received or sent. The City reserves the right to monitor access or disclose any message created, received or sent via the Internet or e-mail at any time, without advanced notice.
2. All authorized users shall respect the privacy of other users; for example, users shall not intentionally seek information on, obtain copies of, or modify files or data, belonging to other users, unless explicit permission to do so has been obtained.
3. Authorized users are to safeguard their accounts and passwords. Accounts and passwords are normally assigned to a single user, and are not to be shared with others. Users are responsible for their individual computer accounts and shall take

all reasonable precautions to prevent others from using their accounts. All notebooks and/or tablets should be locked or logged off each time they leave the device unattended. Account owners are ultimately responsible for all activity under their account.

4. Authorized users will not connect, attempt to connect or disconnect any computer or peripheral to, from or within the City of Porterville network without prior authorization from the Information Technology Division.
5. Authorized users will not use or attempt to use on the City of Porterville network any of the following items: any computer operating system media; computer or network utilities; network monitors; unlocking utilities or any software used to repair, change or monitor computer operations, network activity or security without preapproval from the Information Technology Division.
6. Authorized users should not attempt to remove the email disclaimers in their emails.
7. Authorized users shall not write down passwords to City of Porterville resources in an unsecured area.
8. Confidential information should not be downloaded or stored on portable resources unless proper encryption and password protection mechanisms are in place.

UNACCEPTABLE USES

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, unauthorized digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by City of Porterville.
2. Accessing or viewing sexually explicit or pornographic material.
3. Exporting software, technical information, public safety information, or encryption software, in violation of international or regional export control laws. Such use is illegal. The Information Technology Division should be consulted prior to export of any material that is in question.

4. Introduction of malicious programs into the network or servers (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.) that may gain unauthorized access to any computer or computing system and cause intentional disruption.
5. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
6. Using a City of Porterville device for profit activities (e.g., consulting for pay, sale of goods such as Avon and Amway products, etc.), or to actively engage in procuring or transmitting material that is in violation of discriminatory, sexual harassment or hostile workplace laws. Use of City devices or networks for political campaign purposes is expressly prohibited.
7. Making fraudulent offers of products, items or services originating from any City of Porterville account.
8. Effecting security incidents or disruptions of network communication. Security incidents include, but are not limited to, accessing data of which the authorized user is not an intended recipient or logging into a server or account that the authorized user is not expressly permitted to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
9. Port scanning or security scanning. Such use is expressly prohibited.
10. Executing any form of network monitoring which will intercept data not intended for the authorized user's host, unless this activity is part of the employee's normal job/duty.
11. Circumventing user authentication or security of any host, network or account.
12. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.

13. Unless explicitly authorized, providing information about, or lists of, City of Porterville employees or its affiliates to parties outside City of Porterville.
14. Incurring personal charges through the use of these systems. In the event that an authorized user does incur personal charges through the use of these systems, that user will be responsible for reimbursing the City for all expenses incurred.
15. Removing or disabling the security software (i.e. firewalls, anti-virus, anti-spyware, etc.) for any reason, unless done by or with the authority of the Information Technology staff.
16. The connection of portable or desktop computers to the City of Porterville computer network without approval by the Information Technology Division. Visitors or vendors under your care are not allowed to connect their portables directly to the City's network.

CITY'S RESERVATION OF THE RIGHT TO MONITOR

Pursuant to the Electronic Communications Privacy Act of 1986...notice is hereby given that there are NO facilities provided by the City for sending or receiving private confidential electronic communications. System administrators have access to all mail and user data files, and will monitor messages as necessary to assure efficient performance.

PUBLIC RECORDS AND PRIVATE AND PUBLIC DEVICES

Any temporary and permanent files and data prepared or received on a City owned or controlled device are considered a public record, unless an otherwise valid public records exemption applies.

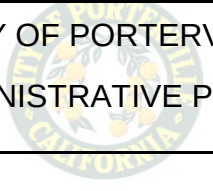
Temporary and permanent files and data prepared or received on a privately-owned device or electronic system by an authorized user containing information relating to the conduct of the public's business are public records subject to control by the City and compliance with the City's record policies. A writing relates to the conduct of the public's business when it serves, or is intended to serve, a City purpose and involves a matter over which the authorized user has work responsibility. This policy is not intended to modify the definition of a public record as defined by the California Public Records Act.

When notified of a public records request, the authorized user must conduct a reasonable search for, locate, and review writings maintained on his or her privately-owned device or electronic systems that are potentially responsive to a public records request and provide the responsive records to the City Clerk. The authorized user must provide an explanation for a decision to exclude certain writings as not being responsive

public records. If required by the City Attorney, the authorized user must execute an affidavit containing a sufficient factual basis for the City or a court to determine whether a record on a privately-owned electronic systems is not a responsive public record.

LOST OR STOLEN

Authorized users must report to City Administration, within one business day, whenever any personal device used pursuant to this policy is suspected or known to be lost or stolen. Upon notification of loss/theft, the System administrators may issue a remote wipe of affected City-owned or controlled devices to ensure that City-related data is safeguarded. The City is not liable for the potential loss of personal (e.g., contacts, apps, photos, etc.) data, including the potential to restore the device to factory default settings.

 CITY OF PORTERVILLE ADMINISTRATIVE POLICY	Number <u>V-A-15</u> Date <u>May 2, 2019</u> Revised _____ Authority <u>Administration</u>
SUBJECT: EMAIL RETENTION POLICY	_____ City Manager

PURPOSE:

To provide a procedure for the retention of e-mails consistent with applicable state and/or federal law and to provide for the efficient maintenance of affected infrastructure.

PROCEDURE:Managing Agency E-mail

Agency officials and employees are responsible for the management of their e-mail folders on a regular basis. It is the responsibility of agency officials and employees to determine if an e-mail is an Official Agency Record ("OAR") which must be retained in accordance with the City's Records Retention Policy. An e-mail message and any attachments regardless of format may be considered an OAR.

Messages that are Generally NOT Considered as Official Agency Records

Examples of e-mail messages that are not generally considered OARs may include: (1) personal messages; (2) "Spam" emails, advertisements, or other "junk" e-mail; (3) messages not related to public business (e.g., employee birthday celebrations in the lunch room); and (4) newsletters or general information from vendors or other public agencies.

Preserving E-mails that are Official Agency Records

Any e-mail message, including any attachments regardless of format that is an OAR should be preserved by one of the following methods:

1. Print the email and consolidate the printed copy in the appropriate file. Generally, the employee who sends the e-mail should be the person responsible for printing and filing the hard copy, but persons responsible for a particular program or project file shall be responsible for retaining all e-mail they send or receive related to that program or project
2. Move the e-mail from your Inbox to the archival folder within your Office 365 account.

E-mail Box Retention Schedule

Days	120	120	30	30
Email Folders	Inbox	Sent	Delete	Junk

Inbox and **Sent** folders retention period is 120 days. Items that reach 120 days will be automatically moved to archive.

Deleted and **Junk** folders retention period is 30 days. Items that reach 30 days will be automatically moved to archive.

This policy does not waive any exemption to disclosure that may apply under the California Public Records Act or other applicable law.

CITY OF PORTERVILLE CITY COUNCIL POLICY CONCERNING USE OF SOCIAL MEDIA

The City Council of the City of Porterville recognizes that social media such as Facebook, Twitter, Instagram, You Tube, etc. are popular tools for developing communications with the community. However, use of these tools should be done in a manner consistent with the Public Records Act, Brown Act, and other applicable laws. The City Council has adopted this policy in order to strike an appropriate balance between privacy, liability and public records concerns, and to keep clear distinctions between official and personal accounts.

THIRD PARTY SYSTEMS

Many social media platforms are third party systems that are maintained by other entities. Therefore, storage and control of information by account holders is limited by the terms of agreement with those entities. The account holders do not control the privacy and use policies of the platforms, and it is recognized that platform providers will, from time to time, modify their terms, conditions and usage policies with little to no notification.

CITY SOCIAL MEDIA SITES AND INDIVIDUAL SITES

“City social media sites” means official social media sites that the City establishes. “Individual social media sites” means social media sites established by individual Council Members, whether they reference their status as council members or not on the site.

NEW BROWN ACT LAW ADOPTED SEPTEMBER 18, 2020 AFFECTING SOCIAL MEDIA USE

A majority of the City Council Members are prohibited, outside of an authorized meeting, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the City Council. The new law does not prevent a Council Member from engaging in separate communications outside of an authorized meeting with any other person using an internet-based social media platform, to answer questions, provide information to the public, or to solicit information from the public regarding a City-related matter. That stated, the new law states that a majority of the City Council Members shall not use any internet-based social media platform to discuss among themselves, business of a specific nature that is within the subject matter jurisdiction of the City. FURTHERMORE, A CTIY COUNCIL MEMBER SHALL NOT RESPOND DIRECTLY TO ANY COMMUNICATION ON AN INTERNET-BASED SOCIAL MEDIA PLATFORM REGARDING A MATTER THAT IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL THAT IS MADE, POSTED, OR SHARED BY ANY OTHER MEMBER OF THE CITY COUNCIL. The new law specifically includes the use of “digital icons” that express reactions, in addition to electronic comments, within the definition of social media communications that are subject to restriction/prohibition.

CONSTITUTIONAL/FIRST AMENDMENT CONCERNS

There is case law addressing what will be interpreted as an account created or used in the Council Member’s official capacity and considered a public forum created by a public official (therefore prohibiting a public official from removing an individual’s communications or removing/banning users from that account), versus what may be considered a private social media account of a public official. In *Knight First Amendment Institute v. Trump*, 8 F.3d 226 (2nd Circuit 2019), the Court found that the First Amendment does not permit a public official who utilizes a social media account for official purposes to exclude persons from an otherwise-open dialogue because they expressed views with which the official disagrees. Such persons cannot be blocked in response to views that person has expressed. The Court noted that President Trump’s account was private prior to his election, and that the account may again become private when he leaves office, but because he had used the account to communicate and interact with the public about his administration, he had converted the account to a public forum. In *Garnier v. O’Connor-Ratcliffe*, 41 F.4th 1158 (9th Circuit 2022), the Court determined that two school board

candidates, who had campaign social media accounts/pages that were later changed to reflect their positions as elected officials and were used to communicate about school district activities, could not restrict or block specific parents from those pages/accounts.

COUNCIL MEMBER USE OF CITY SOCIAL MEDIA SITES

Members of the City Council shall not engage on City social media sites to “Like,” “Share,” “Retweet” or otherwise respond to any published postings on the City social media sites. Furthermore, members of the City Council shall not use the City social media sites to blog or engage in serial meetings, to engage in communications that violate other provisions of the Brown Act, or to otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the City.

COUNCIL MEMBER USE OF INDIVIDUAL SOCIAL MEDIA SITES

Members of the City Council, as a matter of free speech, may each choose to establish their own social media sites using their personal accounts. City Council Members recognize that for any account they establish, where they communicate regarding concerning the City’s activities or their own activities as a City Council Member, it is recommended that the content and tenor of online comments and information posts model the same decorum displayed during City Council meetings. The members agree to include a statement in their public profiles, or otherwise make clear on those sites that the site is not an official City social media site, that complaints and public records requests must be provided directly to the City Clerk or specific related City department, and that any content posted on the sites by the Council Member is not the official position of the City.

In order to assist with keeping information from individual social media sites from becoming subject to disclosure and retention requirements as a public record, the following precautions are recommended: 1) post disclaimers on personal accounts that identify the account purpose and that the opinions expressed are the individual’s own; 2) limit the account content to personal use; 3) understand and use privacy settings to manage the account; 4) don’t link from your individual accounts to an official city account; and 5) don’t use city devices to maintain your individual account. Notwithstanding these recommended precautions, City Council members shall not delete posts on their accounts used to communicate about activities and issues that come within the City’s subject matter, or comments received by individuals related to any such activities or issues, in order to ensure compliance with City records retention and public records laws.

Council Communication Log

NAME: _____ PHONE: _____

ITEM: _____

Date:	Incoming From:	Outgoing To:
Notes:		
Action Item:		
Resolution:		
Date:	Incoming From:	Outgoing To:
Notes:		
Action Item:		
Resolution:		
Date:	Incoming From:	Outgoing To:
Notes:		
Action Item:		
Resolution:		