



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 18, 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: 243-330-022. Agency Negotiator: Richard Tree. Negotiating Parties: City of Porterville and Michael L. McElhany & M Cherry (TRS). Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 245-010-091. Agency Negotiator: Richard Tree. Negotiating Parties: City of Porterville and Ben Ennis. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 245-010-049. Agency Negotiator: Richard Tree. Negotiating Parties: City of Porterville and Pam Coons. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 253-018-001. Agency Negotiator: Richard

Tree. Negotiating Parties: City of Porterville and Dr. Wilson Park. Under Negotiation: Terms and Price.

5- Government Code Section 54956.95 – Liability Claim: Claimant: Sarai Robles. Agency claimed against: City of Porterville.

6 - Government Code Section 54956.9(d) (2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Six (6) Cases: 1) Five cases in which facts are not yet known to potential plaintiff, and 2) Letter from Attorney Brent McManigal dated 10/02/2025.

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

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

Pledge of Allegiance Led by Council Member Rivas

Invocation

PRESENTATIONS

Recognition of St. Anne's School 100th Anniversary

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 committee/commission/board reports; subcommittee reports; and staff informational items.

- I. City Commission and Committee Meetings
 - 1. Animal Control Commission - November 13, 2025
 - 2. Youth Commission - November 12, 2025
- II. Staff Informational Reports
 - 1. Fall 2025 Community Clean-Up and Disposal Event Results

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 Advertise Request for Proposals for the Council Chambers Renovation Project**
Re: Consideration to advertise Request for Proposals for the Council Chambers Renovation Project located at 291 N. Main Street.
- 2. Award of Permanent Local Housing Allocation (PLHA) Year 3 Unsubscribed Funds**
Re: Considering award of PLHA Year 3 funds to Central California Family Crisis Center in the amount of \$31,813.45 for Emergency Shelter and Bridge Housing Operations and \$8,101.57 for Permanent Supportive Housing (PSH) Operations; Family Services of Tulare County in the amount of \$7,710.00 for PSH Operations; and Kings View in the amount of \$31,813.46 for Emergency Shelter and Bridge Housing.
- 3. Authorization to Award Contract – Fire Station 72 Addition and Remodel Project**
Re: Council to consider award of construction contract to 4C Global, Inc. (dba 4Creeks Build) for the Fire Station 72 Addition and Remodel Project located at 500 N. Newcomb Street, and authorization of related project funds and budget reallocations.
- 4. Acceptance of Project - Henrahan Street Reconstruction Project**
Re: Considering acceptance of the Henrahan Street Reconstruction Project located on Henrahan Street, between E. Grand Avenue and E. Morton Avenue, as complete; and authorization to return \$425,614.81 in unused Measure I funds to the Measure I fund balance for future eligible transportation projects.
- 5. Authorization of Additional Project Funds for the Charging Station Replacement Project**
Re: Consideration of additional project funds in the amount of \$126,000 for the Charging Station Replacement Project to cover sales tax, freight, performance bond, and engineering costs funded by existing grant funds.
- 6. Approval of a 90-Day Extension of the Option to Purchase and Sale Agreement with Self-Help Enterprises**
Re: Consider approval of a 90-day extension of the Option to Purchase and Sale Agreement with Self-Help Enterprises for City-owned property located at Springville Avenue and Jaye Street (APN 260-300-034).
- 7. Consideration of Appointment of CalTIP Board Member and Alternates**
Re: Appointment of staff members to serve as Board Member and Alternates to represent the City of Porterville on the California Transit Systems Joint Powers Authority.
- 8. 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

9. Adoption of the 2025 California Building Codes

Re: Public Hearing to receive public testimony and consider the first reading of Ordinances adopting the 2025 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Historical Buildings, Existing Buildings, Referenced Standards, and Wildland Urban Interface Codes.

10. Consideration of Revocation of Business License for a Home Occupation Permit

Re: Public hearing to consider revocation of the business license for a Home Occupation Permit for the property located at 1910 W. Putnam Avenue due to continued noncompliance with permit conditions.

SECOND READINGS

11. Second Reading - Ordinance No. 1920, Amending Chapter 12, Article 1 of the Code of the City of Porterville, Adopting by Reference the 2025 Edition of the California Fire Code

Re: Adoption of an ordinance amending Chapter 12, Article 1 of the code of the City of Porterville, adopting by reference, the 2025 Edition of the California Fire Code published by the International Code Council.

SCHEDULED MATTERS

12. Consideration to Participate in Community Water Center Feasibility Study

Re: Consideration for the City of Porterville to participate in the Community Water Center Feasibility Study and to execute a Letter of Interest with the Community Water Center.

13. Consideration of Amendments to the City Council Procedural Handbook

Re: Consider the adoption of Draft Resolution amending the City Council Procedural Handbook to revise the Order of Business, update Appendix F (Social Media Policy), and clarify Section F regarding Council Member meetings with members of the public.

AB 1234 REPORTS

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

1. Local initiatives Navigation Center Committee (LINC) - November 5, 2025

2. Mighty 190 Committee Meeting - November 10, 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 December 2, 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 18, 2025

SUBJECT: 1. Fall 2025 Community Clean-Up and Disposal Event Results

SOURCE: Transportation

COMMENT: The City of Porterville conducted its semiannual Community Clean-Up and Disposal Event on Saturday, October 18, 2025, as part of the City's ongoing commitment to promoting community pride, environmental stewardship, and responsible waste management practices.

The event was held at the City's Corporation Yard and provided residents an opportunity to properly dispose of household waste, green waste, construction debris, metals, and electronic waste. A total of 633 vehicles participated throughout the day, resulting in the following collected materials:

General Trash	231 loads
Wood	86 loads
Green Waste	69 loads
Construction Debris	17 loads
Scrap Metal	116 loads
Mattresses/Box Springs	130 units
Electronic Waste	89 loads

The total solid waste hauled was 88.02 tons, and 34.6 tons of recyclable materials were diverted through certified recycling partners.

The event was well received, achieving strong community participation and diverting a significant volume of recyclable materials from the landfill. The Transportation Department extends its appreciation to City staff, volunteers, and partner agencies who contributed to the safe and efficient operation of the event.

The Community Clean-Up and Disposal Event continues to reflect the City's commitment to providing accessible waste reduction programs and advancing its long-term sustainability goals. The next event is scheduled for Spring 2026.

RECOMMENDATION: Informational Only

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

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



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Authorization to Advertise Request for Proposals for the Council Chambers Renovation Project

SOURCE: City Manager's Office

COMMENT: On October 21, 2025, the City Council approved an amendment to the Capital Improvement Plan (CIP) establishing the Council Chambers Renovation Project and reallocating \$50,000 from the City Hall Fitness Center Upgrade Project to fund the renovation. The project aims to modernize the Council Chambers to improve functionality, accessibility, and professional presentation while preserving its civic and historical character.

The renovation will include removal and replacement of existing high-pressure laminate (HPL) finishes on the dais and staff boxes, fabrication and installation of brushed aluminum letters spelling "E PLURIBUS UNUM," removal and replacement of wallpaper, and installation of a height-adjustable podium. The project will retain the established design theme of "Bringing American History to Life."

To ensure qualified participation, staff has prepared the attached draft Request for Proposals seeking bids from experienced contractors licensed in cabinet, millwork, and finish carpentry. The RFP outlines detailed project specifications, contractor qualifications, insurance requirements, and evaluation criteria.

The proposed RFP schedule is as follows:

- RFP Issuance: November 25, 2025
- Deadline for Questions: December 16, 2025
- Proposal Due Date: January 6, 2026
- Anticipated Council Award: January 20, 2026 or soon thereafter

The project budget remains at \$50,000, as approved in the CIP amendment, from the General Fund. The improvements will be completed within this budget and managed by City staff to ensure consistency with City standards and fiscal efficiency.

RECOMMENDATION:

That the City Council:

1. Authorize staff to advertise Request for Proposals for the Council Chambers Renovation Project; and
2. Authorize the City Manager, or designee, to take such actions as necessary to implement the RFP process and return to the City Council with a recommendation for award.

ATTACHMENTS:

1. Draft Request for Proposals

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

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



**CITY OF PORTERVILLE
REQUEST FOR PROPOSALS (RFP)
RFP # 25/26-SRXXXX**

Council Chambers Renovation

**Submit Questions or Comments by
December 16, 2025, by 2:00 P.M.**

**RFP SUBMITTAL DEADLINE
January 6, 2026, by 2:00 P.M.**

CITY OF PORTERVILLE REQUEST FOR PROPOSALS FOR COUNCIL CHAMBERS RENOVATION

The City of Porterville is requesting proposals from qualified contractors for the Council Chambers Renovation Project, located at 291 N. Main Street, Porterville, CA. The project includes removal and replacement of existing high-pressure laminate (HPL) finishes on the dais, half-walls, and staff boxes; removal of the existing Clerk's countertop; fabrication and installation of new brushed stainless-steel letters spelling 'E PLURIBUS UNUM'; removal of existing wallpaper and installation of new City-selected wallpaper; and fabrication and installation of a new height-adjustable podium that matches the installed HPL finish.

Project Description

The Council dais and associated millwork consist of multiple sections and surfaces to be refinished for a cohesive and modernized appearance. The dais section is approximately 42 inches high by 330 inches wide. Each left and right dais side box is approximately 42 inches high by 108 inches wide. The center half-wall in front of the dais is approximately 42 inches high by 180 inches wide.

The scope of work shall include removal of the existing Clerk's countertop, removal of all existing HPL and wallpaper, installation of new Wilsonart HPL, as directed by the City, with proper substrate preparation, installation of 8-inch brushed aluminum letters with satin gold finish spelling 'E PLURIBUS UNUM', wallpaper replacement as directed by the City, and fabrication of a height-adjustable podium matching the new dais finish.

The budget for the project is \$50,000.

Contractor Requirements

Contractors must hold a valid California C-6 Cabinet, Millwork, and Finish Carpentry license or equivalent; demonstrate at least three (3) years of experience in HPL and interior finish installations; provide at least two (2) references for similar civic or institutional projects; maintain required insurance; and obtain a City of Porterville Business License before starting work.

Front View of Dais



Right Staff Box



Left Staff Box



Half Wall and Podium Area



City's Vendor Self-Registration and Notification

Proposal forms and documents may be inspected and electronically downloaded at no cost, at the Public Purchase website, www.publicpurchase.com. No copies of said documents will be provided by the City. No proposal shall be received from an individual or firm that has not accessed the proposal documents from the Public Purchase website. All addenda and correspondence during the process will be handled electronically through the Public Purchase website. **Questions regarding this request for proposals must be submitted through the Public Purchase website. Proposals must be submitted through the Public Purchase website.**

Preliminary Timeline

RFP Announced	November 25, 2025
Deadline for RFP Questions	December 16, 2025
Proposals Due	January 6, 2026
Council Approval	January 20, 2026 or soon thereafter

Project Specifications

High Pressure Laminate (HPL) Specification

Wilsonart HPL Finish Work

1. General Requirements

Contractor shall furnish and install new high-pressure laminate (HPL) finishes on the Council dais, side boxes, half-wall, and staff boxes in the City Council Chambers. All HPL materials, adhesives, and installation methods shall conform to manufacturer's recommendations and AWI (Architectural Woodwork Institute) Quality Standards for interior architectural millwork.

The City will make the final determination of the selected HPL color, pattern, and finish based on physical samples submitted by the Contractor for review and approval prior to fabrication.

2. Material Specifications

- Manufacturer: Wilsonart, Inc. (or City-approved equal meeting performance and aesthetic standards)
- Proposed Product: Warehouse Oak 7969K-35, Fine Velvet Texture (-35)
- Thickness: 0.039 inch (nominal)

- Composition: High-pressure decorative laminate consisting of melamine-impregnated decorative surface and phenolic resin core layers, pressed under high temperature and pressure to meet NEMA LD 3 standards.
- Finish: Fine Velvet Texture (-35) or other texture approved by the City.
- Core Substrate: ¾-inch MDF or plywood substrate as required to match existing millwork profiles.

3. Color and Finish Selection

- The City of Porterville shall have final authority over the selection of the specific Wilsonart color, finish, and pattern prior to ordering materials.
- Contractor shall provide two (2) physical HPL samples representing the proposed product, along with optional comparable alternatives for City review.
- No substitutions or color changes shall be made without written approval from the City.

4. Installation Requirements

- Remove all existing laminate and adhesive residues from substrate surfaces.
- Prepare substrate to be smooth, clean, and free of oil, dust, and defects before adhesive application.
- Apply contact adhesive uniformly to both substrate and back of HPL per manufacturer's instructions.
- Allow adhesive to dry to proper tack before bonding, using a pressure roller to ensure full contact and eliminate air pockets.
- Align HPL sheets for consistent grain direction and visual continuity across all panels and corners.
- Trim edges cleanly, file smooth, and remove all burrs and sharp corners.
- Install matching backer sheets on concealed faces to balance construction and prevent warping.

5. Quality Assurance

- All laminate shall be installed by personnel experienced in HPL fabrication and installation, under the supervision of a qualified finish carpenter.
- Work shall be completed to a high-quality architectural finish standard, free of bubbles, delamination, uneven seams, or surface defects.
- Seams shall be tight, flush, and inconspicuous when viewed from normal standing distance.
- All exposed edges and corners shall align evenly with adjacent panels.

6. Cleaning and Protection

- After installation, clean all laminated surfaces with a non-abrasive cleaner approved by the manufacturer.
- Protect finished surfaces from damage until project acceptance by the City.

Dimensional Metal Lettering

“E PLURIBUS UNUM”

1. General Requirements

Contractor shall furnish and install dimensional metal lettering spelling “E PLURIBUS UNUM” on the front face of the Council dais as described in the Project Scope. Letters shall be precision-fabricated aluminum with a brushed satin gold finish, designed for permanent interior architectural installation.

All work shall conform to industry standards for dimensional signage and shall be installed level, evenly spaced, and securely fastened per manufacturer recommendations.

A sample of acceptable product quality and fabrication style may be viewed at the following link: <https://www.bannerbuzz.com/aluminum-letters-and-numbers/p>

This reference is provided for visual quality and construction type only. Equivalent or superior products meeting these specifications will be accepted.

2. Material and Fabrication

- Material: Aluminum, alloy 5052 or 6061, suitable for interior architectural applications.
- Finish: Brushed satin gold, factory-applied with clear protective coating to resist oxidation and fingerprints.
- Letter Height: 8 inches.
- Letter Thickness: 2/5 inch (0.40").
- Typeface: Arial Bold (or City-approved equivalent).
- Mounting Method: Stud-mounted with concealed hardware and clear silicone adhesive, flush to surface unless otherwise directed.
- Studs: Minimum 3/16-inch diameter, welded or press-fit stainless steel. Stud length shall be adequate to achieve full embedment in substrate per manufacturer’s installation details.
- Backer/Spacers: Use non-corrosive plastic or stainless spacers as required to ensure consistent projection and alignment.

3. Layout and Placement

- Location: Centered horizontally on the 42-inch-high × 180-inch-wide (15-foot) center section of the dais front panel.
- Alignment: Baseline of text to be set for even visual centering within the panel height, typically positioned at one-third of the panel height from the top edge.
- Letter Spacing: Uniform kerning and consistent baseline alignment using manufacturer’s full-size installation template.
- Verification: Contractor shall submit scaled shop drawings indicating letter layout,

spacing, and mounting details for City approval prior to fabrication.

4. Installation Requirements

- Verify surface flatness and substrate integrity prior to installation.
- Drill holes for stud mounts precisely using manufacturer-provided template; clean holes and remove dust prior to adhesive application.
- Apply non-staining, clear silicone adhesive to each stud prior to insertion.
- Set letters in position, check level and spacing, and secure in place using removable painter's tape until adhesive cures.
- Remove all excess adhesive immediately and clean the finished surface with a non-abrasive cleaner approved for metal finishes.

5. Quality Assurance and Warranty

- Fabricator shall have a minimum of five (5) years of experience producing dimensional metal letters of similar scope.
- All lettering shall be free from visible seams, weld marks, or finish inconsistencies when viewed from six feet under normal lighting.
- Manufacturer shall provide a minimum five-year warranty covering defects in materials, finish, and fabrication.

Wallpaper and Wallcovering Installation

1. General Requirements

Contractor shall remove the existing wallpaper throughout the City Council Chambers and install new commercial-grade wallcovering selected by the City of Porterville.

All materials and installation shall comply with manufacturer's specifications and current industry standards established by the Wallcoverings Association (WA) and ASTM F793 – Classification of Wallcoverings by Use Characteristics.

The final wallpaper selection shall be determined by the City of Porterville following submittal of sample options by the contractor.

2. Material Specifications

- Type: Type II commercial-grade vinyl wallcovering, minimum weight 20 oz. per lineal yard.
- Backing: Fabric or non-woven backing suitable for adhesive application over prepared drywall.
- Width: 52 to 54 inches nominal.
- Color/Pattern: To be selected by the City of Porterville. Contractor shall provide a minimum of three (3) sample options for review and approval.
- Finish: Smooth or lightly textured surface, washable, with low-gloss finish appropriate for a civic setting.

- Fire Rating: ASTM E84, Class A flame spread and smoke development.
 - Adhesive: Strippable, clay-based, or clear adhesive recommended by wallcovering manufacturer for substrate conditions.
3. Surface Preparation and Installation
 - Remove all existing wallpaper, backing, and adhesive residue completely.
 - Repair, patch, and sand wall surfaces to a smooth, uniform finish.
 - Apply wall primer/sealer compatible with the selected adhesive prior to installation.
 - Install new wallpaper with vertical seams plumb and tight, pattern-matched, and edges butted smoothly without overlap.
 - Avoid air bubbles, wrinkles, and visible adhesive residue.
 - Ensure seams are tight and free of gaps, lifting, or curling.
 4. Cleaning and Protection
 - Clean all finished surfaces of adhesive residue immediately after installation.
 - Protect all adjacent finishes, trim, and electrical outlets during installation.
 - Protect installed wallcovering from damage until project acceptance by the City.
 5. Quality Assurance
 - Work shall be performed by experienced wallcovering installers with at least three (3) years of experience in commercial applications.
 - Installation shall be uniform in appearance, free from visual defects when viewed under normal lighting from a standing position.

Height Adjustable Podium

1. General Requirements

Contractor shall furnish and install one (1) height-adjustable podium in the Council Chambers that is fully compatible with the aesthetic of the renovated dais and surrounding millwork. The podium shall be designed for professional presentation use in a municipal council setting and must match the installed high-pressure laminate (HPL) finish on the dais.

A sample of a suitable unit is the “Counselor Lift” adjustable height lectern by [PodiumStop](#).
2. Material & Finish
 - Fabricated substrate: Wood composite, hardwood or equivalent structural quality suitable for millwork finish.
 - Surface finish: HPL wrap in Wilsonart Warehouse Oak (7969K-35) matching the dais finish, Fine Velvet Texture (-35).

- Work surface and panel faces to be matched for color, grain direction, and sheen with the dais finish.
- All visible trim and hardware shall be in a finish compatible with the dais metal accents (e.g., brushed satin gold or fine bronze).

3. Dimensions & Features

- Adjustable height range: approximately 39" to 54.75" overall height, work surface elevating as appropriate.
- Width approximately 26.5", depth approximately 22" (or similar structural footprint per product selected) to allow adequate presence without dominating the dais area.
- Features:
 - Electric or manual height adjustment mechanism (contractor to specify)
 - Modesty panel front face
 - Cable access grommets or conduit access for microphone, power, and data lines
 - Locking casters or stable base to provide mobility yet security in position
- Structural and finish integrity: podium to be stable, level, and fully integrated with the Council Chambers floor finish and dais area.

4. Installation Requirements

- Contractor must coordinate placement of podium in front of the dais, ensuring positioning does not obstruct primary sight lines or architectural details.
- Verify final height and configuration in coordination with City staff, giving allowance for seated and standing presenters.
- All electrical/power/data work (if required) shall be coordinated with City's technology/IT staff and comply with applicable codes.
- Finish shall be protected until final acceptance by the City; any damage, scuffs, or mismatches must be repaired or replaced prior to final project acceptance.

5. Quality Assurance & Warranty

- Manufacturer or vendor shall have a minimum of three (3) years of experience supplying height-adjustable podiums for institutional or civic use.
- Contractor shall provide warranty coverage for a minimum of one (1) year for the podium mechanism, finish integrity, and installation workmanship.
- Podium shall arrive as a factory-prefinished unit or fabricated piece verified to match the dais finish before installation.

Proposal Requirements

Proposals shall include a cover letter and company qualifications, a detailed scope of work, proposed project schedule, itemized cost proposal, and list of references.

Required Forms and Certifications

- Completed and signed forms as provided by the City, including:
 - Non-Collusion Declaration (Exhibit B)
 - Debarment and Suspension Certification (Exhibit C)
 - Acknowledgment of Addenda (Exhibit D)
 - Certification of Insurance (sample or statement of ability to meet City requirements)
 - Business License (if awarded)
- Any additional documents required by the City's standard procurement policies.

Insurance Requirements

The City will require the selected contractor to obtain and maintain, at contractor's sole cost and expense, insurance coverage as outlined in the attached Sample Contractor Services Agreement (Exhibit A).

The selected contractor shall maintain said insurance policies in effect during the term of the contract and shall cause all parties to supply services, labor, or materials to maintain insurance in amounts and coverage not less than those specified in the attached sample Agreement for Construction and Installation Services (Exhibit A).

The selected contractor shall file certifications of this insurance, including all applicable endorsements, with the City prior to commencement of its performance under this agreement. The contractor must maintain adequate levels of insurance throughout the duration of the agreement.

Indemnity and Harmless Clause

The City will require the selected contractor to hold harmless, defend and indemnify the City, their officers, employees and agents from any liability, claims, actions, costs, damages or losses, for injury, including death to any person, or damage to any property arising out of the contractor's services, in accordance with the indemnity language included in the Sample Contractor Services Agreement (Exhibit A).

Ineligible Bidders

Each contractor must certify that it is not included on the U.S. Comptroller General's Consolidated List of Persons or Firms Currently Debarred for Violations of Various Public Contracts Incorporating Labor Standards Provisions. Exhibit C must be properly completed and submitted with the proposal.

Title VI of the Civil Rights Act of 1964

The contractor agrees to comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (49 USC 2000d) and the regulations of the U.S. Department of Transportation issued there under in 49 CFR Part 21.

Equal Employment Opportunity

In connection with the performance of this contract, the contractor shall not discriminate against any employee or applicant for employment because of race, color, age, creed, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Evaluation Criteria

Proposals will be evaluated by a selection committee composed of City staff and, if necessary, external advisors with expertise in economic development, business recruitment, and organizational development. The committee will review and score each proposal in accordance with the criteria listed below.

The City reserves the right to request additional information, conduct interviews, and negotiate with one or more firms prior to recommending a contract award.

Criteria	Points
Understanding of Scope and Approach	25
Experience and Qualifications	25
Proposed Materials and Product Quality	20
Project Schedule	10
Cost Proposal	15
Reference and Past Performance	5
Subtotal	100
Local Firm*	5
Total Possible Points (RFP)	105

* Local Firms are required to meet both the following: 1) Have a local business office in Tulare County; and 2) at least 51% of the work to be conducted by employees in the local office.

Selection Process

1. **Initial Review:** The City will review all proposals for completeness and adherence to the submission requirements. Incomplete proposals may be deemed non-responsive.
2. **Evaluation and Scoring:** The selection committee will evaluate written proposals using

the criteria above.

3. **Final Selection:** Following evaluation and interviews, the committee will recommend the firm that best meets the City's needs.
4. **Award:** The City will negotiate a professional services agreement with the highest-ranked firm. If negotiations are unsuccessful, the City reserves the right to begin negotiations with the next highest-ranked firm.

City Rights and Reservations

The City of Porterville reserves the right to reject any or all proposals, waive any informality or irregularity, and accept the proposal that is deemed most advantageous to the City. The City also reserves the right to request additional information or clarifications, conduct interviews, and negotiate final terms and pricing prior to award.

EXHIBIT A
CITY OF PORTERVILLE
AGREEMENT FOR CONSTRUCTION AND INSTALLATION SERVICES

THIS AGREEMENT, made and entered into this ____ day of _____, 20__, between the City of Porterville, a municipal corporation, hereinafter referred to as "City" and _____, hereinafter referred to as "Contractor". In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. **SCOPE OF SERVICES.** Contractor agrees to perform the services set forth in Exhibit A "SCOPE OF SERVICES" and made a part hereof. Contractor shall perform all of these services to the satisfaction of the City. Contractor represents and warrants that it has the qualifications, experience, licenses and facilities to properly perform said services in a thorough, competent and professional manner and shall, at all times during the term of this Agreement, have in full force and effect, all licenses required of it by law.
2. **STATUS OF CONTRACTOR.** Contractor is, and shall at all times, remain as to the City a wholly independent contractor. The personnel performing the services under this Agreement on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Neither City nor any of its officers, employees or agents shall have control over the conduct of Contractor or any of Contractor's officers, employees or agents, except as set forth in this Agreement. Contractor shall not at any time or in any manner represent that it or any of its officers, employees or agents are in any manner officers, employees or agents of the City. Contractor shall not incur or have the power to incur any debt, obligation or liability whatever against City, or bind City in any manner. Contractor shall not disseminate any information or reports gathered or created pursuant to this Agreement without the prior written approval of City except information or reports required by government agencies to enable Contractor to perform its duties under this Agreement.
3. **CONTRACTOR KNOWLEDGE OF APPLICABLE LAWS.** Contractor shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Contractor shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Contractor to comply with this section.
4. **PERSONNEL.** Contractor shall make every reasonable effort to maintain the stability and continuity of Contractor's staff assigned to perform the services hereunder. The personnel performing the services under this Agreement on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Contractor or any of Contractor's officers, employees or agents, except as set

forth in this Agreement.

Contractor shall not at any time or in any manner represent that Contractor or any of Contractor's officers, employees or agents are in any manner officials, officers, employees or agents of City. Neither Contractor, nor any of Contractor's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Contractor expressly waives any claim Contractor may have to any such rights.

5. **COMPENSATION AND METHOD OF PAYMENT.** Compensation and reimbursement to the Contractor shall be as set forth in Exhibit A attached hereto and made a part hereof. The total compensation, including reimbursement for actual expenses, shall not exceed \$_____ unless additional compensation is approved in writing by the City Council or City Manager. Payments shall be made within thirty (30) days after receipt of each invoice as to non-disputed fees. If the City disputes any of Contractor's fees, it shall give written notice to Contractor in (thirty) 30 days of receipt of an invoice of any disputed fees set forth on the invoice.
6. **ADDITIONAL SERVICES OF CONTRACTOR.** Contractor shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to those set forth herein, unless such additional services are authorized in advance and in writing by the City Council. Contractor shall be compensated for any additional services in the amounts and in the manner as agreed to by the City Council and Contractor at the time City's written authorization is given to Contractor for the performance of said additional services.
7. **ASSIGNMENT.** The expertise and experience of Contractor are material considerations for this Agreement. City has an interest in the qualifications of and capability of the persons and entities who will fulfill the duties and obligations imposed upon Contractor under this Agreement. In recognition of that interest, Contractor shall not assign or transfer any of portion this Agreement or the performance of any of Contractor's duties or obligations under this Agreement without the prior written consent of the City Council. Any attempted assignment shall be ineffective, null and void, and shall constitute a material breach of this Agreement entitling City to any and all remedies at law or in equity, including summary termination of this Agreement.
8. **FACILITIES AND RECORDS.** Contractor shall maintain complete and accurate records with respect to sales, costs, expenses, receipts and other such information required by City that relate to the performance of services under this Agreement. Contractor shall maintain adequate records of services provided in sufficient detail to permit an evaluation of services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Contractor shall provide free access to the representatives of City, or its designees, at reasonable times to such books and records, shall give City the right to examine and audit said books and records, shall permit City to make transcripts there from as necessary, and shall allow

inspection of all work, data, documents, proceedings and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of five years after receipt of final payment.

9. TERMINATION OF AGREEMENT. This Agreement will commence on _____, ____ and shall terminate on _____, _____, unless otherwise extended by written agreement of the parties. This Agreement may be terminated with or without cause by either party upon ten (10) days written notice. In the event of such termination, Contractor shall be compensated for non-disputed fees under the terms of this Agreement up to the date of termination.
10. COOPERATION BY CITY. All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Scope of Services, shall be furnished to Contractor in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.
11. OWNERSHIP OF DOCUMENTS. Upon satisfactory completion of, or in the event of termination, suspension or abandonment of, this Agreement, all original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared in the course of providing the services to be performed pursuant to this Agreement shall become the sole property of City. With respect to computer files, Contractor shall make available to the City, upon reasonable written request by the City, the necessary computer software and hardware for purposes of accessing, compiling, transferring and printing computer files.
12. RELEASE OF INFORMATION. All information gained by Contractor in performance of this Agreement shall be considered confidential and shall not be released by Contractor without City's prior written authorization excepting that information which is a public record and subject to disclosure pursuant to the California Public Records Act. Contractor, its officers, employees, agents or subcontractors, shall not without written authorization from the City Manager or unless requested by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement or relating to any project or property located within the City. Response to a subpoena or court order shall not be considered "voluntary" provided Contractor gives City notice of such court order or subpoena.

If Contractor or any of its officers, employees, Contractors or subcontractors does voluntarily provide information in violation of this Agreement, City has the right to reimbursement and indemnity from Contractor for any damages caused by Contractor's conduct, including the City's attorney's fees.

Contractor shall promptly notify City should Contractor, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition,

request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed hereunder or with respect to any project or property located within the City. City retains the right, but has no obligation, to represent Contractor and/or be present at any deposition, hearing or similar proceeding. Contractor agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Contractor. However, City's right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

13. CONFLICTS OF INTEREST. Contractor covenants that neither Contractor nor any officer or principal of Contractor's firm has any interest in, or shall acquire any interest, directly or indirectly, which will conflict in any manner or degree with the performance of services herein. Contractor further covenants that in the performance of this Agreement, no person having such interest shall be employed by Contractor as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. If required by the City Manager, Contractor's principles, officers, employees or agents shall file disclosure statements pursuant to the Political Reform Act, Government Code Section 87200.

City understands and acknowledges that Contractor is, as of the effective date of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Contractor is unaware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section, unless otherwise required by law.

14. DEFAULT. In the event that Contractor is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Contractor for any work performed after the date of default and may terminate this Agreement immediately by written notice to the Contractor. Default shall mean any failure to comply with any covenant, condition or term of this Agreement.
15. INDEMNIFICATION. **To the fullest extent permitted by law**, CONTRACTOR shall indemnify, defend, and hold harmless the CITY, its officers, employees, agents and volunteers ("City Indemnitees"), from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels' fees and costs of litigation ("claims"), arising out of the CONTRACTOR's performance of its obligations under this agreement or out of the operations conducted by CONTRACTOR, including the CITY's active or passive negligence, except for such loss or damage arising from the sole negligence or willful misconduct of the CITY. In the event the City Indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from CONTRACTOR's performance of this agreement, CONTRACTOR shall provide a defense to the City Indemnitees, or at the City's option, reimburse the City Indemnitees their costs of defense, including reasonably legal counsels' fees, incurred in defense of such claims.

If pursuant to this agreement, CONTRACTOR is providing design professional services, the above paragraph and any provisions, clauses, covenants, and agreements contained in, collateral to, or affecting this agreement, that purports to indemnify, including the duty and the cost to defend, the indemnitee by a design professional against liability for claims against the indemnitee, shall be unenforceable, except to the extent that the claims against the indemnitee arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. In no event shall the cost to defend charged to the design professional exceed the design professional's proportionate percentage of fault. However, notwithstanding the previous sentence, in the event one or more defendants is unable to pay its share of defense costs due to bankruptcy or dissolution of the business, the design professional shall meet and confer with other parties regarding unpaid defense costs. The duty to indemnify, including the duty and the cost to defend, is limited as provided in this section. This section shall not be waived or modified by contractual agreement, act, or omission of the parties. Contractual provisions, clauses, covenants, or agreements not expressly prohibited herein are reserved to the agreement of the parties.

For purposes of this section, "design professional" includes all of the following:

- A. An individual licensed as an architect pursuant to Chapter 3 (commencing with Section 5500) of Division 3 of the Business and Professions Code, and a business entity offering architectural services in accordance with that chapter.
- B. An individual licensed as a landscape architect pursuant to Chapter 3.5 (commencing with Section 5615) of Division 3 of the Business and Professions Code, and a business entity offering landscape architectural services in accordance with that chapter.
- C. An individual registered as a professional engineer pursuant to Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code, and a business entity offering professional engineering services in accordance with that chapter.
- D. An individual licensed as a professional land surveyor pursuant to Chapter 15 (commencing with Section 8700) of Division 3 of the Business and Professions Code, and a business entity offering professional land surveying services in accordance with that chapter.

The provisions of this section pertaining to the duty and cost to defend shall not apply to either of the following:

- A. Any contract for design professional services, or amendments thereto, where a project-specific general liability policy insures all project participants for general liability exposures on a primary basis and also covers all design professionals for their legal liability arising out of their professional services on a primary basis.

- B. A design professional who is a party to a written design-build joint venture agreement.
16. INSURANCE. The Contractor agrees to maintain in force at all times the following insurance with a current A.M. Best's rating of no less than A:VII:
- A. Worker's Compensation insurance covering employees of the Contractor in such amounts as required by law.
 - B. Commercial General Liability insurance in the amount of Two Million Dollars (\$2,000,000), naming the City as an additional insured.
 - C. Automobile liability insurance in the amount of Two Million Dollars (\$2,000,000) per accident for bodily injury and property damage.
 - D. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the Contractor shall reduce or eliminate such deductible or self-insured retentions as respects the City, its officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.
 - E. The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
 - 1. The City, its officers, officials, employees and volunteers to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees or volunteers.
 - 2. For any claims related to this project, the Contractor's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the Contractor, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
 - 3. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City, its officers, officials, employees or volunteers.
 - 4. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

5. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after (30) day's prior written notice by Certified Mail, Return Receipt Requested, has been given to the City.
 - F. Contractor shall furnish the City Clerk annually with original endorsements affecting coverage required by this clause. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the City. All endorsements are to be received and approved by the City before work commences. As an alternative to the City forms, the Contractor's insurer may provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications in the form of a Certificate of Insurance.
17. **NON-DISCRIMINATION CLAUSE.** Contractor shall not discriminate, in any way, against any person on the basis of race, religious creed, color, national origin, ancestry, sex, sexual orientation, age, physical handicap, medical condition, marital status, or any other classification protected by law in connection with or related to the performance of this Agreement and shall comply with the provisions of the State Fair Employment Practices Act as set forth in Part 4.5 of the Division 2 of the California Labor Code; the Federal Civil Rights Act of 1964, as set forth in Public Law 88- 352, and all amendments thereto; Executive Order No. 11246; and all administrative rules and regulations issued pursuant to such acts and order.
18. **FEDERAL IMMIGRATION AND NATIONALITY ACT.** To the extent required by all applicable laws, Contractor hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act. Should Contractor so employ unauthorized persons for the performance of work and/or services covered by this contract, and should the Federal Government impose sanctions against the City for such use of unauthorized persons, Contractor hereby agrees to, and shall, reimburse City for the cost of all such sanctions imposed, together with any and all costs, including attorneys' fees, incurred by the City in connection therewith.
19. **ENTIRE AGREEMENT.** This Agreement is the complete, final, entire, and exclusive expression of the Agreement between the parties hereto and supersedes any and all other agreements, either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that no representations by any party which are not embodied herein and that no other agreement, statement, or promise not contained in this Agreement shall be valid and binding.
20. **NO PRESUMPTION RE: DRAFTER.** The parties acknowledge and agree that the terms and provisions of this Agreement have been negotiated and discussed between the parties and their attorneys, and this Agreement reflects their mutual agreement regarding the same. Because of the nature of such negotiations and discussions, the parties agree that

it would be inappropriate to deem any party to be the drafter of this Agreement, and therefore no presumption for or against validity or as to any interpretation hereof, based upon the identity of the drafter shall be applicable in interpreting or enforcing this Agreement.

21. ASSISTANCE OF COUNSEL. Each party to this Agreement warrants to each other party, as follows:
- A. That each party either had the assistance of counsel or had counsel available to it, in the negotiation for, and execution of, this Agreement, and all related documents; and
 - B. That each party has lawfully authorized the execution of this Agreement.
22. GOVERNING LAW. The City and Contractor understand and agree that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. This Agreement is entered into and is to be performed in Tulare County, California.
23. MODIFICATION OF AGREEMENT. The terms of this Agreement can only be modified in writing approved by the City Council and the Contractor. The parties agree that this requirement for written modifications cannot be waived and any attempted waiver shall be void.
24. AUTHORITY TO EXECUTE. The person or persons executing this Agreement on behalf of Contractor warrants and represents that they have the authority to execute this Agreement on behalf of his/her/their corporation and warrants and represents that he/she/they has/have the authority to bind Contractor to the performance of its obligations hereunder.
25. NOTICES. All notices required or permitted to be given pursuant to this Agreement shall be in writing and shall be personally delivered, or sent by facsimile and certified mail, postage prepaid and return receipt requested, on the party to be notified, addressed as follows:

To City
Attention:
City of Porterville
291 N Main St.
Porterville, CA 93257

To Contractor
Attention: Contractor Contact
Contractor Name
Contractor Mailing Address

The notices shall be deemed to have been given as of the date of personal service, or three (3) days after the date of deposit of the same in the custody of the United States Postal Service.

26. SEVERABILITY. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of the other provisions of this Agreement.
27. MEDIATION. In the event of a dispute between the parties, and prior to the commencement of any litigation, the parties agree to engage in good faith efforts to mediate the dispute, and to mutually agree on a mediator for that purpose.
28. ATTORNEYS' FEES. If any litigation is commenced between the parties to this Agreement concerning the Agreement or the rights and duties of either in relation to the Agreement, the party prevailing in that litigation shall be entitled, in addition to any other relief that may be granted in the litigation, to a reasonable sum as and for its attorneys' fees in the litigation, which shall be determined by the court in that litigation or in a separate action brought for that purpose.

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

City of Porterville

Contractor Name

Greg Meister, Mayor

Name, Title

EXHIBIT B
CITY OF PORTERVILLE
NON-COLLUSION DECLARATION
(Public Contract Code Section 7106)

PROJECT: Council Chambers Renovation
RFP No.: 25/26-SR2011

DECLARATION

I, _____, declare as follows:

That I am the _____ (Title) of _____ (Firm Name), the party making the foregoing proposal submitted in response to the City of Porterville Request for Proposals identified above; that the proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the proposer has not directly or indirectly induced or solicited any other proposer to put in a false or sham proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any proposer or anyone else to put in a sham proposal, or that anyone shall refrain from proposing; that the proposer has not in any manner sought by collusion to secure any advantage over any other proposer or over the City of Porterville; and that all statements contained in the proposal are true and correct.

I further declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, 20, at _____, California.

Firm Name: _____

Business Address: _____

Signature: _____

Printed Name: _____

Title: _____

Email: _____

Phone: _____

Note: This declaration must be signed and submitted with the proposal. Failure to include a signed Non-Collusion Declaration will render the proposal non-responsive.

EXHIBIT C
CITY OF PORTERVILLE
DEBARMENT AND SUSPENSION CERTIFICATION
(TITLE 49, CFR PART 29)

The Contractor, under penalty of perjury, certifies that, except as noted below, he/she or any person associated therewith in the capacity of owner, partner, director, officer, manager:

Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

Has not been suspended debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;

Does not have a proposed debarment pending; and

Has not been indicated, convicted, or has a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exception to this certification, insert the exceptions in the following space.

I further declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, 20, at _____, California.

Firm Name: _____

Signature: _____

Printed Name: _____

Title: _____

EXHIBIT D
CITY OF PORTERVILLE
ACKNOWLEDGMENT OF ADDENDA

PROJECT: Council Chambers Renovation
RFP No.: 25/26-SR2011

INSTRUCTIONS TO PROPOSERS

This form must be completed and submitted with your proposal to acknowledge receipt of all addenda issued for this Request for Proposals (RFP). Failure to acknowledge all addenda may render the proposal non-responsive.

It is the proposer's responsibility to verify that all addenda have been received prior to submission.

ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following addenda related to this RFP:

Addendum Number	Date Received	Initials
Addendum No. 1	_____	_____
Addendum No. 2	_____	_____
Addendum No. 3	_____	_____
Addendum No. 4	_____	_____
Addendum No. 5	_____	_____

If no addenda were issued, check the box below:

☐ No addenda were issued for this RFP.

PROPOSER INFORMATION

Firm Name: _____

Address: _____

City, State, ZIP: _____

Phone: _____

Email: _____

Authorized Representative (Print Name): _____

Title: _____

Signature: _____

Date: _____

Note: This completed form must be submitted with the proposal.



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Award of Permanent Local Housing Allocation (PLHA) Year 3 Unsubscribed Funds

SOURCE: Community Development

COMMENT: On February 23, 2023, the City received an executed agreement for the 2021 (Third Year) PLHA funding in the amount of \$586,270.00, totaling \$1,461,769 for the first 3 years of a 5-year PLHA Plan. To date, \$506,831.52 of Year 3 funds have been awarded for activities that assist persons who are experiencing or at risk of homelessness, leaving \$79,438.48 in unsubscribed funds.

At its meeting on October 7, 2025, the Council authorized staff to distribute a Request for Proposals (RFP) for that remaining unsubscribed funds for the third year funds. To be consistent with the adopted Plan, the remaining funds must be used for 1) operating costs for emergency shelters and/or bridge housing programs (\$63,626.91) and 2) operating costs for permanent supportive housing programs (\$15,811.57).

On October 31, 2025, RFP 25/26-SR2010 closed, with the City receiving a total of four applications: Central California Family Crisis Center (CCFCC), Family Services of Tulare County (FSTC), Kings View and Next Chapter Youth. The review committee determined that three of the applications met the required qualifications for funding. However, the fourth application was deemed ineligible as the proposed project was not local to the city of Porterville and would not benefit persons who are experiencing or at risk of homelessness. There are not sufficient funds available to fund all three proposals for the full requested amounts, so staff is presenting a recommendation, which would provide at least partial funding for each of the three applications for the Council's consideration in the attachment. Interviews were conducted to verify that the respondents would be able to accept less than the requested amounts.

RECOMMENDATION: That the City Council:

1. Award CCFCC in the amount of \$31,813.45 for Emergency Shelter & Bridge Housing Operations and \$8,101.57 for Permanent Supportive Housing (PSH) Operations;

Item No. 2.

2. Award FSTC in the amount of \$7,710.00 for PSH Operations;
and
3. Award Kings View in the amount of \$31,813.46 for Emergency
Shelter & Bridge Housing.

ATTACHMENTS:

1. RFP Year 3 Unsubscribed Funds Recommendation

Appropriated/Funded:

Review By:

Department Director:
Claudia Calderon, Community Development Director

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

Category of Funding	RFP Amount Available	CCFCC		KV		FSTC		Next Chapter		Total	
		Requested	Recommended	Requested	Recommended	Requested	Recommended	Requested	Recommended	Requested	Recommended
Emergency Housing & Bridge Housing	\$ 63,626.91	\$ 63,626.91	\$ 31,813.45	\$ 63,626.91	\$ 31,813.46	\$ -	\$ -	\$ 63,626.91	\$ -	\$ 190,880.73	\$ 63,626.91
Permanent Supportive Housing	\$ 15,811.57	\$ 15,811.57	\$ 8,101.57	\$ -	\$ -	\$7,710.00	\$ 7,710.00		\$ -	\$ 23,521.57	\$ 15,811.57
Total	\$ 79,438.48	\$ 79,438.48	\$ 39,915.02	\$ 63,626.91	\$ 31,813.46	\$7,710.00	\$ 7,710.00	\$ 188,514.70	\$ -	\$ 214,402.30	\$ 79,438.48



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Authorization to Award Contract – Fire Station 72 Addition and Remodel Project

SOURCE: Engineering and Project Management

COMMENT: On October 21, 2025, the City received five (5) bids for the Fire Station 72 Addition and Remodel Project. The project consists of the remodel of the existing fire and the construction of an addition to the east side of the housing area as well as the engine bay of the station. This project is needed to accommodate increased shift staffing and the storage of modern equipment which is too large for the existing engine bays.

The Engineer's Estimate of Probable Cost for the project was \$4,002,000. The lowest responsive bid, submitted by 4C Global, Inc. (dba 4Creeks Build), is \$2,695,000, which is 32.6% below the Engineer's Estimate. An additional \$269,500 is necessary for construction contingency to cover unforeseen circumstances (10%), and \$269,500 is required for construction management, surveying, quality control, and inspection services (10%); equating to a total construction cost of \$3,234,000.

The bids are as follows:

<u>Contractor</u>	<u>Bid Amount</u>
4C Global, Inc (dba 4Creeks Build)	\$2,695,000
Katch Environmental, Inc (dba Katch General)	\$3,272,680
Columbo Construction Co, Inc	\$3,274,943
BDM Inc	\$3,519,067
CSI Services	\$4,991,300

The Fiscal Year 2025/26 Budget includes \$5,400,000 for this project, comprised of \$3,209,184 in Measure I funds and \$2,190,816 in Measure H funds. Following award of the construction contract, approximately \$2,166,000 in Measure I funds will remain available. Staff recommends returning these unused Measure I funds to the Measure I fund balance for future eligible improvement projects.

RECOMMENDATION:

That the City Council:

1. Award the Fire Station 72 Addition and Remodel Project to 4C Global, Inc (dba 4Creeks Build) in the amount of \$2,695,000;
2. Authorize progress payments up to one hundred percent (100%) of the contract amount;
3. Authorize a ten percent (10%) contingency to cover unforeseen circumstances; and
4. Authorize an additional ten percent (10%) for construction management, surveying, quality control and inspection services.

ATTACHMENTS:

1. Locator Map

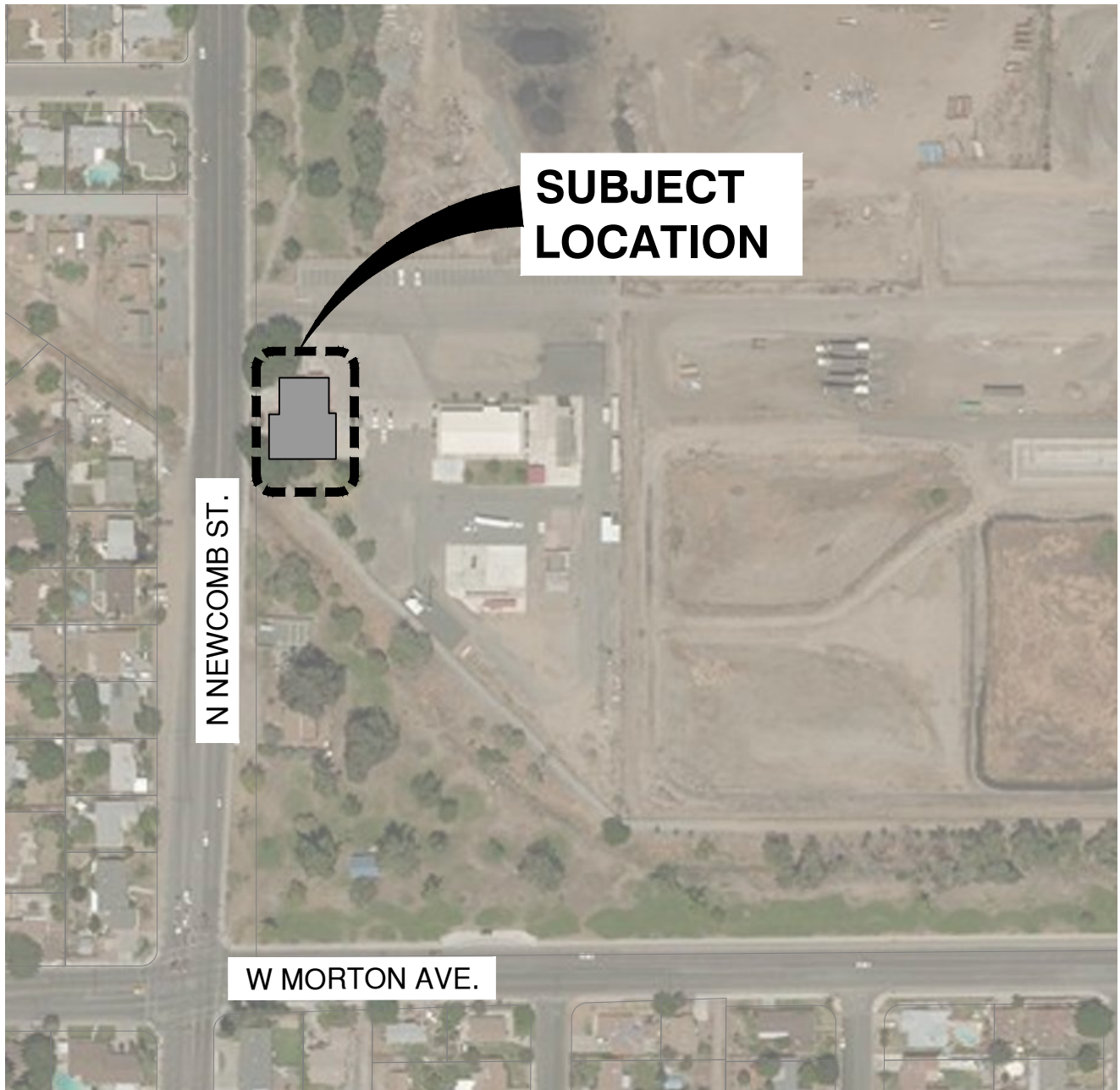
Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

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



CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA. 93257
(559) 782-7462

PROJECT LOCATION MAP
FIRE STATION 72

DRAWN BY	AC
CHECKED BY	
SCALE	N.T.S.
DATE	1/13/2022

SHEET
1
OF
1



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Acceptance of Project - Henrahan Street Reconstruction Project

SOURCE: Engineering and Project Management

COMMENT: The Henrahan Street Reconstruction Project included the removal and replacement of existing asphalt pavement, curb, gutter, sidewalk, and storm drain pipe, along with the replacement of the existing water main. The project also included the installation of a new fire hydrant and related appurtenances to enhance roadway safety and infrastructure reliability.

The project was completed by 99 Pipeline, Inc. in accordance with the approved plans and specifications. All required inspections have been conducted, and the project has been found to meet the City's construction standards.

Staff tracks construction costs for all Capital Improvement Projects and provides a report of total expenditures when projects are accepted by the City Council. The final project costs are summarized as follows: The construction contract totaled \$1,055,039.66, and costs for construction management, special equipment, quality control, and inspection services totaled \$74,490.53, for a combined project total of \$1,129,530.19.

The total project cost is within the overall approved funding of \$1,555,145, as authorized by the City Council on April 15, 2025. The project was funded through Measure I, the Sewer Revolving Fund, the Water Replacement Fund, and the Road Repair and Accountability Act (SB 1) Fund. Of the total amount authorized, Measure I contributed \$543,834, the Sewer Revolving Fund contributed \$100,000, the Water Replacement Fund contributed \$506,000, and SB 1 contributed \$405,311.

Following completion of the project, there remains an excess of \$425,614.81 in Measure I funds originally allocated to this project. Staff recommends returning these unused funds to the Measure I fund balance for future eligible improvement projects.

Acceptance of this project reflects the City's continued commitment to maintaining safe, reliable public infrastructure and maximizing the efficient use

of local transportation and utility funds.

RECOMMENDATION:

That the City Council:

1. Accept the Henrahan Street Reconstruction Project as complete;
2. Authorize the filing of the Notice of Completion by the City Clerk; and
3. Authorize the return of \$425,614.81 in unused Measure I funds to the Measure I fund balance for future eligible improvement projects.

ATTACHMENTS:

1. Locator Map

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

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



CITY OF PORTERVILLE
ENGINEERING DIVISION
291 NORTH MAIN STREET
PORTERVILLE, CA. 93257
(559) 782-7462

HENRAHAN STREET RECONSTRUCTION PROJECT

DRAWN BY	GG
CHECKED BY	
SCALE	1" = 200'
DATE	2/25/2025

SHEET
1
OF
1



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Authorization of Additional Project Funds for the Charging Station Replacement Project

SOURCE: Transportation

COMMENT: On August 6, 2024, the City Council authorized staff to distribute a Request for Proposals (RFP) for the project, which included the replacement of aging electric vehicle (EV) charging units to improve reliability and reduce operating costs.

Following the solicitation process, proposals were received and evaluated in accordance with RFP No. 24/25-SR1980, and on December 2, 2024, the City Council approved a General Services Agreement with Blink Network, LLC, for an amount not to exceed \$1,659,426. The scope included new Level 2 and DC Fast Charging (DCFC) stations, related hardware, installation, and five-year maintenance and warranty services.

The project has since been completed in accordance with all Federal Transit Administration (FTA) and Buy America requirements. During final project closeout, staff identified additional expenses that were not captured in the original authorization to award. These costs include sales tax, freight, performance bond, and engineering services associated with the installation and commissioning of the charging infrastructure.

Staff is requesting authorization to increase project funding by \$126,000 to cover these eligible costs. The additional amount will be funded through existing grant funds that were allocated specifically for this project. The project remains 80 percent federally funded through the FTA, with the remaining 20 percent local match funded by Local Transportation Funds (LTF).

Even with the proposed increase, the City will retain an estimated positive grant balance of \$100,000, and all costs will remain within approved federal and local allocations.

RECOMMENDATION: That the City Council authorize an increase of \$126,000 in project funds for the Charging Station Replacement Project to

Item No. 5.

cover additional expenses for sales tax, freight, performance bond, and engineering services, with costs to be funded by existing project-specific grant funds.

ATTACHMENTS:

1. August 6, 2024 - Staff Report
2. December 02, 2024 - Staff Report

Appropriated/Funded:

Review By:

Department Director:
Russell Isom, Director of Transportation

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



CITY COUNCIL AGENDA – AUGUST 6, 2024

SUBJECT: Authorization to Distribute a Request for Proposals for Charging Station Replacement

SOURCE: Public Works

COMMENT: The Request for Proposals (RFP) has been prepared for the Charging Station Replacement Project. The project will include the removal of existing charging stations and the installation of new replacement charging stations located at City facilities. The goal of the project is to replace charging stations to improve reliability and reduce operational costs.

The Independent Cost Estimate (ICE) for this project is \$1,585,000. Funding for this project is a Federal Transit Administration (FTA) grant in the amount of \$1,267,625, of which \$585,000 has been allocated to a previously awarded FTA grant. A local match of \$317,375 is required, which will be covered by Local Transportation Funds (LTF). A portion of the funding has been allocated to the transit budget. The remaining funding is contingent on the adoption of the amended FY 2024-2025 Transit Budget. The negotiated contract will be brought back to City Council for final approval.

RECOMMENDATION: That the City Council:

1. Approve the draft Request for Proposals;
2. Authorize staff to advertise for proposals on the project; and
3. Authorize staff to negotiate with the most responsive and responsible Proposer who has demonstrated the ability to perform the project in an acceptable manner and is most advantageous to the City.

ATTACHMENTS: 1. Draft Request for Proposals

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, Director of Transportation

Final Approver: Patrice Hildreth, City Manager



CITY COUNCIL AGENDA – DECEMBER 3, 2024

SUBJECT: Authorization to Enter into a General Services Agreement with Blink Network, LLC for the Charging Station Replacement Project

SOURCE: Public Works

COMMENT: The City of Porterville issued a Request for Proposals (RFP No. 24/25-SR1980) on August 20, 2024, inviting qualified vendors to submit proposals for the Charging Station Replacement Project, which includes the replacement of electric vehicle (EV) charging infrastructure at three City-owned locations:

- Corporation Yard (555 N. Prospect Street)
- Transit Center (61 W. Oak Avenue)
- Centennial Parking Lot (15 E. Thurman Avenue)

Proposals were received by the deadline of September 18, 2024, and evaluated based on qualifications, technical capabilities, and cost. The following vendors were evaluated and scored:

Vendor	Score	Estimated Cost
Blink	98	\$1,612,315
BTC	96	\$2,084,595
EV Gateway	96	\$2,247,705
SMB	95	\$2,503,410
ChargeTronix	94	\$2,558,757
Lilypad	94	\$2,775,316
Casco	92	\$2,660,261

Following the evaluation process, Blink Network, LLC was selected as the highest-ranked proposer due to its comprehensive technical approach, robust preventative maintenance plan, competitive pricing, and its readiness for future requirements like ISO 15118 implementation. Blink also demonstrated strong experience in similar projects, ensuring their ability to meet the project's technical and operational needs.

The Charging Station Replacement Project supports the City's sustainability goals and the growth of its zero-emission fleet. Key project highlights include:

- Replacement of outdated charging stations with new Level 2 and DCFC chargers.
- Equipment installation, five-year maintenance, and warranty services.
- Compliance with Federal Transit Administration (FTA) requirements, including Buy America provisions.

The project will improve charging reliability and capacity, directly benefiting the City's heavy-duty transit buses and public EV users. Blink Network, LLC's proposal, totaling \$1,659,425.48, includes hardware, installation, engineering, and bonding costs, offering the best value to the City.

This project aligns with the Federal Transportation Improvement Program (FTIP) and the City's Climate Action Plan by reducing greenhouse gas emissions and expanding EV infrastructure. Additionally, the City has conducted due diligence to ensure compliance with FTA funding requirements, including Buy America provisions, throughout the procurement and implementation process.

The total project cost is not to exceed \$1,659,426, in alignment with the Federal Transportation Improvement Program (FTIP) and the City's FTA grant application CA-62620-2. The Charging Station Replacement Project is funded at eighty percent (80%) by the FTA, totaling \$1,327,540 in federal funds, with the remaining twenty percent (20%), or \$331,885, covered by Local Transportation Funds (LTF). This budget structure is consistent with the project's federal and local funding allocations, ensuring full compliance with funding and project requirements.

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the General Services Agreement with Blink Network, LLC for the Charging Station Replacement Project at a Total Cost Not To Exceed \$1,659,426; and
2. Authorize the Mayor to execute the agreement and any related documents necessary to implement the project.

ATTACHMENTS:

1. Porterville RFP # 24-25-SR1980_Plan Holders
2. Porterville RFP # 24-25-SR1980_Scoring Matrix
3. Porterville RFP # 24-25-SR1980_Notice of Intent to Award
4. Blink General Services Agreement
5. Exhibit A - RFP 24-25-SR1980

6. Exhibit B - Addendums
7. Exhibit C - Blink Networks Proposal
8. Exhibit D - FTA Terms and Conditions

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, Director of Transportation

Final Approver: Patrice Hildreth, City Manager



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Approval of a 90-Day Extension of the Option to Purchase and Sale Agreement with Self-Help Enterprises

SOURCE: Community Development

COMMENT: On March 18, 2025, the City Council approved the Option to Purchase – Purchase and Sale Agreement with Self-Help Enterprises (SHE) for the City-owned property located at the southwest corner of Springville Avenue and Jaye Street (APN 260-300-034). The Agreement provides SHE with a defined period to complete due diligence activities and pursue financing for a proposed 133-unit affordable housing development.

Under Section 2(a) of the Option Agreement, the Optionee (SHE) may request one ninety (90)-day extension of the Option term, provided that:

- The Optionee is not in default of the agreement;
- The request is submitted in writing not less than forty-five (45) days before the expiration of the initial Option term; and
- The request is accompanied by payment of a \$1,000 extension fee.

On November 10, 2025, the City received a written request from SHE seeking a 90-day extension to allow sufficient time to submit a Disaster Relief Multifamily Housing Program (DR-MHP) funding application to the California Department of Housing and Community Development. The required \$1,000 extension fee was submitted with the request and all agreement conditions have been satisfied.

The requested extension will allow SHE to complete the necessary financing application steps and continue coordination with City staff on project readiness. Approval of the extension will extend the Option Term through February 19, 2026. The proposed 90-Day Option Extension Agreement is included as an attachment to this staff report.

RECOMMENDATION: That the City Council:
1. Approve a 90-day extension of the Option to Purchase –

Purchase and Sale Agreement with Self-Help Enterprises for the City-owned property located at Springville Avenue and Jaye Street (APN 260-300-034); and

2. Authorize the City Manager, or designee, to execute the Option to Purchase – 90-Day Extension Agreement and any related documents necessary to complete the extension.

ATTACHMENTS:

1. Locator Map APN 260-300-034
2. Option to Purchase and Sale Agreement
3. Option Extension Request
4. Draft Option to Purchase Extension Agreement

Appropriated/Funded:

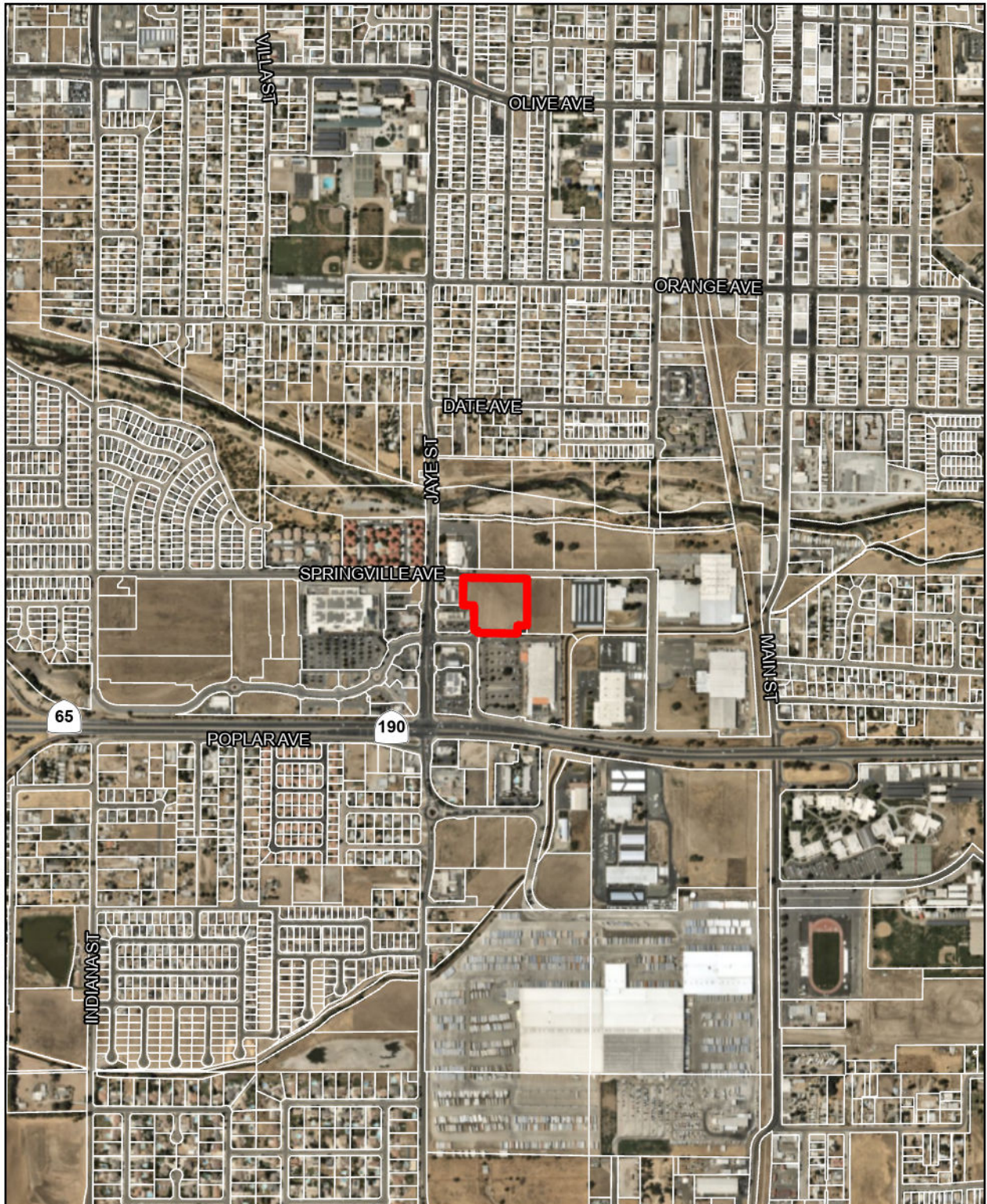
Review By:

Department Director:
Claudia Calderon, Community Development Director

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

Locator Map

APN 260-300-034



 Subject Property

1 in = 1,200 feet



Date Printed: 1/24/2025 by the Community Development Department

OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

This OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT (the "**Option**"), is made March 21, 2025 and effective as of the later signature date of the Optionor or the Optionee ("**Option Date**"), between the CITY OF PORTERVILLE, a municipal corporation organized and existing pursuant to the laws of the State of California (hereinafter the "**OPTIONOR**" or "**CITY**") and SELF-HELP ENTERPRISES, INC. (SHE), a California Non-Profit Public Benefit Corporation (hereinafter the "**OPTIONEE**").

RECITALS

This Option is made with reference to the following facts, understandings, and intentions of the Parties:

WHEREAS, CITY owns all of the legal and beneficial interests in the real property located on west Springville Avenue East of Jaye Street described as APN: 260-300-034, Porterville, Tulare County, California (collectively hereinafter the "**Property**"); and

WHEREAS, CITY has determined that it is no longer in the best interests of CITY to maintain ownership of the Property but instead to sell the Property; and

WHEREAS, CITY has determined the Property to be a surplus City site; and

WHEREAS, CITY includes among its adopted policies the enhancement and promotion of low- and moderate-income housing together with commercial development within the CITY; and

WHEREAS, CITY declared the parcel as exempt surplus land and is being transferred pursuant to Government Code Section 37364; and

WHEREAS, CITY and OPTIONEE, by this Option wish to state the terms and conditions for OPTIONEE's option to acquire the property, and if such option is exercised, for the terms and conditions of the purchase and sale of the Property.

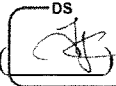
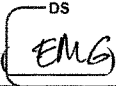
AGREEMENT

NOW, THEREFORE, in consideration of the above-referenced facts, the mutual covenants of the Parties contained in this Option and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Option to Purchase. OPTIONOR hereby grants to OPTIONEE the exclusive option to purchase the Property on the terms and conditions in this Option. OPTIONEE may exercise this Option only as to the entire Property and may not exercise as to only a portion of the Property.

2. Term of Option. The term of this Option shall commence on the execution date and, if not previously exercised as provided below, shall expire and terminate within Two Hundred Forty-Five (245) Days.

Optionor Initials (JK) ()

Optionee Initials () ()

OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

- a. Extension of Option. If the OPTIONEE is not in default of the Option, the Option Agreement may be extended by the OPTIONEE for Ninety (90) days. The request to extend must be in writing, accompanied by a One Thousand Dollar (\$1,000) extension fee, and initiated not less than forty-five days (45) days before the initial Option term expires.

3. Consideration for Option. The OPTIONEE, in consideration for the grant of this Option, agrees to deposit Ten Thousand Dollars (\$10,000) into escrow at the time of execution of this Option ("Option Payment"). Said Ten Thousand Dollars (\$10,000) is to be released to the OPTIONOR at the expiration of the Feasibility Period, unless the OPTIONEE has delivered to escrow written instructions to cancel this Option before the expiration of the Feasibility Period. The total consideration for option will be credited against the purchase price and/or settlement costs upon close of escrow. If escrow does not close, any Option consideration paid will be nonrefundable, following the completion of the Feasibility Period.

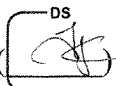
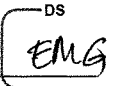
4. Feasibility Period. The OPTIONEE has Two Hundred Forty-Five (245) days beginning the day the Option is executed to investigate the legal, financing, and physical status of subject property. OPTIONEE may cancel the Option at its sole discretion within this Two Hundred Forty-Five (245) day period by sending written notice thereof to OPTIONOR, and the initial Ten Thousand Dollar (\$10,000) option fee will be refunded to the OPTIONEE.

5. Processing of any Conditional Use Permit, Architectural Review, Site Plan Review, and other Governmental Entitlements. OPTIONEE agrees to pay all costs to be incurred for the preparation of all required Government Entitlements. OPTIONOR agrees to cooperate with OPTIONEE in securing these items. The requests for these items will be in the OPTIONORS name and OPTIONEE will send OPTIONOR a copy of all such items prior to its submission thereof.

6. Notice of Exercise of Option. OPTIONEE, if not in default under this Option, may exercise this option by delivering to the OPTIONOR, prior to the expiration of the option, a written notice stating that the option is exercised. OPTIONEE'S signing of escrow instructions would satisfy this requirement. The exercise of this Option escrow is subject to the Responsible Entity's (as defined by the United States Housing and Urban Development Department ("HUD")) determination to proceed with, modify, or cancel OPTIONEE's identified project based on the results of any required environmental review and the receipt of an "Authority to Use Grant Funds" from HUD, for the proposed development of the subject property. If OPTIONEE is unable to obtain said approvals, OPTIONEE may decline to exercise this Option. If OPTIONEE declines or fails to exercise prior to the expiration of the Option Term, then the remainder of the Option shall be of no force and effect, and OPTIONEE shall not be obligated to buy the Property, and OPTIONOR shall not be obligated to sell the Property.

7. Amount and Terms of Payment.

Optionor Initials (DL) ()

Optionee Initials (DS) (DS)



OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

- a. Purchase Price. OPTIONEE shall pay Eight Hundred Sixty Thousand Five Hundred Dollars (\$860,500) for the Property, (the "Purchase Price"). The Purchase Price shall be paid as a note carried by the city for 55 years with 0% interest. The Purchase Price shall be due at the close of escrow ("Closing") which shall occur when all the conditions and requirements for Closing stated in this Option have been met.
- b. Improvement Agreement. OPTIONEE shall pay Five Hundred Six Thousand Six Hundred Sixty-Four Dollars and Ninety-Three Cents (\$503,664.93) for the deferred Improvement Agreement Cost. The Improvement Agreement Cost shall be paid in cash at the close of escrow ("Closing") which shall occur when all the conditions and requirements for Closing stated in this Option have been met.
- c. Deposit. Upon exercise of the Option, the Option Payment shall be treated as a Deposit. The Deposit shall apply toward the Purchase Price but shall be forfeited by the OPTIONEE if the OPTIONEE fails to close escrow for any reason other than default by the OPTIONOR.

8. Right of Entry. OPTIONEE, or its agents shall have the right to enter the Property for any purpose reasonably related to conducting its due diligence, such as preparing Environmental Studies and a Geotechnical Engineering Study, at OPTIONEE'S sole cost and expense. OPTIONEE shall indemnify, defend, and hold harmless OPTIONOR, and its elected officials, officers, employees, volunteers, and agents from all causes of action, claims, liabilities, obligations, judgments, losses, costs, harm, injuries, and expenses (including payment of OPTIONOR's reasonable attorneys' fees) resulting from such entry onto the Property.

9. Representations and Warranties of OPTIONOR. OPTIONOR represents and warrants to OPTIONEE that the following matters are true and correct as of the execution of this Option, and acknowledges that any misrepresentation of these matters will jeopardize the non-refundable nature of any option fees paid:

- a. To OPTIONOR'S actual knowledge, there are (I) no condemnation, environmental, zoning or other land-use regulation proceedings, either instituted or planned to be instituted, which would detrimentally affect the value or use of the property, nor (II) any assessments affecting the Property other than as set forth in the preliminary title report issued by Old Republic Title Company. In addition, OPTIONER has no knowledge of existing or abandoned underground storage tanks, other underground systems, or environmental contamination on subject site.

10. Completion of Sale. The sale and purchase shall be consummated through an escrow which shall be opened immediately following the full execution of this Option by the parties hereto at Old

Optionor Initials (*XL*) ()

Optionee Initials (*DS*) (*DS*)

OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

Republic Title Company, Escrow Officer Julie Massey, located at 555 12th St., Ste. 2000, Oakland, CA 94607.

- a. Closing Date. The Close of Escrow shall occur after the OPTIONEE has reviewed and approved the Property during the feasibility period and after all necessary approvals for the project have been completed to the OPTIONEE'S satisfaction, but no later than Three Hundred Sixty-Five (365) days from the effective date of this Option ("Closing Date"), unless otherwise agreed upon in writing.
- b. Closing of Escrow. The delivery and recordation of the grant deed on behalf of the OPTIONOR for the benefit of the OPTIONEE, and the payment on behalf of the OPTIONEE to the OPTIONOR of the full purchase price, shall be conditions concurrent when escrow is closed (the "Close of Escrow").

11. Costs of Escrow. OPTIONOR shall pay one-half (1/2) of the escrow and recording fees, all documentary transfer taxes, the cost of a standard CLTA owner's policy of title insurance, and all of the cost of any endorsements necessary to remove any exceptions to title not approved by OPTIONEE. OPTIONEE shall pay one-half (1/2) of the escrow and recording fees, all of any additional premium for an ALTA owner's policy, any other endorsements requested by OPTIONEE, and any survey if OPTIONEE elects such. Each party shall pay its own attorney's fees related to the close of escrow.

12. Broker's Commission. OPTIONOR was not assisted by a broker with respect to this transaction. As such, OPTIONEE shall be responsible for any Brokerage Fee if applicable. Any commissions with regard to this transaction are due and payable at Close of Escrow. In the event any broker or person/entity/finder alleges or perfects a claim for a fee, the party legally responsible for the contact or communication on which the broker or finder perfects such a claim shall indemnify, defend, save, and hold harmless and defend the other party from such claim and/or costs and expenses (including reasonable attorney's fees) incurred by the other party in defending against the same.

13. Time Limits. Time is of the essence. If the escrow provided herein is not closed within the time set forth in this Option, this Option shall automatically terminate without further obligation on either party unless both parties hereto consent in writing prior to termination to an extension of this option for a definite period of time.

14. Conditions of Escrow. The close of the escrow pursuant to the exercise of this option is conditioned on:

Optionor Initials (SK) ()

Optionee Initials (DS) (DS)
(EMG)

OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

- a. The conveyance of title to OPTIONEE of said Property, as evidenced by a standard form CLTA title Insurance Policy in the full amount of the purchase price issued by the title company, subject only to such liens (other than liens for taxes due and payable on or before the date of sale), encumbrances, clouds, or conditions as are approved in writing by OPTIONEE.
- b. Delivery of possession of the Property to OPTIONEE immediately upon Close of Escrow free and clear of all uses and occupancies except as OPTIONEE may waive in writing.
- c. Should OPTIONEE cancel said escrow after Option is exercised, any consideration, including the Option Payment, shall be retained by OPTIONOR.
- d. The closing of this escrow is subject to the Responsible Entity's (as defined by HUD) determination to proceed with, modify, or cancel the project based on the results of a subsequent environmental review and the receipt of an "Authority to Use Grant Funds" from HUD, for the proposed development of the subject property. If OPTIONEE is unable to obtain said approvals, OPTIONEE may cancel said escrow and any option consideration shall be retained by OPTIONEE.

15. Possession. Delivery of possession of the Property to OPTIONEE shall occur simultaneously with recordation of the grant deed.

16. Condemnation. Either party may terminate this Option without further obligation by giving written notice to the other, at any time prior to close of escrow, in the event that any action or proceeding is commenced for condemnation, or the exercise of the right of eminent domain, of the Property or any substantial portion thereof, or if OPTIONOR is advised by any governmental agency or any entity having the right of condemnation or an intention to condemn the subject property or any substantial portion thereof.

17. Moratorium. Either party may terminate this Option without further obligation by giving written notice to the other, at any time prior to the close of escrow, in the event that an interim zoning or moratorium ordinance, as authorized by the California Government Code Section 65858, or otherwise, is adopted by Utility Companies, City of Porterville, or other governmental entity having jurisdiction, which temporarily prohibits and limits the use and development of the Property, or any substantial portion thereof, for housing.

Optionor Initials (*SL*) ()

Optionee Initials (*DS*) (*DS*)

OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

18. Notice. Any notice required or permitted to be delivered hereunder shall be deemed delivered when personally served or when deposited in the United States Mail, certified, return receipt requested, postage prepaid, addressed to the party being served as follows:

a. To OPTIONOR:

City of Porterville
291 North Main Street
Porterville, CA 93257
Attn: Jason Ridenour, City Manager

b. To OPTIONEE:

Self-Help Enterprises
P.O. Box 6520/8445 W. Elowin Court
Visalia, CA 93290
Attn: Betsy McGovern-Garcia, Vice President

19. Option Assignability. This Option may be assigned by the OPTIONEE with the OPTIONOR'S written consent, which consent shall not be unreasonably withheld. OPTIONER'S consent shall not be required if OPTIONEE assigns its rights under this Option to a limited partnership in which OPTIONEE or any affiliate thereof is the general partner.

20. Termination by OPTIONEE. OPTIONEE may terminate this Option at any time by notifying OPTIONOR in writing.

21. Successors and Assigns. This Option shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

22. Non-waiver. The waiver by one party hereto of the performance of any promise or condition shall not invalidate this Option or constitute a waiver by such party of any other promise or condition.

23. Entire Agreement. This Option contains the entire understanding between the parties relating to the option herein granted and any Option or representation respecting this Option, or the responsibilities of either party in relation thereto, not expressly set forth herein, shall be ineffective.

24. Amendments. Any Amendments of or supplements to this Option shall be in writing, signed on behalf of both parties hereto.

Optionor Initials (SR) ()

Optionee Initials (DS) (DS)
(EMG)

OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

25. Quitclaim. If OPTIONEE fails to exercise this option in accordance with the terms of this Option or if this Option is earlier terminated in accordance with the terms of this Option, OPTIONEE shall properly execute, acknowledge, and deliver to OPTIONOR within ten (10) days of the request thereof a quitclaim deed or any other document required by the OPTIONOR or a title insurance company to verify the termination of this Option.

26. Memorandum of Option. A memorandum of option evidencing this Option may be recorded in the official records of the County of Tulare. See Exhibit "A"

27. Attorney's Fees. In the event of any litigation or arbitration between the parties hereto arising out of this Option or the performance thereof, the prevailing party shall be entitled to recover reasonable attorney's fees in addition to any other relief to which that party may be entitled.

28. Extension of Time Limit. Any extension of time limit specified here, to be effective, must be in writing, signed by all parties, and must stipulate a definite period.

29. Tax-Free Exchange. OPTIONEE agrees to participate in one or more tax-free exchanges at OPTIONOR's request without cost or liability to OPTIONEE.

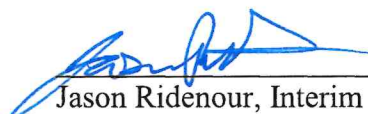
IN WITNESS WHEREOF, this Option has been executed by the parties hereto as of the date first above written.

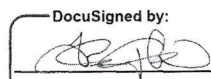
OPTIONOR:

OPTIONEE:

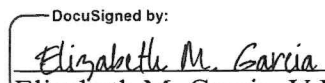
City of Porterville

Self-Help Enterprises


 Jason Ridenour, Interim City
 Manager
 4/18/2025
 Date

DocuSigned by:

 Thomas J. Collishaw, President
 3/29/2025
 Date

 Date

DocuSigned by:

 Elizabeth M. Garcia, V.P./
 Asst. Secretary
 3/29/2025
 Date

Optionor Initials () ()

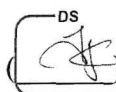
Optionee Initials () ()

Exhibit A

Recording Requested By:

SELF-HELP ENTERPRISES

When recorded Return to:

SELF-HELP ENTERPRISES
8445 W. Elowin Ct.
Visalia, CA 93291

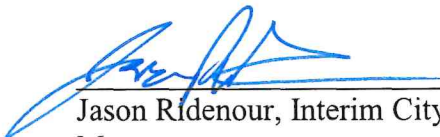
MEMORANDUM OF OPTION TO PURCHASE-PURCHASE AND SALE AGREEMENT

This Memorandum of Option to Purchase-Purchase and Sale Agreement between the CITY OF PORTERVILLE (“**OPTIONOR**”) and SELF-HELP ENTERPRISES, a California nonprofit corporation (“**OPTIONEE**”), is executed concurrently with an Option to Purchase-Purchase and Sale Agreement dated March 21, 2025 (“**OPTION**”), between the undersigned parties with respect to the real property identified by the following Assessor’s Parcel Numbers: 260-300-034, all located in the City of Porterville, California.

Optionor grants to Optionee the right, on the terms and conditions stated in the Option, to purchase the property identified above, provided the transaction is executed according to the terms of the Option and, in no event, later than Three Hundred Sixty (360) days from the Option’s effective date of April 3, 2025.

OPTIONOR:

City of Porterville



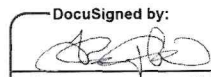
Jason Ridenour, Interim City
Manager

4/3/25

Date

OPTIONEE:

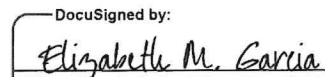
Self-Help Enterprises

DocuSigned by:


Thomas J. Collishaw, President

3/29/2025

Date

DocuSigned by:


Elizabeth M. Garcia, V.P./
Asst. Secretary

3/29/2025

Date



A Nonprofit Housing and Community Development Organization

November 10, 2025

Porterville City Council
291 N Main Street
Porterville, CA 93257

Re: Request for Extension to Option Agreement- Springville Ave property

Dear Porterville City Council,

Self-Help Enterprises (SHE) respectfully requests a 90-day extension to the Option Agreement for the property at Springville Avenue, east of Jaye Street (APN: 260-300-034), Porterville, California.

Pursuant to Section 2.a. of the Option Agreement, SHE is eligible for a 90-day extension by written request and a \$1,000 extension fee. This extension will allow SHE to submit a Disaster Relief - Multifamily Housing Program (DR-MHP) application to the Department of Housing and Community Development (HCD) for funds necessary to acquire the site.

If funded, SHE will request an additional extension to allow time to secure tax credits and close financing on the project.

Thank you for your consideration of this request. If you have any questions or need additional information, please contact Kristin Ainley at 559-802-1637.

Sincerely,

Betsy McGovern-Garcia
Vice President
Self-Help Enterprises

OPTION TO PURCHASE – 90-DAY EXTENSION AGREEMENT

This Extension Agreement (“Extension”) is made and entered into this ____ day of _____ 2025, by and between:

CITY OF PORTERVILLE, a municipal corporation organized and existing pursuant to the laws of the State of California (hereinafter the “**OPTIONOR**” or “**CITY**”), and **SELF-HELP ENTERPRISES, INC.**, a California Non-Profit Public Benefit Corporation (hereinafter the “**OPTIONEE**” or “**SHE**”).

The Optionor and Optionee are hereinafter collectively referred to as the “Parties.”

RECITALS

A. The Parties previously entered into that certain *Option to Purchase–Purchase and Sale Agreement* dated **March 21, 2025** (the “Option Agreement”) concerning the real property located on West Springville Avenue east of Jaye Street, Porterville, Tulare County, California, Assessor’s Parcel Number 260-300-034 (the “Property”).

B. Pursuant to Section 2(a) of the Option Agreement, the Optionee may request an extension of the Option Term for an additional ninety (90) days, provided the Optionee is not in default and timely submits a written request accompanied by the required **One Thousand Dollar (\$1,000)** extension fee.

C. The Optionee has made such a request in compliance with the Option Agreement, and the City desires to grant the extension on the terms set forth herein.

AGREEMENT

1. Extension of Option Term

The Parties agree that the term of the Option Agreement, originally set to expire Friday, November 21, 2025, is hereby **extended for ninety (90) calendar days**, through and including **February 19, 2026** (“Extended Option Term”).

2. Extension Fee

The Optionee has paid, or concurrently with the execution of this Extension shall pay, to the City the sum of **One Thousand Dollars (\$1,000)** as the Extension Fee pursuant to Section 2(a) of the Option Agreement. Said fee is non-refundable and shall be handled in accordance with the provisions of the Option Agreement.

3. Ratification of Terms

Except as expressly modified by this Extension, **all terms, conditions, covenants, and obligations** contained in the Option Agreement shall remain in full force and effect and are hereby ratified and confirmed. In the event of any conflict between this Extension

Optionor Initials (_____) (_____)

Optionee Initials (_____) (_____)

and the Option Agreement, the terms of this Extension shall govern solely with respect to the extended Option Term.

4. Counterparts / Electronic Signatures

This Extension may be executed in multiple counterparts and by electronic or digital signature, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this 90-Day Extension Agreement as of the dates set forth below.

CITY OF PORTERVILLE
a Municipal Corporation

By: _____
Richard Tree, City Manager

Date: _____

SELF-HELP ENTERPRISES, INC.
a California Non-Profit Public Benefit Corporation

By: _____
Thomas Collishaw, President

Date: _____

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

Optionor Initials (_____) (_____)

Optionee Initials (_____) (_____)



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Consideration of Appointment of CalTIP Board Member and Alternates

SOURCE: Administrative Services

COMMENT: On January 20, 2004, the City Council authorized the City's participation in the California Transit System Joint Powers Authority, which does business as the California Transit Indemnity Pool ("CalTIP") for liability coverage and vehicle physical damage coverage for the City's transit fleet. Through its participation in the JPA, the City has realized significant savings in premiums over coverage previously purchased in the open market.

Each member of CalTIP is represented on the Board of Directors and plays an active role in the organization. The Board meets twice yearly for study sessions to conduct business of the pool, as well as to keep Board Members informed of trends in transit, including operations, risk exposures, and effective loss control mechanisms to help prevent claims and manage losses.

All Board Members are staff members of the entities belonging to the pool, with the majority being well-versed in transit, finance, or risk management. The costs incurred by the Board Member attending the CalTIP meetings are reimbursed to the City of Porterville by CalTIP.

Currently, City Manager Richard Tree serves as the Board Member, and Administrative Services Director Yuliana Andrade and Former Assistant City Manager Michael Knight are appointed as alternates to the board. It is now proposed that the City Council appoint Administrative Services Director Yuliana Andrade to serve as the Board Member, with Transportation Director Russell Isom and Chief Deputy City Clerk Fernando Gabriel-Moraga as alternates.

RECOMMENDATION:

That the City Council:

1. Approve the draft resolution designating Administrative Services Director Yuliana Andrade as the City's CalTIP Board Member, and Transportation Director Russell Isom and Chief Deputy City Clerk Fernando Gabriel-Moraga as the Alternate Members; and
2. Authorize the Mayor to execute said Resolution for submission

to CalTIP.

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:
Yuliana Andrade, Administrative Services Director

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

RESOLUTION NO. ____ - 2025

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
DESIGNATING THE CITY'S REPRESENTATIVES TO THE CALIFORNIA TRANSIT
INDEMNITY POOL BOARD OF DIRECTORS**

WHEREAS, the City Council acted on January 20, 2004, approving the City of Porterville's membership in the California Transit Systems Joint Powers Authority, doing business as the California Transit Indemnity Pool (CalTIP); and

WHEREAS, the City of Porterville wishes to designate a representative of the City of Porterville to attend the CalTIP Board of Directors meetings and represent the City in its best interests; and

NOW THEREFORE, BE IT RESOLVED AND ORDERED that effective November 18, 2025, Yuliana Andrade shall be designated as a CalTIP Representative for the City of Porterville and, as such, is hereby authorized to be the CalTIP Board Member on behalf of the City of Porterville.

BE IT FURTHER RESOLVED AND ORDERED that effective November 18, 2025, Russell Isom and Fernando Gabriel-Moraga shall be designated as CalTIP Representatives for the City of Porterville and, as such, is hereby authorized to be the Alternate CalTIP Board Members on behalf of the City of Porterville.

PASSED AND ADOPTED by the City Council of the City of Porterville, State of California, at a regular meeting of said Council held on November 18, 2025.

Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

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



CITY COUNCIL AGENDA – NOVEMBER 18, 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 November 4, 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 Daily Census

Appropriated/Funded:

Review By:

Department Director:
Richard Tree, City Manager

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

**Porterville Army National Guard Armory
Temporary Evacuation Point and Shelter
Daily Census**

Date	Adults	Youth	Dogs	<i>Total Adults + Youth</i>
Friday, May 5, 2023	12	0	1	12
Saturday, May 6, 2023	10	0	0	10
Sunday, May 7, 2023	10	0	0	10
Monday, May 8, 2023	15	0	1	15
Tuesday, May 9, 2023	12	0	0	12
Wednesday, May 10, 2023	8	0	0	8
Thursday, May 11, 2023	9	0	0	9
Friday, May 12, 2023	9	0	0	9
Saturday, May 13, 2023	7	0	0	7
Sunday, May 14, 2023	6	0	0	6
Monday, May 15, 2023	13	0	0	13
Tuesday, May 16, 2023	11	3	4	14
Wednesday, May 17, 2023	11	3	4	14
Thursday, May 18, 2023	16	3	4	19
Friday, May 19, 2023	11	0	3	11
Saturday, May 20, 2023	14	0	5	14
Sunday, May 21, 2023	12	0	4	12
Monday, May 22, 2023	14	0	3	14
Tuesday, May 23, 2023	14	5	3	19
Wednesday, May 24, 2023	16	3	3	19
Thursday, May 25, 2023	13	1	6	14
Friday, May 26, 2023	18	4	3	22
Saturday, May 27, 2023	16	5	5	21
Sunday, May 28, 2023	16	1	3	17
Monday, May 29, 2023	18	1	3	19
Tuesday, May 30, 2023	19	1	6	20
Wednesday, May 31, 2023	17	1	3	18
Thursday, June 1, 2023	19	1	7	20
Friday, June 2, 2023	17	1	7	18
Saturday, June 3, 2023	16	1	4	17
Sunday, June 4, 2023	20	1	8	21
Monday, June 5, 2023	20	1	6	21
Tuesday, June 6, 2023	22	1	10	23
Wednesday, June 7, 2023	23	1	9	24
Thursday, June 8, 2023	22	1	7	23
Friday, June 9, 2023	22	1	10	23
Saturday, June 10, 2023	15	1	6	16
Sunday, June 11, 2023	26	1	9	27
Monday, June 12, 2023	18	1	7	19
Tuesday, June 13, 2023	24	1	4	25
Wednesday, June 14, 2023	21	1	7	22

Thursday, June 15, 2023	20	1	4	21
Friday, June 16, 2023	28	1	6	29
Saturday, June 17, 2023	20	1	7	21
Sunday, June 18, 2023	24	1	4	25
Monday, June 19, 2023	21	0	8	21
Tuesday, June 20, 2023	28	0	6	28
Wednesday, June 21, 2023	28	0	4	28
Thursday, June 22, 2023	22	0	4	22
Friday, June 23, 2023	27	0	4	27
Saturday, June 24, 2023	26	0	4	26
Sunday, June 25, 2023	24	0	3	24
Monday, June 26, 2023	23	0	4	23
Tuesday, June 27, 2023	30	0	5	30
Wednesday, June 28, 2023	26	0	6	26
Thursday, June 29, 2023	27	0	5	27
Friday, June 30, 2023	25	0	5	25
Saturday, July 1, 2023	27	0	9	27
Sunday, July 2, 2023	25	3	3	28
Monday, July 3, 2023	24	3	3	27
Tuesday, July 4, 2023	20	3	4	23
Wednesday, July 5, 2023	28	2	6	30
Thursday, July 6, 2023	28	2	5	30
Friday, July 7, 2023	27	2	6	29
Saturday, July 8, 2023	28	2	5	30
Sunday, July 9, 2023	36	2	3	38
Monday, July 10, 2023	28	2	3	30
Tuesday, July 11, 2023	34	2	4	36
Wednesday, July 12, 2023	35	2	2	37
Thursday, July 13, 2023	47	2	7	49
Friday, July 14, 2023	27	2	0	29
Saturday, July 15, 2023	24	2	2	26
Sunday, July 16, 2023	24	2	3	26
Monday, July 17, 2023	26	2	1	28
Tuesday, July 18, 2023	26	2	2	28
Wednesday, July 19, 2023	21	2	1	23
Thursday, July 20, 2023	21	2	1	23
Friday, July 21, 2023	22	0	0	22
Saturday, July 22, 2023	22	0	0	22
Sunday, July 23, 2023	22	0	0	22
Monday, July 24, 2023	21	0	0	21
Tuesday, July 25, 2023	22	0	0	22
Wednesday, July 26, 2023	20	0	0	20
Thursday, July 27, 2023	27	0	0	27
Friday, July 28, 2023	25	0	0	25
Saturday, July 29, 2023	22	0	0	22
Sunday, July 30, 2023	22	0	0	22

Monday, July 31, 2023	24	0	0	24
Tuesday, August 1, 2023	21	0	0	21
Wednesday, August 2, 2023	19	0	0	19
Thursday, August 3, 2023	20	0	0	20
Friday, August 4, 2023	19	0	0	19
Saturday, August 5, 2023	26	0	0	26
Sunday, August 6, 2023	22	0	0	22
Monday, August 7, 2023	20	0	0	20
Tuesday, August 8, 2023	25	0	3	25
Wednesday, August 9, 2023	23	0	3	23
Thursday, August 10, 2023	20	0	3	20
Friday, August 11, 2023	23	0	5	23
Saturday, August 12, 2023	22	0	5	22
Sunday, August 13, 2023	29	0	6	29
Monday, August 14, 2023	25	0	5	25
Tuesday, August 15, 2023	21	0	5	21
Wednesday, August 16, 2023	23	0	6	23
Thursday, August 17, 2023	23	0	5	23
Friday, August 18, 2023	22	0	5	22
Saturday, August 19, 2023	23	0	5	23
Sunday, August 20, 2023	21	0	4	21
Monday, August 21, 2023	25	0	5	25
Tuesday, August 22, 2023	22	0	5	22
Wednesday, August 23, 2023	27	0	5	27
Thursday, August 24, 2023	22	0	5	22
Friday, August 25, 2023	25	0	5	25
Saturday, August 26, 2023	23	0	4	23
Sunday, August 27, 2023	25	0	5	25
Monday, August 28, 2023	23	1	5	24
Tuesday, August 29, 2023	24	1	6	25
Wednesday, August 30, 2023	22	2	6	24
Thursday, August 31, 2023	18	2	5	20
Friday, September 1, 2023	17	2	5	19
Saturday, September 2, 2023	20	2	5	22
Sunday, September 3, 2023	20	2	5	22
Monday, September 4, 2023	21	2	5	23
Tuesday, September 5, 2023	22	2	5	24
Wednesday, September 6, 2023	15	2	3	17
Thursday, September 7, 2023	16	2	4	18
Friday, September 8, 2023	18	2	4	20
Saturday, September 9, 2023	19	2	4	21
Sunday, September 10, 2023	20	2	5	22
Monday, September 11, 2023	20	2	5	22
Tuesday, September 12, 2023	24	2	5	26
Wednesday, September 13, 2023	24	2	5	26
Thursday, September 14, 2023	21	2	5	23

Friday, September 15, 2023	26	2	5	28
Saturday, September 16, 2023	28	2	5	30
Sunday, September 17, 2023	26	2	5	28
Monday, September 18, 2023	22	2	5	24
Tuesday, September 19, 2023	24	2	5	26
Wednesday, September 20, 2023	26	2	5	28
Thursday, September 21, 2023	30	2	5	32
Friday, September 22, 2023	23	2	5	25
Saturday, September 23, 2023	20	2	5	22
Sunday, September 24, 2023	26	2	5	28
Monday, September 25, 2023	20	2	4	22
Tuesday, September 26, 2023	20	2	4	22
Wednesday, September 27, 2023	24	2	4	26
Thursday, September 28, 2023	22	2	4	24
Friday, September 29, 2023	17	2	4	19
Saturday, September 30, 2023	20	2	4	22
Sunday, October 1, 2023	23	2	4	25
Monday, October 2, 2023	20	2	4	22
Tuesday, October 3, 2023	18	2	4	20
Wednesday, October 4, 2023	22	2	4	24
Thursday, October 5, 2023	24	2	7	26
Friday, October 6, 2023	21	2	5	23
Saturday, October 7, 2023	18	2	5	20
Sunday, October 8, 2023	19	2	5	21
Monday, October 9, 2023	20	2	5	22
Tuesday, October 10, 2023	19	2	5	21
Wednesday, October 11, 2023	22	2	5	24
Thursday, October 12, 2023	27	2	5	29
Friday, October 13, 2023	21	2	5	23
Saturday, October 14, 2023	21	2	5	23
Sunday, October 15, 2023	19	2	5	21
Monday, October 16, 2023	24	2	5	26
Tuesday, October 17, 2023	22	2	5	24
Wednesday, October 18, 2023	22	2	5	24
Thursday, October 19, 2023	30	2	5	32
Friday, October 20, 2023	17	2	5	19
Saturday, October 21, 2023	15	2	5	17
Sunday, October 22, 2023	22	2	5	24
Monday, October 23, 2023	22	2	5	24
Tuesday, October 24, 2023	20	2	5	22
Wednesday, October 25, 2023	19	2	5	21
Thursday, October 26, 2023	21	1	5	22
Friday, October 27, 2023	21	1	3	22
Saturday, October 28, 2023	21	1	3	22
Sunday, October 29, 2023	18	1	3	19
Monday, October 30, 2023	24	1	3	25

Tuesday, October 31, 2023	20	1	3	21
Wednesday, November 1, 2023	25	1	3	26
Thursday, November 2, 2023	24	1	3	25
Friday, November 3, 2023	22	1	3	23
Saturday, November 4, 2023	22	1	3	23
Sunday, November 5, 2023	19	1	3	20
Monday, November 6, 2023	23	1	3	24
Tuesday, November 7, 2023	27	1	3	28
Wednesday, November 8, 2023	22	1	3	23
Thursday, November 9, 2023	22	1	3	23
Friday, November 10, 2023	23	1	3	24
Saturday, November 11, 2023	21	1	3	22
Sunday, November 12, 2023	24	1	3	25
Monday, November 13, 2023	27	1	3	28
Tuesday, November 14, 2023	24	1	3	25
Wednesday, November 15, 2023	29	1	3	30
Thursday, November 16, 2023	29	0	3	29
Friday, November 17, 2023	25	0	3	25
Saturday, November 18, 2023	29	0	3	29
Sunday, November 19, 2023	29	0	3	29
Monday, November 20, 2023	29	0	3	29
Tuesday, November 21, 2023	29	0	3	29
Wednesday, November 22, 2023	29	0	3	29
Thursday, November 23, 2023	21	0	3	21
Friday, November 24, 2023	29	0	3	29
Saturday, November 25, 2023	27	0	3	27
Sunday, November 26, 2023	27	0	3	27
Monday, November 27, 2023	26	0	3	26
Tuesday, November 28, 2023	27	0	3	27
Wednesday, November 29, 2023	29	0	3	29
Thursday, November 30, 2023	27	0	3	27
Friday, December 1, 2023	22	0	3	22
Saturday, December 2, 2023	25	0	3	25
Sunday, December 3, 2023	25	0	3	25
Monday, December 4, 2023	20	0	3	20
Tuesday, December 5, 2023	25	0	3	25
Wednesday, December 6, 2023	30	0	3	30
Thursday, December 7, 2023	30	0	3	30
Friday, December 8, 2023	29	0	3	29
Saturday, December 9, 2023	25	0	3	25
Sunday, December 10, 2023	31	0	3	31
Monday, December 11, 2023	30	0	3	30
Tuesday, December 12, 2023	32	0	3	32
Wednesday, December 13, 2023	32	0	3	32
Thursday, December 14, 2023	35	0	3	35
Friday, December 15, 2023	30	0	3	30

Saturday, December 16, 2023	31	0	3	31
Sunday, December 17, 2023	29	0	3	29
Monday, December 18, 2023	26	0	3	26
Tuesday, December 19, 2023	25	1	3	26
Wednesday, December 20, 2023	31	0	3	31
Thursday, December 21, 2023	28	0	3	28
Friday, December 22, 2023	32	0	3	32
Saturday, December 23, 2023	29	0	3	29
Sunday, December 24, 2023	30	0	3	30
Monday, December 25, 2023	28	0	3	28
Tuesday, December 26, 2023	23	0	3	23
Wednesday, December 27, 2023	24	0	3	24
Thursday, December 28, 2023	28	0	3	28
Friday, December 29, 2023	23	0	3	23
Saturday, December 30, 2023	25	0	3	25
Sunday, December 31, 2023	28	0	3	28
Monday, January 1, 2024	24	0	3	24
Tuesday, January 2, 2024	24	0	3	24
Wednesday, January 3, 2024	29	0	3	29
Thursday, January 4, 2024	21	0	3	21
Friday, January 5, 2025	22	0	3	22
Saturday, January 6, 2024	32	0	3	32
Sunday, January 7, 2024	29	0	3	29
Monday, January 8, 2024	26	0	3	26
Tuesday, January 9, 2024	27	0	3	27
Wednesday, January 10, 2024	34	0	3	34
Thursday, January 11, 2024	33	0	3	33
Friday, January 12, 2025	36	0	3	36
Saturday, January 13, 2024	35	0	3	35
Sunday, January 14, 2024	34	0	3	34
Monday, January 15, 2024	39	0	3	39
Tuesday, January 16, 2024	38	0	4	38
Wednesday, January 17, 2024	33	0	4	33
Thursday, January 18, 2024	33	0	4	33
Friday, January 19, 2025	33	0	4	33
Saturday, January 20, 2024	36	0	4	36
Sunday, January 21, 2024	38	0	4	38
Monday, January 22, 2024	36	1	4	37
Tuesday, January 23, 2024	34	1	4	35
Wednesday, January 24, 2024	32	1	4	33
Thursday, January 25, 2024	38	1	4	39
Friday, January 26, 2025	35	1	4	36
Saturday, January 27, 2024	32	1	4	33
Sunday, January 28, 2024	36	1	4	37
Monday, January 29, 2024	34	1	4	35
Tuesday, January 30, 2024	40	1	5	41

Wednesday, January 31, 2024	36	1	5	37
Thursday, February 1, 2024	36	1	5	37
Friday, February 2, 2024	36	1	5	37
Saturday, February 3, 2024	27	1	5	28
Sunday, February 4, 2024	33	1	5	34
Monday, February 5, 2024	29	1	5	30
Tuesday, February 6, 2024	33	1	5	34
Wednesday, February 7, 2024	37	1	5	38
Thursday, February 8, 2024	34	1	5	35
Friday, February 9, 2024	37	0	5	37
Saturday, February 10, 2024	38	0	5	38
Sunday, February 11, 2024	39	0	5	39
Monday, February 12, 2024	35	0	5	35
Tuesday, February 13, 2024	38	0	5	38
Wednesday, February 14, 2024	37	0	5	37
Thursday, February 15, 2024	35	0	5	35
Friday, February 16, 2024	38	0	5	38
Saturday, February 17, 2024	40	0	5	40
Sunday, February 18, 2024	38	0	5	38
Monday, February 19, 2024	41	0	5	41
Tuesday, February 20, 2024	43	0	5	43
Wednesday, February 21, 2024	36	0	5	36
Thursday, February 22, 2024	39	0	5	39
Friday, February 23, 2024	36	0	5	36
Saturday, February 24, 2024	36	0	5	36
Sunday, February 25, 2024	38	0	5	38
Monday, February 26, 2024	37	0	5	37
Tuesday, February 27, 2024	41	0	5	41
Wednesday, February 28, 2024	41	0	9	41
Thursday, February 29, 2024	33	0	9	33
Friday, March 1, 2024	34	0	9	34
Saturday, March 2, 2024	33	0	9	33
Sunday, March 3, 2024	33	0	9	33
Monday, March 4, 2024	35	0	9	35
Tuesday, March 5, 2024	38	0	9	38
Wednesday, March 6, 2024	35	0	9	35
Thursday, March 7, 2024	36	0	9	36
Friday, March 8, 2024	37	0	9	37
Saturday, March 9, 2024	37	0	9	37
Sunday, March 10, 2024	41	0	9	41
Monday, March 11, 2024	41	0	9	41
Tuesday, March 12, 2024	42	0	9	42
Wednesday, March 13, 2024	40	0	9	40
Thursday, March 14, 2024	40	0	9	40
Friday, March 15, 2024	42	0	9	42
Saturday, March 16, 2024	39	0	9	39

Sunday, March 17, 2024	39	0	9	39
Monday, March 18, 2024	40	0	9	40
Tuesday, March 19, 2024	42	0	9	42
Wednesday, March 20, 2024	38	0	9	38
Thursday, March 21, 2024	35	0	9	35
Friday, March 22, 2024	37	0	9	37
Saturday, March 23, 2024	42	0	9	42
Sunday, March 24, 2024	42	0	9	42
Monday, March 25, 2024	41	0	9	41
Tuesday, March 26, 2024	41	0	9	41
Wednesday, March 27, 2024	44	0	9	44
Thursday, March 28, 2024	40	0	9	40
Friday, March 29, 2024	45	0	9	45
Saturday, March 30, 2024	46	0	9	46
Sunday, March 31, 2024	34	0	9	34
Monday, April 1, 2024	46	0	9	46
Tuesday, April 2, 2024	34	0	9	34
Wednesday, April 3, 2024	38	0	9	38
Thursday, April 4, 2024	38	0	9	38
Friday, April 5, 2024	31	0	9	31
Saturday, April 6, 2024	28	0	9	28
Sunday, April 7, 2024	33	0	9	33
Monday, April 8, 2024	38	0	9	38
Tuesday, April 9, 2024	41	0	9	41
Wednesday, April 10, 2024	39	0	9	39
Thursday, April 11, 2024	34	0	9	34
Friday, April 12, 2024	33	0	9	33
Saturday, April 13, 2024	38	0	9	38
Sunday, April 14, 2024	36	0	9	36
Monday, April 15, 2024	31	0	9	31
Tuesday, April 16, 2024	34	0	9	34
Wednesday, April 17, 2024	34	0	9	34
Thursday, April 18, 2024	33	0	9	33
Friday, April 19, 2024	29	0	9	29
Saturday, April 20, 2024	28	0	9	28
Sunday, April 21, 2024	29	0	9	29
Monday, April 22, 2024	28	0	9	28
Tuesday, April 23, 2024	28	0	9	28
Wednesday, April 24, 2024	28	0	9	28
Thursday, April 25, 2024	29	0	9	29
Friday, April 26, 2024	32	0	9	32
Saturday, April 27, 2024	30	0	9	30
Sunday, April 28, 2024	34	0	9	34
Monday, April 29, 2024	29	0	9	29
Tuesday, April 30, 2024	28	0	8	28
Wednesday, May 1, 2024	27	0	9	27

Thursday, May 2, 2024	26	0	9	26
Friday, May 3, 2024	29	0	9	29
Saturday, May 4, 2024	29	0	9	29
Sunday, May 5, 2024	34	0	9	34
Monday, May 6, 2024	30	0	9	30
Tuesday, May 7, 2024	30	0	9	30
Wednesday, May 8, 2024	30	0	9	30
Thursday, May 9, 2024	35	0	9	35
Friday, May 10, 2024	32	0	9	32
Saturday, May 11, 2024	30	0	9	30
Sunday, May 12, 2024	30	0	9	30
Monday, May 13, 2024	32	0	9	32
Tuesday, May 14, 2024	32	0	9	32
Wednesday, May 15, 2024	32	0	9	32
Thursday, May 16, 2024	33	0	9	33
Friday, May 17, 2024	36	0	9	36
Saturday, May 18, 2024	33	0	9	33
Sunday, May 19, 2024	38	0	9	38
Monday, May 20, 2024	34	0	8	34
Tuesday, May 21, 2024	30	0	9	30
Wednesday, May 22, 2024	30	0	9	30
Thursday, May 23, 2024	29	0	7	29
Friday, May 24, 2024	34	0	8	34
Saturday, May 25, 2024	35	0	9	35
Sunday, May 26, 2024	38	1	9	39
Monday, May 27, 2024	36	0	9	36
Tuesday, May 28, 2024	35	0	8	35
Wednesday, May 29, 2024	32	0	7	32
Thursday, May 30, 2024	31	0	7	31
Friday, May 31, 2024	29	0	8	29
Saturday, June 1, 2024	30	0	9	30
Sunday, June 2, 2024	34	0	10	34
Monday, June 3, 2024	33	0	9	33
Tuesday, June 4, 2024	27	0	8	27
Wednesday, June 5, 2024	32	0	9	32
Thursday, June 6, 2024	31	0	9	31
Friday, June 7, 2024	30	0	8	30
Saturday, June 8, 2024	33	0	9	33
Sunday, June 9, 2024	36	0	9	36
Monday, June 10, 2024	35	0	9	35
Tuesday, June 11, 2024	34	0	8	34
Wednesday, June 12, 2024	25	0	8	25
Thursday, June 13, 2024	30	0	10	30
Friday, June 14, 2024	39	0	10	39
Saturday, June 15, 2024	34	0	8	34
Sunday, June 16, 2024	34	0	8	34

Monday, June 17, 2024	32	0	9	32
Tuesday, June 18, 2024	34	0	10	34
Wednesday, June 19, 2024	33	0	9	33
Thursday, June 20, 2024	33	0	11	33
Friday, June 21, 2024	30	0	9	30
Saturday, June 22, 2024	27	0	8	27
Sunday, June 23, 2024	33	0	10	33
Monday, June 24, 2024	16	0	7	16
Tuesday, June 25, 2024	20	0	7	20
Wednesday, June 26, 2024	30	0	9	30
Thursday, June 27, 2024	30	0	9	30
Friday, June 28, 2024	33	0	10	33
Saturday, June 29, 2024	34	0	10	34
Sunday, June 30, 2024	34	0	10	34
Monday, July 1, 2024	30	0	10	30
Tuesday, July 2, 2024	35	0	11	35
Wednesday, July 3, 2024	27	0	9	27
Thursday, July 4, 2024	27	0	9	27
Friday, July 5, 2024	30	0	9	30
Saturday, July 6, 2024	29	0	9	29
Sunday, July 7, 2024	32	0	10	32
Monday, July 8, 2024	36	0	11	36
Tuesday, July 9, 2024	34	0	10	34
Wednesday, July 10, 2024	35	0	9	35
Thursday, July 11, 2024	35	0	9	35
Friday, July 12, 2024	26	0	8	26
Saturday, July 13, 2024	31	0	9	31
Sunday, July 14, 2024	35	0	10	35
Monday, July 15, 2024	36	0	11	36
Tuesday, July 16, 2024	33	0	10	33
Wednesday, July 17, 2024	29	0	9	29
Thursday, July 18, 2024	19	0	7	19
Friday, July 19, 2024	20	0	7	20
Saturday, July 20, 2024	22	0	8	22
Sunday, July 21, 2024	22	0	8	22
Monday, July 22, 2024	24	0	8	24
Tuesday, July 23, 2024	26	0	8	26
Wednesday, July 24, 2024	23	0	7	23
Thursday, July 25, 2024	24	0	8	24
Friday, July 26, 2024	22	0	7	22
Saturday, July 27, 2024	22	0	7	22
Sunday, July 28, 2024	23	0	7	23
Monday, July 29, 2024	23	0	7	23
Tuesday, July 30, 2024	21	0	7	21
Wednesday, July 31, 2024	21	0	7	21
Thursday, August 1, 2024	20	0	7	20

Friday, August 2, 2024	22	0	7	22
Saturday, August 3, 2024	18	0	7	18
Sunday, August 4, 2024	21	0	7	21
Monday, August 5, 2024	20	0	7	20
Tuesday, August 6, 2024	22	0	5	22
Wednesday, August 7, 2024	25	0	6	25
Thursday, August 8, 2024	25	0	8	25
Friday, August 9, 2024	20	0	4	20
Saturday, August 10, 2024	16	0	4	16
Sunday, August 11, 2024	23	0	5	23
Monday, August 12, 2024	31	0	7	31
Tuesday, August 13, 2024	23	0	5	23
Wednesday, August 14, 2024	24	0	4	24
Thursday, August 15, 2024	20	0	3	20
Friday, August 16, 2024	18	0	3	18
Saturday, August 17, 2024	23	0	4	23
Sunday, August 18, 2024	23	0	3	23
Monday, August 19, 2024	21	0	4	21
Tuesday, August 20, 2024	24	0	3	24
Wednesday, August 21, 2024	23	0	3	23
Thursday, August 22, 2024	24	0	3	24
Friday, August 23, 2024	29	0	3	29
Saturday, August 24, 2024	18	0	2	18
Sunday, August 25, 2024	30	0	3	30
Monday, August 26, 2024	16	0	2	16
Tuesday, August 27, 2024	21	0	3	21
Wednesday, August 28, 2024	23	0	2	23
Thursday, August 29, 2024	24	0	3	24
Friday, August 30, 2024	23	0	3	23
Saturday, August 31, 2024	27	0	2	27
Sunday, September 1, 2024	27	0	3	27
Monday, September 2, 2024	27	0	2	27
Tuesday, September 3, 2024	21	0	3	21
Wednesday, September 4, 2024	22	0	3	22
Thursday, September 5, 2024	27	0	3	27
Friday, September 6, 2024	33	0	4	33
Saturday, September 7, 2024	37	0	4	37
Sunday, September 8, 2024	28	0	3	28
Monday, September 9, 2024	32	0	4	32
Tuesday, September 10, 2024	33	0	3	33
Wednesday, September 11, 2024	22	0	3	22
Thursday, September 12, 2024	27	0	3	27
Friday, September 13, 2024	37	0	4	37
Saturday, September 14, 2024	33	0	4	33
Sunday, September 15, 2024	38	0	4	38
Monday, September 16, 2024	33	0	4	33

Tuesday, September 17, 2024	34	0	4	34
Wednesday, September 18, 2024	30	0	3	30
Thursday, September 19, 2024	33	0	4	33
Friday, September 20, 2024	20	0	2	20
Saturday, September 21, 2024	21	0	2	21
Sunday, September 22, 2024	22	0	3	22
Monday, September 23, 2024	35	0	4	35
Tuesday, September 24, 2024	33	0	4	33
Wednesday, September 25, 2024	34	0	3	34
Thursday, September 26, 2024	30	0	3	30
Friday, September 27, 2024	27	0	3	27
Saturday, September 28, 2024	28	0	3	28
Sunday, September 29, 2024	29	0	3	29
Monday, September 30, 2024	33	0	3	33
Tuesday, October 1, 2024	31	0	3	31
Wednesday, October 2, 2024	40	0	4	40
Thursday, October 3, 2024	31	0	3	31
Friday, October 4, 2024	31	0	3	31
Saturday, October 5, 2024	30	0	3	30
Sunday, October 6, 2024	27	0	3	27
Monday, October 7, 2024	25	0	2	25
Tuesday, October 8, 2024	28	0	2	28
Wednesday, October 9, 2024	26	0	2	26
Thursday, October 10, 2024	30	0	2	30
Friday, October 11, 2024	30	0	2	30
Saturday, October 12, 2024	32	0	3	32
Sunday, October 13, 2024	27	0	2	27
Monday, October 14, 2024	27	0	2	27
Tuesday, October 15, 2024	20	3	2	23
Wednesday, October 16, 2024	29	0	2	29
Thursday, October 17, 2024	26	0	2	26
Friday, October 18, 2024	28	0	2	28
Saturday, October 19, 2024	27	0	2	27
Sunday, October 20, 2024	27	0	2	27
Monday, October 21, 2024	28	0	2	28
Tuesday, October 22, 2024	28	0	2	28
Wednesday, October 23, 2024	23	0	2	23
Thursday, October 24, 2024	29	0	2	29
Friday, October 25, 2024	31	0	2	31
Saturday, October 26, 2024	30	0	2	30
Sunday, October 27, 2024	23	0	2	23
Monday, October 28, 2024	26	0	2	26
Tuesday, October 29, 2024	27	0	2	27
Wednesday, October 30, 2024	27	0	2	27
Thursday, October 31, 2024	24	0	2	24
Friday, November 1, 2024	30	0	3	30

Saturday, November 2, 2024	24	0	2	24
Sunday, November 3, 2024	34	0	3	34
Monday, November 4, 2024	30	0	2	30
Tuesday, November 5, 2024	30	0	2	30
Wednesday, November 6, 2024	32	0	2	32
Thursday, November 7, 2024	34	0	3	34
Friday, November 8, 20204	30	0	2	30
Saturday, November 9, 2024	32	0	3	32
Sunday, November 10, 2024	36	0	3	36
Monday, November 11, 2024	42	0	3	42
Tuesday, November 12, 2024	48	0	3	48
Wednesday, November 13, 2024	41	0	2	41
Thursday, November 14, 2024	45	0	3	45
Friday, November 15, 20204	45	0	3	45
Saturday, November 16, 2024	49	0	3	49
Sunday, November 17, 2024	49	0	3	49
Monday, November 18, 2024	49	0	3	49
Tuesday, November 19, 2024	51	0	5	51
Wednesday, November 20, 2024	46	0	4	46
Thursday, November 21, 2024	46	0	3	46
Friday, November 22, 20204	57	0	6	57
Saturday, November 23, 2024	48	0	5	48
Sunday, November 24, 2024	45	0	5	45
Monday, November 25, 2024	42	0	4	42
Tuesday, November 26, 2024	51	0	5	51
Wednesday, November 27, 2024	43	0	4	43
Thursday, November 28, 2024	50	0	5	50
Friday, November 29, 20204	49	0	5	49
Saturday, November 30, 2024	51	0	5	51
Sunday, December 1, 2024	56	0	6	56
Monday, December 2, 2024	45	0	4	45
Tuesday, December 3, 2024	53	0	6	53
Wednesday, December 4, 2024	47	0	4	47
Thursday, December 5, 2024	58	0	6	58
Friday, December 6, 20204	36	0	4	36
Saturday, December 7, 2024	53	0	5	53
Sunday, December 8, 2024	47	0	4	47
Monday, December 9, 2024	47	0	4	47
Tuesday, December 10, 2024	45	0	4	45
Wednesday, December 11, 2024	44	0	4	44
Thursday, December 12, 2024	44	0	4	44
Friday, December 13, 20204	52	0	5	52
Saturday, December 14, 2024	39	0	4	39
Sunday, December 15, 2024	44	0	4	44
Monday, December 16, 2024	51	0	5	51
Tuesday, December 17, 2024	50	0	4	50

Wednesday, December 18, 2024	53	0	5	53
Thursday, December 19, 2024	46	0	4	46
Friday, December 20, 2024	45	0	5	45
Saturday, December 21, 2024	43	0	4	43
Sunday, December 22, 2024	42	0	4	42
Monday, December 23, 2024	41	0	4	41
Tuesday, December 24, 2024	44	0	4	44
Wednesday, December 25, 2024	40	0	4	40
Thursday, December 26, 2024	51	0	5	51
Friday, December 27, 2024	55	0	5	55
Saturday, December 28, 2024	47	0	4	47
Sunday, December 29, 2024	44	0	4	44
Monday, December 30, 2024	50	0	5	50
Tuesday, December 31, 2024	47	0	4	47
Wednesday, January 1, 2025	50	0	5	50
Thursday, January 2, 2025	45	0	4	45
Friday, January 3, 2025	41	0	4	41
Saturday, January 4, 2025	51	0	5	51
Sunday, January 5, 2025	42	0	4	42
Monday, January 6, 2025	45	0	4	45
Tuesday, January 7, 2025	51	0	5	51
Wednesday, January 8, 2025	52	0	5	52
Thursday, January 9, 2025	56	0	6	56
Friday, January 10, 2025	45	0	5	45
Saturday, January 11, 2025	54	0	5	54
Sunday, January 12, 2025	48	0	4	48
Monday, January 13, 2025	54	0	6	54
Tuesday, January 14, 2025	57	0	6	57
Wednesday, January 15, 2025	55	0	5	55
Thursday, January 16, 2025	59	0	4	59
Friday, January 17, 2025	53	0	5	53
Saturday, January 18, 2025	51	0	5	51
Sunday, January 19, 2025	57	0	6	57
Monday, January 20, 2025	55	0	6	55
Tuesday, January 21, 2025	58	0	6	58
Wednesday, January 22, 2025	54	0	5	54
Thursday, January 23, 2025	57	0	6	57
Friday, January 24, 2025	56	0	6	56
Saturday, January 25, 2025	54	0	5	54
Sunday, January 26, 2025	54	0	5	54
Monday, January 27, 2025	55	0	6	55
Tuesday, January 28, 2025	55	0	6	
Wednesday, January 29, 2025	51	0	5	
Thursday, January 30, 2025	48	0	5	
Friday, January 31, 2025	45	0	5	
Saturday, February 1, 2025	48	0	6	

Sunday, February 2, 2025	53	0	6
Monday, February 3, 2025	52	0	6
Tuesday, February 4, 2025	42	0	6
Wednesday, February 5, 2025	40	0	6
Thursday, February 6, 2025	45	0	6
Friday, February 7, 2025	48	0	7
Saturday, February 8, 2025	47	0	7
Sunday, February 9, 2025	45	0	7
Monday, February 10, 2025	52	0	7
Tuesday, February 11, 2025	55	0	7
Wednesday, February 12, 2025	53	0	7
Thursday, February 13, 2025	54	0	7
Friday, February 14, 2025	57	0	8
Saturday, February 15, 2025	50	0	7
Sunday, February 16, 2025	57	0	8
Monday, February 17, 2025	61	0	8
Tuesday, February 18, 2025	59	0	8
Wednesday, February 19, 2025	55	0	7
Thursday, February 20, 2025	51	0	7
Friday, February 21, 2025	58	0	8
Saturday, February 22, 2025	51	0	7
Sunday, February 23, 2025	59	0	8
Monday, February 24, 2025	50	0	7
Tuesday, February 25, 2025	53	0	8
Wednesday, February 26, 2025	55	0	8
Thursday, February 27, 2025	46	0	7
Friday, February 28, 2025	42	0	7
Saturday, March 1, 2025	41	0	6
Sunday, March 2, 2025	44	0	7
Monday, March 3, 2025	57	0	8
Tuesday, March 4, 2025	50	0	8
Wednesday, March 5, 2025	44	0	7
Thursday, March 6, 2025	49	0	7
Friday, March 7, 2025	48	0	7
Saturday, March 8, 2025	56	0	8
Sunday, March 9, 2025	47	0	7
Monday, March 10, 2025	58	0	8
Tuesday, March 11, 2025	54	0	7
Wednesday, March 12, 2025	57	0	8
Thursday, March 13, 2025	46	0	7
Friday, March 14, 2025	57	0	6
Saturday, March 15, 2025	60	0	8
Sunday, March 16, 2025	61	0	6
Monday, March 17, 2025	61	0	8
Tuesday, March 18, 2025	60	0	8
Wednesday, March 19, 2025	62	0	8

Thursday, March 20, 2025	61	0	8
Friday, March 21, 2025	54	0	7
Saturday, March 22, 2025	61	0	8
Sunday, March 23, 2025	59	0	8
Monday, March 24, 2025	60	0	8
Tuesday, March 25, 2025	60	0	8
Wednesday, March 26, 2025	59	0	8
Thursday, March 27, 2025	61	0	8
Friday, March 28, 2025	49	0	7
Saturday, March 29, 2025	57	0	8
Sunday, March 30, 2025	58	0	8
Monday, March 31, 2025	58	0	8
Tuesday, April 1, 2025	61	0	8
Wednesday, April 2, 2025	59	0	8
Thursday, April 3, 2025	60	0	8
Friday, April 4, 2025	61	0	8
Saturday, April 5, 2025	57	0	7
Sunday, April 6, 2025	58	0	7
Monday, April 7, 2025	52	0	8
Tuesday, April 8, 2025	47	0	7
Wednesday, April 9, 2025	58	0	10
Thursday, April 10, 2025	46	0	7
Friday, April 11, 2025	54	0	9
Saturday, April 12, 2025	60	0	12
Sunday, April 13, 2025	50	0	8
Monday, April 14, 2025	57	0	11
Tuesday, April 15, 2025	58	0	10
Wednesday, April 16, 2025	58	0	10
Thursday, April 17, 2025	52	0	9
Friday, April 18, 2025	46	0	8
Saturday, April 19, 2025	52	0	10
Sunday, April 20, 2025	55	0	11
Monday, April 21, 2025	57	0	11
Tuesday, April 22, 2025	51	0	10
Wednesday, April 23, 2025	54	0	10
Thursday, April 24, 2025	54	0	11
Friday, April 25, 2025	54	0	11
Saturday, April 26, 2025	46	0	9
Sunday, April 27, 2025	42	0	8
Monday, April 28, 2025	43	0	8
Tuesday, April 29, 2025	43	0	8
Wednesday, April 30, 2025	43	0	8
Thursday, May 1, 2025	39	0	8
Friday, May 2, 2025	50	0	10
Saturday, May 3, 2025	46	0	9
Sunday, May 4, 2025	59	0	11

Monday, May 5, 2025	45	0	9
Tuesday, May 6, 2025	45	0	9
Wednesday, May 7, 2025	60	0	11
Thursday, May 8, 2025	48	0	10
Friday, May 9, 2025	44	0	9
Saturday, May 10, 2025	60	0	11
Sunday, May 11, 2025	41	0	8
Monday, May 12, 2025	43	0	8
Tuesday, May 13, 2025	44	0	8
Wednesday, May 14, 2025	44	0	8
Thursday, May 15, 2025	44	0	8
Friday, May 16, 2025	29	0	7
Saturday, May 17, 2025	44	0	8
Sunday, May 18, 2025	43	0	8
Monday, May 19, 2025	39	0	7
Tuesday, May 20, 2025	39	0	7
Wednesday, May 21, 2025	44	0	8
Thursday, May 22, 2025	48	0	8
Friday, May 23, 2025	39	0	8
Saturday, May 24, 2025	34	0	7
Sunday, May 25, 2025	39	0	8
Monday, May 26, 2025	39	0	8
Tuesday, May 27, 2025	37	0	8
Wednesday, May 28, 2025	36	0	8
Thursday, May 29, 2025	35	0	8
Friday, May 30, 2025	29	0	7
Saturday, May 31, 2025	30	0	8
Sunday, June 1, 2025	40	0	8
Monday, June 2, 2025	42	0	8
Tuesday, June 3, 2025	31	0	8
Wednesday, June 4, 2025	26	0	7
Thursday, June 5, 2025	30	0	8
Friday, June 6, 2025	25	0	7
Saturday, June 7, 2025	30	0	7
Sunday, June 8, 2025	37	0	8
Monday, June 9, 2025	27	0	7
Tuesday, June 10, 2025	26	0	7
Wednesday, June 11, 2025	30	0	8
Thursday, June 12, 2025	45	0	9
Friday, June 13, 2025	35	0	8
Saturday, June 14, 2025	33	0	8
Sunday, June 15, 2025	39	0	8
Monday, June 16, 2025	48	0	9
Tuesday, June 17, 2025	45	0	9
Wednesday, June 18, 2025	43	0	9
Thursday, June 19, 2025	43	0	9

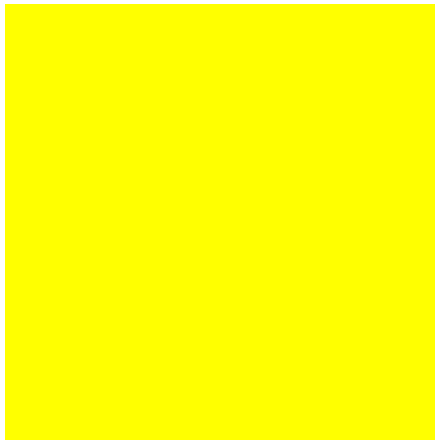
Friday, June 20, 2025	31	0	8
Saturday, June 21, 2025	38	0	8
Sunday, June 22, 2025	37	0	8
Monday, June 23, 2025	36	0	8
Tuesday, June 24, 2025	34	0	8
Wednesday, June 25, 2025	37	0	8
Thursday, June 26, 2025	46	0	9
Friday, June 27, 2025	41	0	8
Saturday, June 28, 2025	43	0	9
Sunday, June 29, 2025	38	0	8
Monday, June 30, 2025	45	0	9
Tuesday, July 1, 2025	46	0	9
Wednesday, July 2, 2025	34	0	8
Thursday, July 3, 2025	29	0	8
Friday, July 4, 2025	17	0	6
Saturday, July 5, 2025	30	0	8
Sunday, July 6, 2025	31	0	8
Monday, July 7, 2025	29	0	8
Tuesday, July 8, 2025	35	0	8
Wednesday, July 9, 2025	44	0	9
Thursday, July 10, 2025	34	0	8
Friday, July 11, 2025	19	0	7
Saturday, July 12, 2025	29	0	8
Sunday, July 13, 2025	39	0	9
Monday, July 14, 2025	36	0	9
Tuesday, July 15, 2025	43	0	9
Wednesday, July 16, 2025	34	0	8
Thursday, July 17, 2025	35	0	8
Friday, July 18, 2025	35	0	8
Saturday, July 19, 2025	30	0	8
Sunday, July 20, 2025	38	0	9
Monday, July 21, 2025	20	0	8
Tuesday, July 22, 2025	43	0	9
Wednesday, July 23, 2025	27	0	8
Thursday, July 24, 2025	37	0	9
Friday, July 25, 2025	46	0	8
Saturday, July 26, 2025	56	0	9
Sunday, July 27, 2025	32	0	8
Monday, July 28, 2025	40	0	8
Tuesday, July 29, 2025	45	0	9
Wednesday, July 30, 2025	45	0	9
Thursday, July 31, 2025	40	0	8
Friday, August 1, 2025	43	0	8
Saturday, August 2, 2025	45	0	9
Sunday, August 3, 2025	45	0	9
Monday, August 4, 2025	44	0	9

Tuesday, August 5, 2025	42	0	8
Wednesday, August 6, 2025	45	0	9
Thursday, August 7, 2025	44	0	8
Friday, August 8, 2025	30	0	7
Saturday, August 9, 2025	44	0	8
Sunday, August 10, 2025	45	0	9
Monday, August 11, 2025	46	0	9
Tuesday, August 12, 2025	47	0	9
Wednesday, August 13, 2025	42	0	8
Thursday, August 14, 2025	48	0	9
Friday, August 15, 2025	40	0	8
Saturday, August 16, 2025	43	0	8
Sunday, August 17, 2025	47	0	9
Monday, August 18, 2025	46	0	9
Tuesday, August 19, 2025	42	0	8
Wednesday, August 20, 2025	45	0	9
Thursday, August 21, 2025	37	0	8
Friday, August 22, 2025	32	0	8
Saturday, August 23, 2025	39	0	8
Sunday, August 24, 2025	45	0	9
Monday, August 25, 2025	43	0	9
Tuesday, August 26, 2025	39	0	8
Wednesday, August 27, 2025	37	0	8
Thursday, August 28, 2025	35	0	8
Friday, August 29, 2025	40	0	9
Saturday, August 30, 2025	46	0	9
Sunday, August 31, 2025	53	0	10
Monday, September 1, 2025	26	0	8
Tuesday, September 2, 2025	45	0	9
Wednesday, September 3, 2025	45	0	9
Thursday, September 4, 2025	42	0	9
Friday, September 5, 2025	30	0	8
Saturday, September 6, 2025	31	0	8
Sunday, September 7, 2025	52	0	10
Monday, September 8, 2025	45	0	9
Tuesday, September 9, 2025	45	0	9
Wednesday, September 10, 2025	44	0	9
Thursday, September 11, 2025	45	0	9
Friday, September 12, 2025	41	0	9
Saturday, September 13, 2025	35	0	8
Sunday, September 14, 2025	39	0	8
Monday, September 15, 2025	39	0	8
Tuesday, September 16, 2025	41	0	8
Wednesday, September 17, 2025	38	0	8
Thursday, September 18, 2025	46	0	9
Friday, September 19, 2025	42	0	9

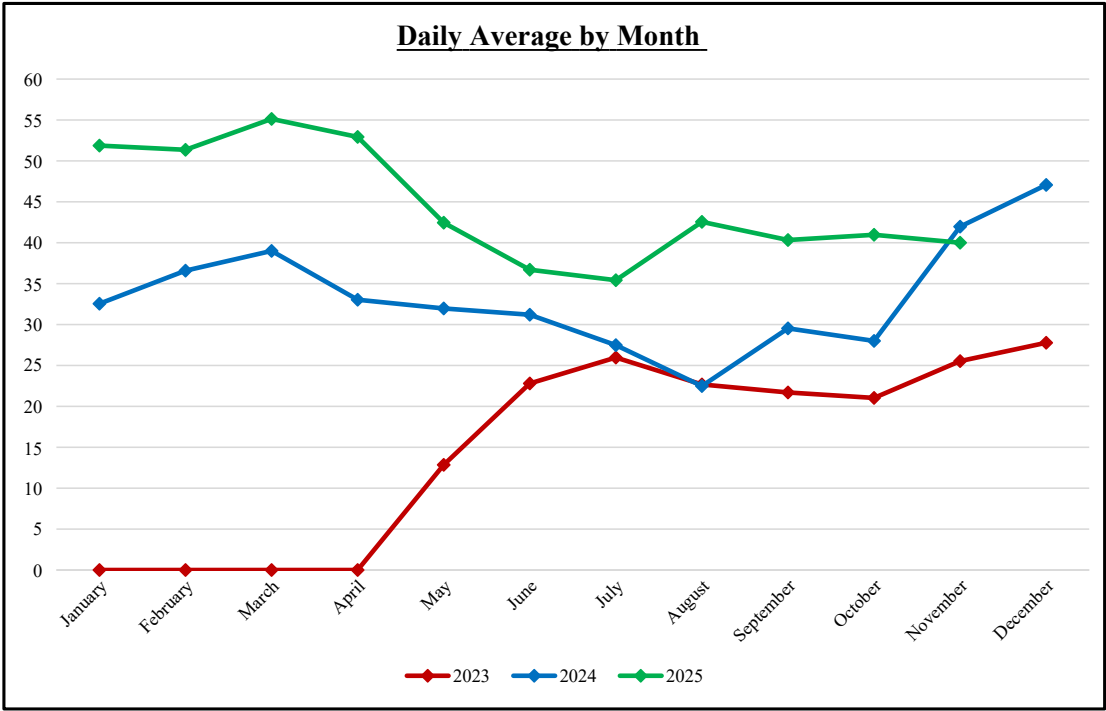
Saturday, September 20, 2025	38	0	8
Sunday, September 21, 2025	37	0	8
Monday, September 22, 2025	46	0	9
Tuesday, September 23, 2025	45	0	9
Wednesday, September 24, 2025	43	0	8
Thursday, September 25, 2025	45	0	9
Friday, September 26, 2025	39	0	8
Saturday, September 27, 2025	31	0	7
Sunday, September 28, 2025	36	0	8
Monday, September 29, 2025	41	0	8
Tuesday, September 30, 2025	38	0	7
Wednesday, October 1, 2025	45	0	8
Thursday, October 2, 2025	44	0	8
Friday, October 3, 2025	46	0	8
Saturday, October 4, 2025	34	0	7
Sunday, October 5, 2025	41	0	8
Monday, October 6, 2025	40	0	8
Tuesday, October 7, 2025	28	0	7
Wednesday, October 8, 2025	33	0	8
Thursday, October 9, 2025	29	0	7
Friday, October 10, 2025	46	0	8
Saturday, October 11, 2025	35	0	7
Sunday, October 12, 2025	41	0	8
Monday, October 13, 2025	38	0	8
Tuesday, October 14, 2025	45	0	9
Wednesday, October 15, 2025	40	0	9
Thursday, October 16, 2025	41	0	9
Friday, October 17, 2025	43	0	9
Saturday, October 18, 2025	41	0	9
Sunday, October 19, 2025	43	0	9
Monday, October 20, 2025	44	0	9
Tuesday, October 21, 2025	42	0	9
Wednesday, October 22, 2025	37	0	8
Thursday, October 23, 2025	35	0	8
Friday, October 24, 2025	47	0	8
Saturday, October 25, 2025	41	0	7
Sunday, October 26, 2025	46	0	8
Monday, October 27, 2025	47	0	8
Tuesday, October 28, 2025	46	0	9
Wednesday, October 29, 2025	43	0	8
Thursday, October 30, 2025	47	0	9
Friday, October 31, 2025	42	0	8
Saturday, November 1, 2025	43	0	8
Sunday, November 2, 2025	43	0	8
Monday, November 3, 2025	43	0	8
Tuesday, November 4, 2025	41	0	8

Wednesday, November 5, 2025	44	0	8
Thursday, November 6, 2025	40	0	8
Friday, November 7, 2025	38	0	7
Saturday, November 8, 2025	36	0	7
Sunday, November 9, 2025	41	0	8
Monday, November 10, 2025	40	0	8
Tuesday, November 11, 2025	36	0	7
Wednesday, November 12, 2025	35	0	7
Thursday, November 13, 2025			
Friday, November 14, 2025			
Saturday, November 15, 2025			
Sunday, November 16, 2025			
Monday, November 17, 2025			
Tuesday, November 18, 2025			
Wednesday, November 19, 2025			
Thursday, November 20, 2025			
Friday, November 21, 2025			
Saturday, November 22, 2025			
Sunday, November 23, 2025			
Monday, November 24, 2025			
Tuesday, November 25, 2025			
Wednesday, November 26, 2025			
Thursday, November 27, 2025			
Friday, November 28, 2025			
Saturday, November 29, 2025			
Sunday, November 30, 2025			
Monday, December 1, 2025			
Tuesday, December 2, 2025			
Wednesday, December 3, 2025			
Thursday, December 4, 2025			
Friday, December 5, 2025			
Saturday, December 6, 2025			
Sunday, December 7, 2025			
Monday, December 8, 2025			
Tuesday, December 9, 2025			
Wednesday, December 10, 2025			
Thursday, December 11, 2025			
Friday, December 12, 2025			
Saturday, December 13, 2025			
Sunday, December 14, 2025			
Monday, December 15, 2025			
Tuesday, December 16, 2025			
Wednesday, December 17, 2025			
Thursday, December 18, 2025			
Friday, December 19, 2025			
Saturday, December 20, 2025			

Sunday, December 21, 2025
Monday, December 22, 2025
Tuesday, December 23, 2025
Wednesday, December 24, 2025
Thursday, December 25, 2025
Friday, December 26, 2025
Saturday, December 27, 2025
Sunday, December 28, 2025
Monday, December 29, 2025
Tuesday, December 30, 2025
Wednesday, December 31, 2025



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	40.97
November	25.53	41.97	40.00
December	27.77	47.06	-





CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Adoption of the 2025 California Building Codes

SOURCE: Engineering and Project Management

COMMENT: The building codes used by jurisdictions in California are updated periodically to integrate new technologies, construction methods, safety standards, and lessons learned from natural disasters. These updates ensure that the adopted Codes reflect current best practices for public safety, energy efficiency, structural resiliency, and environmental performance.

The last adopted California Building Standards Codes were updated in 2022. Since then, the State of California has adopted the 2024 International Codes as the basis for the California Building, Electrical, Mechanical, Plumbing, and Energy Codes. In addition, the State has adopted the 2025 Editions of the Administrative, Residential, Green Building Standards, Historical Building, Existing Building, Reference Standards, and Wildland Urban Interface Codes. These Codes become State-mandated on January 1, 2026, and each updated Code must be adopted by local ordinance, repealing the prior edition.

The 2025 Codes include several significant updates, including enhanced energy efficiency standards, stricter life safety requirements, expanded wildfire and WUI provisions, and strengthened structural and seismic resilience requirements. A summary of the most notable changes is included as an attachment for reference.

Local jurisdictions may adopt modifications to State-mandated Codes if all of the following conditions are met:

1. The modification is more restrictive than the State requirement.
2. The modification is justified by climatic, geologic, or topographic conditions.
3. The modification, and the associated findings, are submitted to the California Building Standards Commission (CBSC) for review.

At the direction of the City Council, staff reviewed both the current (2022) and forthcoming (2025) Building Codes related to the use of cargo containers as

temporary or permanent storage structures and for construction use. The findings of this review are summarized below:

1. Cargo containers used for storage or construction are classified as a structure under Section 3114 of the Building Code.
2. Detached accessory structures used as tool or storage sheds 120 square feet or less are exempt from permits (Section [A]105.2(1)).
3. Temporary use is defined as 180 days or less (Section 202).
4. Temporary uses must fully comply with applicable installation requirements (Section 3103.6).
5. Section 3114 expressly establishes the requirements for the use and installation of cargo containers.

Because State law prohibits local jurisdictions from adopting standards that are less restrictive than the California Building Standards Codes, the City may not expand permit exemptions, reduce installation requirements, or adopt alternative standards that conflict with State Code. For reference, the Building Division's code interpretation on Intermodal Shipping Containers is included as an attachment.

Although the City cannot adopt less restrictive local amendments for cargo containers, staff recognizes the importance of providing a clear and efficient permitting process. To support residents and businesses, staff is developing a streamlined permit submittal packet for the most common cargo container sizes that fall within the simplified structural design provisions for single-unit containers. This packet will include the following information:

1. Clear explanations of which sizes require permits (for example, an 8' x 10' container does not require a permit).
2. Installation requirements for the most common sizes (8' x 10', 8' x 20', and 8' x 40').
3. Pre-engineered installation plans meeting Building Code requirements.
4. Examples of allowed and prohibited modifications for simplified installation and use.

Providing these standardized packets will save Porterville residents time and money by eliminating the need to hire separate engineers for typical installations, while also ensuring full compliance with State Codes.

As part of the adoption process, draft ordinances have been prepared for City Council consideration. Each ordinance corresponds to one of the applicable 2025 California Building Standards Codes. These draft ordinances are included as attachments to this report and do not include substantive local amendments beyond those required to implement the State Codes.

Adoption of the 2025 California Building Standards Codes ensures that the City of Porterville remains consistent with statewide regulatory requirements, maintains eligibility for State and federal funding tied to Code compliance, and continues to support a safe, resilient, and efficient built environment.

RECOMMENDATION:

That City Council:

1. Conduct a Public Hearing to receive input regarding the adoption of the 2025 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Historical Buildings, Existing Buildings, Referenced Standards, and Wildland Urban Interface Codes;
2. Approve for first reading the draft Ordinances adopting the 2025 Editions of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Historical Buildings, Existing Buildings, Referenced Standards, and Wildland Urban Interface Codes; and
3. Waive further reading and order the Ordinances to print.

ATTACHMENTS:

1. Draft Ordinance - Amending Chapter 7, Article I - Adoption of 2025 California Building Codes
2. Draft Ordinance - Amending Chapter 7, Article IA - Adoption of 2025 California Mechanical Code
3. Draft Ordinance - Amending Chapter 7, Article II - Adoption of 2025 California Plumbing Code
4. Draft Ordinance - Amending Chapter 7, Article III - Adoption of 2025 California Electrical Code
5. Draft Ordinance - Amending Chapter 7, Article IV - Adoption of 2025 California Green Building Standards Code
6. Intermodal Shipping (Cargo) Containers
7. 2025 Building Codes - Notable Changes

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

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

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING ARTICLE I OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY
OF PORTERVILLE AND ADOPTING BY REFERENCE THE 2025 EDITIONS OF THE
CALIFORNIA ADMINISTRATIVE CODE, THE CALIFORNIA BUILDING CODE
ALONG WITH DESIGNATED APPENDICES, THE CALIFORNIA RESIDENTIAL
CODE ALONG WITH DESIGNATED APPENDICES, THE CALIFORNIA ENERGY
CODE, THE CALIFORNIA HISTORICAL BUILDINGS CODE, THE CALIFORNIA
EXISTING BUILDING CODE, THE CALIFORNIA REFERENCED STANDARDS
CODE, AND THE WILDLAND-URBAN INTERFACE CODE AS PUBLISHED BY THE
INTERNATIONAL CODE COUNCIL**

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. The following sections of the Municipal Code of the City of Porterville are
hereby amended to read as follows:

SECTION 7-1 ADOPTION

Adoption of the 2025 Edition of the California Administrative Code Title 24 Part 1;
2025 California Building Code Part 2, Volumes 1 and 2; the 2025 California Residential
Code Title 24 Part 2.5; the 2025 Energy Code Title 24 Part 6; the 2025 Edition of the
California Historical Buildings Code Title 24 Part 8; the 2025 Edition of the California
Existing Buildings Code Title 24 Part 10; the 2025 Edition of the California Referenced
Standards Code Title 24 Part 12; and the 2025 Edition of the Wildland-Urban Interface
Code Title 24 Part 7.

That certain codes in book form to which more particular reference is herein
made, regulating the construction, erection, alteration, repair, removal, demolition,
conversion, equipment, use, height, area and maintenance of buildings in the City of
Porterville, together with the amendments thereof, herein specifically set forth, together
with the penalty for violation herein set forth to be known as the Building Codes
compiled by and adopted by the International Code Council, Inc., together with the

following appendixes: J, O, P, and Q of the 2025 California Building Code; BF, BO, CI, and CJ of the 2025 California Residential Code Part 2.5; thereto are hereby adopted and enacted by the Council of the City of Porterville, 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, with the exception of the penalty provision thereof.

SECTION 7-2 COPIES ON FILE:

Reference is hereby made to one (1) copy of said California Building Code, 2025 Edition, compiled by and adopted by the International Conference of Building Officials, heretofore filed in the office of the Building Official of the City of Porterville and said California Building Code is by reference adopted herein as provided by law.

SECTION 7-3 BUILDING CODE AMENDMENTS:

There are no local amendments to the 2025 Codes. The City of Porterville reserves the right to amend the Codes mentioned herein by way of public hearing and Ordinance adoption at a later date if deemed necessary.

SECTION 7-3.4. PENALTY FOR VIOLATION:

It shall be unlawful for any person, firm or corporation to enlarge, alter, repair, move, improve, remove, convert, or equip, use, occupy or maintain any building or structure in the City of Porterville, or cause the same to be done contrary to or in violation of the provisions of this article or of the building code above adopted by reference, together with the amendments thereto; and any person, firm or corporation violating any of the provisions of this article or of said building code, as amended, shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violations of the provisions of this article or of the California Building Code,

2025 Edition, is committed or permitted; and upon conviction of any such violation, such person shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the City or County jail for a period of not exceeding six (6) months or both such fine and imprisonment.

SECTION 7-3.6. SEVERABILITY:

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

B. Ordinance No. 1893 of the Municipal Code of the City of Porterville is hereby repealed.

C. This Ordinance shall be in full force and in effect on January 1, 2026.

PASSED, APPROVED AND ADOPTED this 18th day of November, 2025.

ATTEST:
Richard Tree, City Clerk

Greg Meister, Mayor

By: Fernando Gabriel-Moraga,
Chief Deputy City Clerk

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING SECTION 7-4 OF THE MUNICIPAL CODE OF
THE CITY OF PORTERVILLE ADOPTING BY REFERENCE
THE 2025 EDITION OF THE CALIFORNIA MECHANICAL CODE
PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND
MECHANICAL OFFICIALS**

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. The following section of the Municipal Code of the City of Porterville is
hereby amended to read as follows:

SECTION 7-4 ADOPTION:

Adoption of the 2025 Edition of the California Mechanical Code, Title 24, Part 4
and Referenced Standards.

That certain code in book form to which more particular reference is hereinafter
made regulating the installation and maintenance of heating, ventilating, cooling, and
refrigeration systems, to be known and referred to as the California Mechanical Code
along with the Referenced Standards is hereby adopted and enacted by the Council of
the City of Porterville as an ordinance of the City of Porterville, to all intents and
purposes and to the same effect as if each and every sentence, comma, paragraph,
word, phrase, and clause in said code mentioned or referred to therein or herein were
and each thereof was fully and specifically set forth herein.

Reference is hereby made to one (1) copy of the 2025 Edition of the California
Mechanical Code published by the International Association of Plumbing and
Mechanical Officials filed with the Building Official of the City of Porterville and said
code is by reference adopted herein as provided by law.

SECTION 7-4.2. SEVERABILITY:

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

B. That Ordinance No.1894 of the Municipal Code of the City of Porterville is hereby repealed.

C. This Ordinance shall be in full force and in effect on January 1, 2026.

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

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING SECTION 7-6 OF THE MUNICIPAL CODE OF
THE CITY OF PORTERVILLE ADOPTING BY REFERENCE
THE 2025 EDITION OF THE CALIFORNIA PLUMBING CODE
PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND
MECHANICAL OFFICIALS**

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. That Section 7-6 of the Municipal Code of the City of Porterville is amended to
read as follows:

SECTION 7-6. ADOPTION:

Adoption of the 2025 Edition of the California Plumbing Code Title 24 Part 5, the
Referenced Standards, and Appendixes C, H, and M.

That certain code in book form to which more particular reference is hereinafter
made, regulating the business of plumbing, and the installation of plumbing fixtures and
appliances, to be known and referred to as the California Plumbing Code, is hereby
adopted and enacted by the Council of the City of Porterville as an ordinance of the City
of Porterville, to all intents and purposes and to the same effect as if each and every
sentence, comma, paragraph, word, phrase, and clause in said code mentioned or
referred to therein or herein were and each thereof was fully and specifically set forth
herein.

Reference is hereby made to (1) copy of the 2025 Edition of the California
Plumbing Code, published by the International Association of Plumbing and Mechanical
Officials filed with the Building Official of the City of Porterville and said code is by
reference adopted herein as provided by law.

SECTION 7-8. SEVERABILITY:

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

B. That Ordinance No. 1895 of the Municipal Code of the City of Porterville is hereby repealed.

C. This Ordinance shall be in full force and in effect on January 1, 2026.

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

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING SECTION 7-9 AND DELETING SECTION 7-10 OF THE
MUNICIPAL CODE OF THE CITY OF PORTERVILLE AND ADOPTING BY
REFERENCE THE 2025 EDITION OF THE CALIFORNIA ELECTRICAL CODE
PUBLISHED BY BNi PUBLICATIONS, INC.**

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. That Section 7-9 of the Municipal Code of the City of Porterville is hereby
amended to read as follows:

SECTION 7-9 ADOPTION:

Adoption of the 2025 Edition of the California Electrical Code Title 24 Part 3.

That certain code in book form to which more particular reference is hereinafter
made, regulating the business of electrical, and the installation of electrical fixtures and
appliances, to be known and referred to as the California Electrical Code, is hereby
adopted and enacted by the Council of the City of Porterville as an ordinance of the City
of Porterville, to all intents and purposes and to the same effect as if each and every
sentence, comma, paragraph, word, phrase, and clause in said code mentioned or
referred to therein or herein were and each thereof was fully and specifically set forth
herein.

Reference is hereby made to one (1) copy of the 2025 Edition of the California
Electrical Code, published by BNi Publications, Inc. filed in the office of the Building
Official of the City of Porterville, and such code, to wit: the 2025 Edition of the California
Electrical Code published by the BNi Publications, Inc., as aforesaid now on file with the
Building Official of the City of Porterville, is hereby adopted by reference as the
Electrical Code of the City.

SECTION 7-9.1. SEVERABILITY:

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

B. That Ordinance No. 1896 of the Municipal Code of the City of Porterville is hereby repealed.

C. This Ordinance shall be in full force and in effect on January 1, 2026.

PASSED, APPROVED AND ADOPTED this 18th day of November, 2025.

ATTEST:
Richard Tree, City Clerk

Greg Meister, Mayor

By: Fernando Gabriel-Moraga,
Chief Deputy City Clerk

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING ARTICLE IV OF CHAPTER 7 OF THE MUNICIPAL CODE OF
THE CITY OF PORTERVILLE ADOPTING BY REFERENCE
THE 2025 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE
PUBLISHED BY THE INTERNATIONAL CODE COUNCIL**

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

A. The following section of the Municipal Code of the City of Porterville is
hereby amended to read as follows:

SECTION 7-12 ADOPTION:

Adoption of the 2025 Edition of the California Green Building Standards
Code, Title 24, Part 11 and the mandatory portions of Appendix A4, Appendix A5, and
Appendix A6 with the voluntary portions of said Appendices remaining voluntary.

That certain code in book form to which more particular reference is hereinafter
made encouraging sustainable construction practices, to be known and referred to as
the California Green Building Standards Code is hereby adopted and enacted by the
Council of the City of Porterville as an ordinance of the City of Porterville, to all intents
and purposes and to the same effect as if each and every sentence, comma,
paragraph, word, phrase, and clause in said code mentioned or referred to therein or
herein were and each thereof was fully and specifically set forth herein.

Reference is hereby made to one (1) copy of the 2025 Edition of the California
Green Building Standards Code published by the International Code Council
Commission filed with the Building Official of the City of Porterville and said code is by
reference adopted herein as provided by law.

SECTION 7-12.1. SEVERABILITY:

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are severable.

B. That Ordinance No. 1897 of the Municipal Code of the City of Porterville is hereby repealed.

C. This Ordinance shall be in full force and in effect on January 1, 2026.

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

Use of Intermodal Shipping Containers

2022 CBC

202 INTERMODAL SHIPPING CONTAINER. A six-sided steel unit originally constructed as a general cargo container used for the transport of goods and materials.

3115.1 General. The provisions of Section 3115 and other applicable sections of this code shall apply to intermodal shipping containers that are repurposed for use as buildings or structures, or as a part of buildings or structures.



SECTION 105 – Permits

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet (11.15 m²). It is permissible that these structures still be regulated by Section 710A, despite exemption from permit.

QUESTION 1:

Is a building permit required for the placement of a cargo container (intermodal shipping container) on a piece of property for storage?

ANSWER 1:

CBC Section 105.1 states in part that a building permit is required to “construct...alter...move a building or structure...”

CBC Section 3115.1 states that the “...code shall apply to intermodal shipping containers that are repurposed for use as buildings or structures...”

CBC Section 202 states the definition of intermodal shipping container is a “six-sided steel unit originally constructed as a general cargo container used for the **transport** of goods and materials.”

When an intermodal shipping container is set in a fixed location, it is no longer used for transport purposes; it is used for storage purposes. In other words, the intermodal shipping container has been repurposed and is now used as a fixed building.

Because it has been repurposed, it must comply with the code as a new building. It may not seem like a building because it is a single unit, however, the code treats a mobilehome as building even though it may be constructed and transported as one or more main pieces and assembled on site. The code treats it as a building which is defined as “any structure utilized or intended for supporting or sheltering any occupancy.” The intermodal shipping container is now being used as a Group S storage building.

NOTE: the code does not require a building permit for a detached storage shed with a floor area no greater than 120 square feet. (See CBC Section 105.2, Item 1) Therefore, if the intermodal shipping container does not exceed 120 square feet, a building permit is not required.

QUESTION 2:

Can a local jurisdiction amend the CBC to eliminate the requirement for a permit, and all other requirements applicable to intermodal shipping containers?

ANSWER 2:

The local authority of cities, counties, or a city and county government can establish more restrictive and reasonably necessary differences to the provisions contained in the code. The local modifications must comply with Health and Safety Code Section 18941.5, to wit, the modifications must be reasonably necessary because of local climatic, geological, or topographical conditions. The governing body shall make findings required by HSC Section 17958.7 and file with the California Building Standards Commission.

The State of California adopted Sections 105.1 and 105.2 which require permits. The state also adopted the entirety of Chapter 31, with amendments. Chapter 31 includes the requirements for intermodal shipping containers.

In summary, any modification to the above-listed sections must meet the following:

1. Must be more restrictive than the state requirement.
2. Must be justified based on climatic, geologic or topographic conditions.
3. Must be submitted to California Building Standards Commission (CBSC) along with the Findings.

Recent legislative action in Assembly Bill 130 gave authority to the CBSC to review and evaluate local amendments and findings. Under AB 130, the CBSC can review and reject local amendments based on a lack of satisfactory findings, or new regulations applicable to residential occupancies.

OBSERVATION: It is entirely possible that the such amendments to exempt a building permit and building provisions could result in the rejection of the entire city ordinance.

OPTIONS:

1. Require a building permit for intermodal shipping containers as is stipulated in the CBC.
2. Modify the CBC by local ordinance knowing that it does not meet the qualifications for local amendment and could be rejected by CBSC.

3. Require a building permit for the intermodal shipping containers, but provide a guide or standard for the owner's use which could include foundation and anchoring design, grounding if needed, separation to property lines, separation to other structures, etc. This guide would provide the information needed for installation of the intermodal shipping container, without requiring an engineered set of plans for every installation.

**2025 Building Codes
Notable Changes**

Efficiency/ Sustainability	• Expanded use of heat pumps in new residential buildings • Shift from EV-capable to mandated installation of EV chargers and receptacle outlets • Stricter standards for insulation, windows, mechanical systems and ventilation • Peak energy metric aimed at reducing demand on the electrical grid • Expansion of solar-ready and battery-ready requirements • New sections requiring formal Construction Waste Management plans and stormwater pollution prevention
Safety/Hazard Mitigation	• New rules for lithium-ion battery facilities • Wildfire resilience with adoption of Wildland-Urban Interface code to reduce wildfire risks • Increased standards for smokeproof enclosures • Emergency power and illumination mandates • Clarifications regarding required two-way communication systems in stairwells and elevators
Structural	• Strengthened requirements for buildings in seismic zones • Adoption of new U.S. Geological Survey data • Adjustments to design forces in high-risk areas • Adjustments to site coefficients and near-fault factors • Factors in occupied roofs in determination of high-rise
Code Administration	• Multiple compliance paths in existing buildings (prescriptive, work area, performance) to make retrofit projects more feasible • Clarification of accessibility requirements for existing buildings and new construction



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Consideration of Revocation of Business License for a Home Occupation Permit

SOURCE: Finance

COMMENT: The purpose of this item is to consider whether the business license associated with a Home Occupation Permit located at 1910 W. Putnam Avenue, held by Elida Suarez, should be revoked.

City staff have received multiple complaints from nearby residents concerning activities at the residence that appear inconsistent with the conditions of approval for a home-based business. In response, staff conducted site inspections and verified that the business operations exceed the limitations established in Porterville Development Ordinance Section 301.09 – Home Occupations, which restricts activities that create noise, traffic, customer visits, or other impacts that are not compatible with a residential neighborhood.

The property owner was contacted several times and was given multiple opportunities to correct the violations. Written notices were issued on several occasions, and staff also provided verbal instruction regarding the steps required to bring the business into compliance. Despite these efforts, the business continues to operate in violation of City regulations. A detailed timeline of inspections, communications, and enforcement actions is included as an attachment to this report, along with copies of each written notice issued to the property owner. These materials form part of the administrative record for City Council consideration.

In accordance with Section 15-12 of the Porterville Municipal Code, the City Council has the authority to revoke a business license when a business fails to comply with applicable regulations or is operated in a manner inconsistent with the public health, safety, or welfare. Staff recommends that the City Council consider the information contained in this report, the timeline of actions taken by the City, the notices provided to the property owner, the applicable ordinance governing Home Occupations, and any testimony provided at the public hearing, and then determine whether continued operation of this home occupation is consistent with City standards and the public welfare.

RECOMMENDATION:

That the City Council:

1. Hold a public hearing to consider whether the business license associated with a Home Occupation Permit for 1910 W. Putnam Avenue should be revoked; and
2. Based on the evidence presented during the public hearing, take action to revoke the business license for the Home Occupation Permit if the City Council finds that continued violations have occurred and compliance has not been achieved.

ATTACHMENTS:

1. Draft Resolution
2. Timeline
3. Notice to Property Owner March 23, 2022
4. Notice to Property Owner March, 27, 2025
5. Notice to Property Owner July 24, 2025
6. Notice to Property Owner August 13, 2025
7. Notice to Property Owner August 19, 2025
8. Porterville Development Ordinance Section 301.09 - Home Occupations

Appropriated/Funded:

Review By:

Department Director:
Janie Rodriguez, Finance Director

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

RESOLUTION NO.____-2025

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
REVOKING THE BUSINESS LICENSE FOR A HOME OCCUPATION PERMIT FOR
ELIDA SUAREZ, 1910 WEST PUTNAM AVENUE, PORTERVILLE**

WHEREAS: All businesses, trades, professions, callings, and occupations transacting business in the city of Porterville are required to obtain a business license and comply with Chapter 15 of the Porterville Municipal Code;

WHEREAS: The City of Porterville Municipal Code Section 15-12 provides, "The City Council reserves the right to revoke the license granted any person, when, after notice to the licensee and upon hearing had, it shall appear the business licensed is unlawful, immoral or a menace to the public health, safety, morals, peace or general welfare, or is, or has been carried on in an illegal or immoral manner, or in such manner as to constitute a menace to the health, safety, morals, peace or general welfare of the people of the city;"

WHEREAS: Consistent with Section 15-12, notice was provided to business owner Elida Suarez, 1910 West Putnam Avenue, Porterville, of a public hearing by the City Council to consider revocation of the business license for a Home Occupation Permit, noticed for November 18, 2025; and

WHEREAS: The Porterville City Council has held the public hearing and duly received and considered evidence and documentation concerning the business operations of Elida Suarez;

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby make the following findings and determines as follows:

1. The City of Porterville has received complaints of noncompliance with the conditions of approval for the Home Occupation Permit occurring at the business. Violations to the conditions of approval for the Home Occupation Permit include excessive foot traffic, excessive vehicle traffic, customer vehicles blocking the street, customer vehicles blocking the public right-of-way, trailers being stored within the front yard, and merchandise not being delivered to customers, causing a nuisance.

2. Site inspections confirmed that business operations have exceeded limitations established under Porterville Development Ordinance Section 301.09 – Home Occupations, which restricts activities that create noise, traffic, or other impacts inconsistent with residential setting.

3. A business license for a Home Occupation Permit (HOP) for Elida Suarez was approved at 1910 West Putnam Avenue, Porterville, for online business sales only with shipping and delivering of all items. Home Occupation Permits for internet sales do not authorize for merchandise to be sold on the premises.

4. Given Nos. 1-3 above, the City Council finds it appears that the business licensed has become a nuisance and is operated in a manner inconsistent with public health, safety, general welfare of the people of the city of Porterville.

5. The City Council hereby revokes the business license for business owner Elida Suarez, 1910 West Putnam Avenue, Porterville. Business owner/applicant shall not be eligible for a business license for at least one year, or for the longest duration of time permitted by law, whichever is longer. Business owner/applicant shall be subject to all other applicable regulations and laws should any new applications for City permits and licenses be made.

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

On March 14, 2022, the City received complaints regarding a business being operated from a residence located at 1910 W. Putnam Ave. without a business license. A Code Enforcement patrol check confirmed that the property owner was storing a trailer and boxed items appearing to be new at the residence. Basic information regarding the Home Occupation Permit (HOP) business license was given to the resident and staff advised to contact the Planning Division regarding requirements for HOPs.

The resident failed to contact the Planning Division. Therefore, on March 22, 2022, a Notice regarding the non-permitted operation of a business from a residential property was mailed to the property owner. Staff outlined the code complaint, non-permitted use and requested the property owner to contact Planning to discuss the matter. No contact was made and during this time, staff continued to receive numerous complaints of the operation of the non-permitted business. On April 26, 2022, the code complaint was referred to Code Enforcement for further investigation.

Staff continued to receive complaints of the business operation and on May 20, 2022, a Code Enforcement officer made contact with the property owner and observed the unloading of packaged merchandise from a small pull trailer at the property. The officer made contact with the property owner in which the property owner responded that they were aware of the past complaints and had requested a hearing.

An administrative hearing was conducted on July 20, 2022, per the Hearing Officer, the property owner began the Home Occupation Permit process. The property owner communicated with Planning on the HOP process and agreed that they would operate their business in compliance with the Porterville Development Ordinance §301.09-Home Occupations. The property owner agreed that any violations in the Development Ordinance would result in grounds for revocation of the business license for a Home Occupation Permit. On September 19, 2022 a business license was issued to Elida Suarez for an HOP at 1910 W. Putnam Ave.

On October 24, 2022 City staff again began to receive new complaints regarding the operation of the home occupation regarding the continued excessive auto and foot traffic. On January 6, 2023, Code Enforcement was able to make contact with the property owner and explained that they were not complying with the conditions of the HOP and these complaints, if not remediated could result in enforcement actions including but not limited to citations, fines and revocation of the business license. The property owner acknowledged that they understood.

In 2023, City staff in various City departments began to receive phone calls regarding the operation of the HOP. In response, Code Enforcement would do a site visit. Since there appeared to be no violations present at the time of the site visit, the complaint would be closed for that reason.

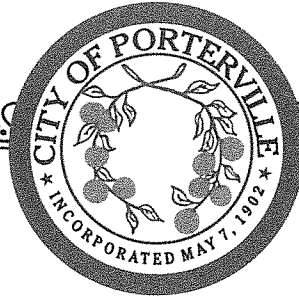
In 2025, Planning Division became the point of contact for the reporting party. The reporting party continued to submit an excessive number of complaints; therefore, the complaint was not closed out. On March 27, 2025, Planning sent correspondence regarding the noncompliance, and requested that the business owner follow up to resolve the concern. No response was received. Staff continued to receive complaints and multiple site visits to the address confirmed that the business continued to be noncompliant.

On July 24, 2025, second certified mail notice was sent to the business owner. On July 29, 2025, the business owner spoke to Planning in person regarding the complaint. The business owner stated that they had not received any other notices and that all the complaints were false accusations. Staff explained the conditions of approval for the HOP and the business owner stated that they were aware and had always been in

compliance.

Staff continued to receive more complaints of the continued noncompliance and in response, staff continued to do site visits, which confirmed the noncompliance. On August 13, 2025 staff mailed a third notice (certified mail), a fourth certified notice on August 19, 2025 as the business owner continued to be noncompliant. Since the complaint was not remediated, staff maintained the complaint open. Staff was able to do site visits after receiving new complaints and verified that the business failed to comply with the conditions of approval.

On August 20 and August 28, 2025, the business owner spoke to Planning staff in person regarding the notices of noncompliance for the business that they had received. The business owner declared that all the complaints were false as they had always complied with the conditions of approval for the HOP.



**Community Development
Department**

March 23, 2022

Notice to Property Owner
APN: 245-143-027

Luis Palomares
1910 W. Putnam Ave.
Porterville, CA 93257

To Whom It May Concern,

Porterville is a community that strives for well-kept residential, business and industrial areas. In order to promote a higher quality of life, the City has adopted codes pertaining to the proper use and maintenance of private property.

The City of Porterville Community Development Department is in receipt of multiple complaints regarding the operation of a commercial use, Retail Sales, from a residence located at 1910 W. Putnam Ave. in the RS-2 (Low Density Residential) Zone District. Your property, referenced above, has been identified as an area in the City of Porterville that has become a nuisance and threat to the health and safety and general welfare of the citizens of the City of Porterville. You are shown as the legal owner of this property on the Tulare County Assessor's Office records.

It has been reported that there are frequent set ups of retail sales on the property where commercial items are being sold from property. You are being advised that this property located at 1910 W. Putnam Ave. in Porterville is in violation of Section 201.02 (Land Use Regulations) of the Porterville Development Ordinance.

Your property is not in compliance with the City Codes because of the noted violation.

The Community Development Department is requesting that you please cease the non-permitted commercial uses and activity on receipt of this notice and contact the Planning Division by April 8, 2022 at 559-782-7460 or in person at 291 North Main Street in Porterville to discuss this matter and arrange an inspection to confirm correction of the violation.

It is the responsibility of all of us to maintain a friendly, pleasant and safe environment in the City of Porterville and we would appreciate your cooperation in resolving this matter.

#11655440



March 27, 2025

Community Development
Department

Notice to Property Owner
APN: 245-143-027

Luis Palomares
Elida Suarez
1910 W. Putnam Ave.
Porterville, CA 93257

To Whom It May Concern,

The City of Porterville Community Development Department received multiple complaints regarding excessive foot and vehicle traffic from customers picking up items at a residence located at **1910 W. Putnam Ave.**, Porterville, CA 93257.

A business license for a Home Occupation Permit (HOP) for Elida Suarez was approved at this address for online sales, with "shipping and delivering" of "all items". Home Occupation Permits for internet sales do not authorize for merchandise to be sold on the premises. Additionally, general standards for Home Occupations include: not generating excessive auto or foot traffic and the residential use should remain the primary use of the property. Please find attached a copy of the approved business license for a Home Occupation and Porterville Development Ordinance §301.09 for Home Occupations standards.

If these reports are true, it may be time for your business to move into a commercial building. The City of Porterville is glad that your business is growing and hopes that you have continued success; however, staff wants to provide you the opportunity to correct any violations you may have.

The Community Development Department is sending this letter as a friendly reminder that there are certain standards that must be upheld, when conducting business from your home. If the City receives more complaints and evidence of violations, action may be taken in the form of fines or the revocation of your business license. If you have any questions, please contact the Planning Division at 559-782-7460 or in person at 291 North Main Street in Porterville to discuss this matter.

#11655440



PORTERVILLE, CA 93257
(559) 782-7457

Inside

Period:	Beginning <u>07/01/2022</u> Ending <u>12/31/2022</u>
Temporary License for:	Day(s) From <u>12/31/2022</u> Thru

JUL 15 2022 Application For City Business License

FEE MUST ACCOMPANY APPLICATION

Community Development Department
/ 10 to 21 days for necessary inspections and approvals. Licensee is responsible for compliance with all ordinances of the City of Porterville. I.e. Fire, Health, Building and Zoning Codes

RENEWAL	NEW	OWNERSHIP CHANGE	ADDRESS CHANGE	NAME CHANGE
LICENSE NO.	TAX NO. <u>619-07-9445</u> CA. LIC.			
BUSINESS NAME	BUSINESS ADDRESS			
<u>Elida Suarez</u>	<u>1910 W Putnam Ave</u>			
<u>1910 W Putnam Ave</u>	<u>Porterville CA 93257</u>			
MAIL ADDRESS	BUSINESS PHONE NO.			
<u>suarez.elida2022@gmail.com</u>	<u>798-8861</u>			
PLEASE INDICATE OWNERSHIP STATUS				
INDIVIDUAL	PARTNERSHIP	CORPORATION	NON-PRO FIT	
owners, partners or officers	title	SS#	Residence Address	City
<u>Elida Suarez</u>			<u>1910 W. Putnam Ave</u>	<u>93257</u>
DESCRIPTION OF BUSINESS (GIVE DETAILS):		In emergency, notify:		
<u>Selling online used items I will be shipping and delivering all items.</u>		1. <u>[Redacted]</u> 2. <u>[Redacted]</u>		
*Amusement Devices on Premises?		*Coin-operated machines		*Provide separate list (name, address, phone if owned and operated by vending company.)
Yes	No	Number	Yes	No
Do you store FLAMMABLE or HAZARDOUS materials?		In emergency, notify:		
Yes		No		
type and quantity:		1. <u>[Redacted]</u> 2. <u>[Redacted]</u>		

IMPORTANT READ AND SIGN BELOW - RETURN WITH FEE. VALIDATED LICENSE WILL BE MAILED TO YOU

UNDS for overpayment must be requested in writing within six months of payment date
T DUE - Cumulative penalty of 25% per month will be added to fee

Verify the above information is correct. (Make any corrections as needed.)

Business License Fee	\$ 20
State Tax Fee (SB 1186)	\$ 4.00
Total Due	\$ 24

Signed By [Signature] Office/Title X

Application Date 7/12/22

ALL BUSINESS SIGNS WITHIN THE CITY LIMITS MUST BE APPROVED BY THE PLANNING DEPARTMENT.
NOTE: Additional City permits may be necessary before the owner can commence business.

FOR OFFICE USE ONLY

Approved	Date	Approved	Date	Approved	Date
licensing		3. Building		5. Police	
accounting		4. Fire		6. Planning	
REQUIREMENTS/CONDITIONS					
AMOUNT PAID	DATE ISSUED	BY	SIC#	SCHEDULE	DATE BUSINESS DISCONTINUED
			<u>482990</u>	<u>T-2</u>	
					LICENSE NUMBER
					<u>04503</u>

Notify City if you change your business address, name, ownership, nature of business, or if you are no longer doing business in Porterville

PLEASE RETURN ALL COPIES

My copy

lic#
04503
Elida Suarez

APPLICATION FOR HOME OCCUPATION PERMIT

Applicants Name: Elida Suarez

Address of Home Occupation Site: 1910 W Pittman Ave

Telephone: (559) 798-8861

DESCRIPTION OF BUSINESS

Selling online, used and
returned house hold items.
Miscellaneous types of items.
I will be shipping and delivering
all items.

Within the residence, list the equipment, machines and supplies to be utilized:

Computer with Internet.

I have read the attached stated ordinance requirements pertaining to the issuance of a Home Occupation Permit and understand them. I have also had the ordinance explained to me. I understand that a violation of the ordinance is grounds for revocation of the Home Occupation Permit. In addition, I hereby agree to operate within the limitations of the ordinance as previously stated.

Business shall comply with all provisions of § 301.09-

Home Occupations of the Porterville Development Code.

Specific provisions: § 301.09(A),
§ 301.09(B), § 301.09(C)

Elida Suarez 7/12/2022
Signature Date

Accepted by: Ox Date 8-11-22

Approved by: Oz Date 9-12-22

Distribution Upon Approval:

Original - Applicant

Duplicate - Planning

Triplicate - Finance

Fee Paid 88

Receipt No. 03214665

Date 7/14/22

Clerk's Initials ca

301.09 Home Occupations

Home occupations that are carried on by an occupant of a dwelling unit for gainful employment, are clearly incidental and subordinate to the use of the structure for dwelling purposes and that do not change the residential character of the primary use, are allowed and shall be operated in compliance with the following standards. Home occupations are subject to zoning conformance approval pursuant to Chapter 602, "Zoning Conformance Review".

- (a) **Permitted Uses.** Home occupations generally include, but are not limited to, the following uses:
 - (1) Professional Offices.
 - (2) Offices for personal services such as janitorial service, gardening service, office services, etc.
 - (3) Dressmaking, millinery, and other home sewing work.
 - (4) Handicrafts such as weaving, leatherwork, and other arts and crafts.
 - (5) Instructional classes, not exceeding two (2) students at one time.
 - (6) Internet sales, mail order or direct sales provided no merchandise is sold on the premises.
 - (7) Cottage food operations.
- (b) **Mobile Businesses.** Service-oriented mobile businesses that provide services at the location of a client may function as a home based business, where compliant with all other provisions of this section and subject to the following standards:
 - (1) No business activities other than office activities occur on the premises. A client may not come to the home of the business to use the mobile unit.
 - (2) The primary business activity involves provision of services that by their nature are intermittent and convenient to be provided at the home or business of the client. Examples include: mobile notary, personal services, home repair, minor vehicle repair not involving engines as prohibited below (windshield repair or battery replacement), and computer maintenance and repair.
 - (3) Sale of goods is permitted only as an accessory to the service-oriented use, such as sale of windshield when it is replaced, or a new hard-drive when it is required and installed as part of a computer repair.
- (c) **Prohibited Uses.** The following uses are not permitted as a home occupation.
 - (1) The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, or boats.
 - (2) Repair, fix-it or plumbing, welding or fabrication shops where the trade-work is done at the site of the home occupation.
 - (3) Uses that entail the harboring, training, raising, or grooming of dogs, cats or other animals on the premises.
 - (4) Uses that entail food handling, processing or packing, other than those permitted by cottage food operation.
 - (5) Healing arts.
 - (6) Spiritual advisory service (fortune-telling).

(d) **General Standards.** The following restrictions apply to all home occupations.

- (1) The residential use remains the primary activity on the property.
- (2) No sign shall be publicly displayed on the premises relating to the home occupation or product thereof.
- (3) No person not residing on the premises may be employed at the site of the home occupation.
- (4) Sale of goods on the premises shall be limited to the products of the home occupations, and no other merchandise or goods shall be sold, kept or displayed for the purposes of sale on the premises.
- (5) The home occupation shall not attract or generate excessive auto or foot traffic, require additional off-street parking spaces, involve the use of commercial vehicles for delivery of materials or supplies to or from the premises, or exceed six (6) patrons or customers for any calendar day.
- (6) No use of materials, mechanical equipment, utilities, or community facilities beyond that normal to the use of the property for residential purposes shall be permitted.
- (7) Storage related to the home occupation shall be confined to the dwelling or accessory building.
- (8) No dwelling or accessory buildings shall be built, altered, finished, or decorated externally for the purposes of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be reasonably recognized as a place where a home occupation is conducted.
- (9) No garage or accessory building shall be altered or used in such a manner that would reduce the number of covered parking spaces required in the district in which it is located.
- (10) Not more than one (1) vehicle of not more than one ton capacity used in connection with the home occupation shall be kept on the site. Any trailer, wheeled equipment, or any vehicle displaying or advertising the home occupation shall not be visible from off the premises.
- (11) The home occupation shall not involve the use of power equipment on the premises using motors exceeding one (1) horsepower combined capacity.
- (12) No equipment or process shall be used which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses off the lot if the occupation is conducted in a single-family detached residence, or outside the dwelling unit if conducted in other than a single-family detached residence. No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.

(e) **Yard Sales.** More than two yard sales per year, but not more than four yard sales per year, may be permitted subject to issuance of a business license and a home occupation permit subject to the following standards:

- (1) A Seller's Permit must be obtained through the State Board of Equalization prior to the date of the third yard sale.
- (2) The sales events must be compliant with the provisions of Section 301.21 of this Chapter.



**Community Development
Department**

July 24, 2025

URGENT ACTION REQUIRED

Elida Suarez
1910 W. Putnam Ave.
Porterville, CA 93257

RE: Home Occupation Permit Non-Compliance

Dear Ms. Suarez,

On March 27, 2025, the City of Porterville Community Development Department sent you a notice concerning the numerous complaints staff has received regarding the operation of your home occupation business located at **1910 W. Putnam Ave.**, in Porterville. City staff did not receive any response from you regarding the notice and staff has continued to receive additional complaints following that notice.

On September 19, 2022, the City of Porterville issued a Business License for a Home Occupation Permit (HOP). The HOP was approved for an online-sales business only, with you stating in writing that ALL items sold would be delivered. Per the Porterville Development Ordinance, Section 301.09 - Home Occupations, the HOP for the business was subject to the following conditions of approval:

1. The HOP was approved as a professional office for internet sales, mail delivery order or direct sales provided no merchandise is sold (i.e. not picked up by the buyers) on the premises;
2. The HOP shall not attract or generate excessive auto or foot traffic;
3. The HOP shall not require additional off-street parking spaces;
4. Storage related to the home occupation shall be confined to the dwelling or accessory building;
5. No garage or accessory building shall be altered or used in such a manner that would reduce the number of covered parking spaces required in the district in which it is located; and
6. Any trailer shall not be visible from off the premises.

The City has received repeated complaints that document violations to the Conditions of Approval for the Home Occupation Permit which include:

1. Excessive foot traffic;
2. Excessive vehicle traffic;
3. Customer vehicles blocking the street;
4. Customer vehicles blocking the public right-of-way;
5. Trailers being stored within the front yard; and
6. Merchandise not being delivered to customers, rather the customers are picking up items at the residence, causing a nuisance for neighbors.

Complaints regarding the HOP, which indicate the business is not in compliance with the following conditions of approval conclude that:

1. The merchandise is being sold at the residence;
2. The HOP is attracting excessive vehicle traffic;
3. The HOP is generating excessive foot traffic;
4. The HOP is utilizing additional off-street parking spaces;
5. Storage related to the HOP is not confined to the dwelling or in a personal storage unit (as indicated by the business owner);
6. Storage in relation to HOP's merchandise is reducing the number covered parking for the residence; and
7. Trailers are stored within the front yard and visible from off the premises.

The City has confirmed the complaints are in violation with the conditions of approval for the Home Occupation Permit. As a result, we are issuing this second notice of non-compliance. Staff is requesting that you bring the business in compliance immediately and contact the Planning Division by **July 29, 2025** at City Hall, 291 N. Main St., Porterville or by phone at (559) 782-7460 in order to discuss and remediate this matter.

If the HOP Conditions of Approval continue to be out of compliance, the City will consider revocation of the HOP. It is imperative that you correct the noted code violations and immediately comply with all conditions of your permit, and contact us immediately in order to prevent escalation of this matter.

August 13, 2025



**Community Development
Department**

Elida Suarez
1910 W. Putnam Ave.
Porterville, CA 93257

RE: Home Occupation Permit Non-Compliance

Dear Ms. Suarez,

On July 24, 2025, the City of Porterville Community Development Department sent you a notice concerning the numerous complaints staff has received regarding the operation of your home occupation business located at **1910 W. Putnam Ave.**, in Porterville.

You came in to the City Hall on July 29, 2025 where staff explained the contents of the letter. Staff reviewed the conditions of approval for the Home Occupation Permit (HOP) and outlined the Porterville Development Ordinance regarding compliance for the business.

City staff has continued to receive additional complaints following our discussion of the conditions of approval for the HOP, indicate that the business is still not in compliance with the conditions of approval, which conclude that:

1. The merchandise is being sold at the residence;
2. The HOP is attracting excessive vehicle traffic;
3. The HOP is generating excessive foot traffic;
4. The HOP is utilizing additional off-street parking spaces;
5. Storage related to the HOP is not confined to the dwelling or in a personal storage unit (as indicated by the business owner);
6. Storage in relation to HOP's merchandise is reducing the number covered parking for the residence.

Staff has confirmed the complaints are in violation with the conditions of approval for the Home Occupation Permit. As a result, we are issuing this third notice of non-compliance. Staff is requesting that you bring the business in compliance immediately and contact the Planning Division by **August 20, 2025** at City Hall, 291 N. Main St., Porterville or by phone at (559) 782-7460 in order to discuss and remediate this matter.

If the HOP Conditions of Approval continue to be out of compliance, the City will consider revocation of the HOP. It is imperative that you correct the noted code violations and immediately comply with all conditions of your permit, and contact us immediately in order to prevent escalation of this matter.

Request # 16672657

291 N. Main St., Porterville, CA 93257 PHONE 559.782.7460 FAX 559.781.6437



**Community Development
Department**

August 19, 2025

URGENT NOTICE

Elida Suarez
1910 W. Putnam Ave.
Porterville, CA 93257

RE: Home Occupation Permit Non-Compliance

Dear Ms. Suarez,

On August 13, 2025, the City of Porterville Community Development Department sent you a notice concerning the new complaints staff has received. We are contacting you again because staff has received additional complaints regarding the continued noncompliance with your Home Occupation Permit (HOP) located at **1910 W. Putnam Ave.**, in Porterville.

On July 29, 2025 staff explained and reviewed the conditions of approval for the HOP and outlined the Porterville Development Ordinance regarding compliance for the business.

As referenced in previous letters, City staff has continued to receive complaints following our discussion of the conditions of approval for the HOP.

Attached are the previous letters as reference for the HOP violations. Staff has confirmed the complaints continue to be in violation with the conditions of approval for the Home Occupation Permit. As a result, we are issuing another Notice of Non-Compliance. Staff is requesting that you bring the business in compliance immediately and contact the Planning Division by **August 26, 2025** at City Hall, 291 N. Main St., Porterville or by phone at (559) 782-7460 in order to discuss and remediate this matter.

As mentioned in the previous letters, if the HOP Conditions of Approval continue to be out of compliance, then there will be no option but to revoke the Home Occupation Permit for your business. If you need assistance identifying a physical location for your business, please let us know so that we can help you assist. It is imperative that you correct the noted code violations and immediately comply with all conditions of your permit, and contact us in order to prevent escalation of this matter.

Request # 16672657

301.09 Home Occupations

Home occupations that are carried on by an occupant of a dwelling unit for gainful employment, are clearly incidental and subordinate to the use of the structure for dwelling purposes and that do not change the residential character of the primary use, are allowed and shall be operated in compliance with the following standards. Home occupations are subject to zoning conformance approval pursuant to Chapter 602, "Zoning Conformance Review".

- (a) **Permitted Uses.** Home occupations generally include, but are not limited to, the following uses:
 - (1) Professional Offices.
 - (2) Offices for personal services such as janitorial service, gardening service, office services, etc.
 - (3) Dressmaking, millinery, and other home sewing work.
 - (4) Handicrafts such as weaving, leatherwork, and other arts and crafts.
 - (5) Instructional classes, not exceeding two (2) students at one time.
 - (6) Internet sales, mail order or direct sales provided no merchandise is sold on the premises.
 - (7) Cottage food operations.
- (b) **Mobile Businesses.** Service-oriented mobile businesses that provide services at the location of a client may function as a home based business, where compliant with all other provisions of this section and subject to the following standards:
 - (1) No business activities other than office activities occur on the premises. A client may not come to the home of the business to use the mobile unit.
 - (2) The primary business activity involves provision of services that by their nature are intermittent and convenient to be provided at the home or business of the client. Examples include: mobile notary, personal services, home repair, minor vehicle repair not involving engines as prohibited below (windshield repair or battery replacement), and computer maintenance and repair.
 - (3) Sale of goods is permitted only as an accessory to the service-oriented use, such as sale of windshield when it is replaced, or a new hard-drive when it is required and installed as part of a computer repair.
- (c) **Prohibited Uses.** The following uses are not permitted as a home occupation.
 - (1) The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, or boats.
 - (2) Repair, fix-it or plumbing, welding or fabrication shops where the trade-work is done at the site of the home occupation.
 - (3) Uses that entail the harboring, training, raising, or grooming of dogs, cats or other animals on the premises.
 - (4) Uses that entail food handling, processing or packing, other than those permitted by cottage food operation.
 - (5) Healing arts.
 - (6) Spiritual advisory service (fortune-telling).

(d) **General Standards.** The following restrictions apply to all home occupations.

- (1) The residential use remains the primary activity on the property.
- (2) No sign shall be publicly displayed on the premises relating to the home occupation or product thereof.
- (3) No person not residing on the premises may be employed at the site of the home occupation.
- (4) Sale of goods on the premises shall be limited to the products of the home occupations, and no other merchandise or goods shall be sold, kept or displayed for the purposes of sale on the premises.
- (5) The home occupation shall not attract or generate excessive auto or foot traffic, require additional off-street parking spaces, involve the use of commercial vehicles for delivery of materials or supplies to or from the premises, or exceed six (6) patrons or customers for any calendar day.
- (6) No use of materials, mechanical equipment, utilities, or community facilities beyond that normal to the use of the property for residential purposes shall be permitted.
- (7) Storage related to the home occupation shall be confined to the dwelling or accessory building.
- (8) No dwelling or accessory buildings shall be built, altered, finished, or decorated externally for the purposes of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be reasonably recognized as a place where a home occupation is conducted.
- (9) No garage or accessory building shall be altered or used in such a manner that would reduce the number of covered parking spaces required in the district in which it is located.
- (10) Not more than one (1) vehicle of not more than one ton capacity used in connection with the home occupation shall be kept on the site. Any trailer, wheeled equipment, or any vehicle displaying or advertising the home occupation shall not be visible from off the premises.
- (11) The home occupation shall not involve the use of power equipment on the premises using motors exceeding one (1) horsepower combined capacity.
- (12) No equipment or process shall be used which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses off the lot if the occupation is conducted in a single-family detached residence, or outside the dwelling unit if conducted in other than a single-family detached residence. No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.

(e) **Yard Sales.** More than two yard sales per year, but not more than four yard sales per year, may be permitted subject to issuance of a business license and a home occupation permit subject to the following standards:

- (1) A Seller's Permit must be obtained through the State Board of Equalization prior to the date of the third yard sale.
- (2) The sales events must be compliant with the provisions of Section 301.21 of this Chapter.



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Second Reading - Ordinance No. 1920, Amending Chapter 12, Article 1 of the Code of the City of Porterville, Adopting by Reference the 2025 Edition of the California Fire Code

SOURCE: City Attorney

COMMENT: Ordinance No. 1920, 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, was given first reading on November 4, 2025, and has been printed.

RECOMMENDATION: That the City Council give Second Reading to Ordinance No. 1920, waive further reading, and adopt said Ordinance.

ATTACHMENTS: 1. Ordinance No. 1920

Appropriated/Funded:

Review By:

Department Director:
Yuliana Andrade, Administrative Services Director

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

ORDINANCE NO. 1920

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:

505.1.1 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)

B. 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 18, 2025

SUBJECT: Consideration to Participate in Community Water Center Feasibility Study

SOURCE: Public Works

COMMENT: The City received correspondence dated November 4, 2025, from the Community Water Center (CWC), acting on behalf of the State Water Resources Control Board's Division of Drinking Water, inviting the City to participate in a feasibility study to evaluate potential long-term drinking water solutions for residents currently relying on domestic wells located within approximately one-half mile of the City's existing water system and within the Urban Development Boundary.

Many of these households depend on domestic wells that may be susceptible to water quality degradation or declining groundwater levels. The feasibility study will evaluate potential solutions, including the technical and financial feasibility of consolidating these domestic well systems with the City's municipal water system.

The Community Water Center is requesting a non-binding Letter of Interest from the City of Porterville to support inclusion in the feasibility study. Participation would not obligate the City to provide water service, commit financial resources, or expand its water service area. The intent of the study is to collect information, evaluate potential alternatives, and identify whether consolidation is feasible and beneficial to both parties.

The feasibility study will be fully funded by the State Water Resources Control Board and is anticipated to take approximately 12 to 18 months to complete. An engineering consultant under contract with the Community Water Center will conduct the technical evaluation, which may include infrastructure needs, connection locations, and long-term cost considerations. The City may also request reimbursement for staff time associated with participation in the study.

Should the City agree to participate, staff will coordinate with the Community Water Center to review the study's scope of work, evaluate technical information, and ensure any analysis accurately reflects the City's current and future water system capacity. Any future action regarding potential water

system consolidation or service expansion will require separate City Council review and authorization.

A draft Letter of Interest confirming the City's participation for evaluation purposes only is attached for City Council consideration.

This opportunity allows the City to participate in a fact-finding effort that may provide valuable data and insight into regional groundwater management while maintaining full local control over future policy decisions.

RECOMMENDATION: That the City Council:

1. Authorize the City of Porterville to participate in the Community Water Center Feasibility Study; and
2. Authorize the City Manager to execute a Letter of Interest with the Community Water Center supporting inclusion in the feasibility study.

ATTACHMENTS: 1. Letter to City of Porterville - Community Water Center

 2. Draft Letter of Interest

Appropriated/Funded:

Review By:

Department Director:
Robert Alvarez, Acting Public Works Director

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



November 4, 2025

Robert Alvarez
Public Works Director
291 N Main Street
Porterville, CA 93257

Dear Robert,

Thank you for meeting with me yesterday. As I mentioned in our meeting, we have completed initial outreach to ~280 domestic well households that are within 0.5 miles of the Porterville water system and are within the Urban Development Boundary. Our outreach results show that there is strong need and interest in pursuing a feasibility study to evaluate long term drinking water solutions including consolidation with the City of Porterville.

We are requesting from you a Letter of Interest, which is a non-binding letter expressing that you are aware of the project and supportive of moving forward with a feasibility study. We would then bring that letter of interest to the State Water Resources Control Board (SWB) to request funding for a Feasibility Study that would take between 12-18 months. CWC would subcontract an engineering firm to complete the study. Your input and involvement during the feasibility study to the extent that you choose would be greatly appreciated and we can request funding to reimburse you for any time you spend.

Depending on the results of the Feasibility Study and continued community engagement, we would then have conversations with the City of Porterville, the SWB, and any other project partners to discuss interest and feasibility of consolidation. If we all agree on a project, we would move on to an engineering report and subsequently full planning for a construction funding application. CWC could continue to subcontract and oversee this work as well as continue community outreach and coordination through funding from the SWB. The City is welcome to be as involved as desired and input would be highly valuable, though CWC can also alleviate most of the heavy lifting to minimize the amount of capacity needed from City staff.

The State Water Board offers up to 100% project cost grant for construction projects to consolidate domestic wells. If you are interested in reading more, see pages 35-39 of the [Intended Use Plan](#) (IUP). There are also incentives such as additional grant and loan funding that receiving water systems are eligible for (see page 40 of the IUP).

Thank you for sharing this information with the City Manager and City Council. We look forward to hearing what comes from those conversations.

Regards,

Lauren Chew
Community Solutions Manager

Community-driven water solutions through organizing, education, and advocacy.

Soluciones de agua impulsadas por la comunidad a través de la organización, educación y defensa al acceso al agua potable.

www.communitywatercenter.org

1001 G Street, Suite 101
Sacramento, CA 95814
(916) 706-3346

222 N. Garden St., Suite 300
Visalia, CA 93291
(559) 733-0219

406 Main Street, Suite 421
Watsonville, CA 95076
(831) 288-0450

November 18, 2025

Community Water Center
Attn: Jenny Rempel
Visalia, CA

Subject: Letter of Interest – State Water Resources Control Board Feasibility Study

Dear Ms. Rempel:

The City of Porterville appreciates the opportunity to participate in the State Water Resources Control Board (SWRCB) Feasibility Study administered through the Community Water Center (CWC). The City understands that this effort seeks to evaluate potential long-term drinking water solutions for residents currently reliant on domestic wells located within approximately one-half mile of the City's water system and within the City's Urban Development Boundary.

The City supports participation in this non-binding feasibility study to assist in identifying potential technical and financial solutions that may improve local access to safe and reliable drinking water. Participation will allow the City to review and provide input on study data and proposed alternatives while retaining full discretion over any future action or decision.

The City's participation in this study is intended for information-gathering purposes only and does not obligate the City to provide water service, commit financial resources, or pursue system consolidation. Any future proposals involving water service expansion or consolidation would require separate review and authorization by the City Council.

We look forward to collaborating with the Community Water Center and the State Water Resources Control Board as this feasibility study progresses. Please contact the Public Works Department at (559) 782-7499 for coordination of next steps.

Sincerely,

Richard Tree
City Manager
City of Porterville



CITY COUNCIL AGENDA – NOVEMBER 18, 2025

SUBJECT: Consideration of Amendments to the City Council Procedural Handbook

SOURCE: City Manager's Office

COMMENT: At the City Council meeting of November 4, 2025, the City Council discussed potential amendments to the City Council Procedural Handbook to improve the flow and efficiency of meetings and to clarify certain administrative and policy provisions.

As part of that discussion, Vice Mayor McKervery recommended modifying the Order of Business by moving Informational Reports and Committee and Commission Reports before Oral Communications. Mayor Meister also requested the addition of a Council Comments section at the beginning of the general session before Oral Communications.

The City Attorney reviewed the Procedural Handbook and suggested additional updates to ensure consistency with applicable law and current practices. These include clarifications to Section F regarding Council Member meetings with members of the public, as well as revisions to Appendix F – Social Media Policy. Both redlined versions are attached for Council review and consideration.

The attached Draft Resolution revises the Order of Business consistent with the City Council's direction and rescinds Resolution No. 08-2023. Upon adoption, the approved amendments will be incorporated into the next edition of the City Council Procedural Handbook.

RECOMMENDATION: That the City Council:

1. Adopt the attached Draft Resolution revising the Order of Business and rescinding Resolution No. 08-2023;
2. Approve the updated Appendix F (Social Media Policy) as reviewed and recommended by the City Attorney; and
3. Approve the updated City Council Procedural Handbook incorporating the redline amendments, including the clarification to Section F.

ATTACHMENTS:

1. November 04, 2025 Staff Report
2. Draft Resolution - Order of Business
3. City Council Handbook_Redline_2025
4. Appendix F - Social Media Policy_Redline

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

RESOLUTION NO. ____ - 2025

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE RESCINDING RESOLUTION 08-2023 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. 08-2023 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(S)
- RECONVENE OPEN SESSION
- REPORT ON ACTION TAKEN IN CLOSED SESSION
- PLEDGE OF ALLEGIANCE
- INVOCATION
- COUNCIL COMMENTS
- PRESENTATIONS
- STAFF INFORMATIONAL REPORTS
- COMMITTEE AND COMMISSION REPORTS
- ORAL COMMUNICATIONS (on any matter of interest)
- CONSENT CALENDAR – to include:
 - Approval of Minutes
 - Claims Against the City
 - Payments on Public Works Projects
 - Authorization to Purchase
 - Authorization to Call for Bids
 - Award of Bids
 - Acceptance of Projects
 - Acceptance of Final Tract Maps
 - Annexations
 - Requests for City Services
 - Reports
 - Other Routine Matters
- PUBLIC HEARINGS
- SECOND READINGS OF ORDINANCES
- SCHEDULED MATTERS
- AB1234 REPORTS

- ORAL COMMUNICATIONS (on any matter of interest)
- COUNCIL COMMENTS
- ADJOURNMENT

PASSED, ADOPTED AND APPROVED this 18th day of November, 2025.

Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

By: 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 November 18, 2025. As of December 19, 2023

TABLE OF CONTENTS

I.	PREAMBLE	4
II.	MEETINGS OF COUNCIL	5
	A. Regular Meetings	5
	B. Adjourned Meetings/Study Sessions	5
	C. Special Meetings	6
	D. Order of Business	6
	E. Consent Items	7
III.	MEETING PROCEDURES	8
	A. Presiding Officer	8
	B. Quorum	8
	C. Discussion Rules	8
IV.	COUNCIL REQUESTS FROM THE PUBLIC	10
	A. Response to Letters from the Public	10
	B. Referrals to Council Agenda	10
	C. Telephone Calls	11
	D. Personal Meetings	11
	E. Personal Correspondence	12
	F. Out-of-District Requests	12
	G. Proclamation Approval Process	12
V.	COUNCIL MEMBER REQUESTS TO STAFF	14
	A. General Information	14
	B. Research	14
	C. Items for Inclusion in Council Agenda	14
VI.	COUNCIL AGENDA	16
	A. Preparation	16
	B. Deadlines	16
	C. Delivery	16
VII.	THE BROWN ACT	17
VIII.	TRAVEL, MEETINGS & EXPENSES	18
	A. Requests for Reservations	18
	B. Travel and Expense Form	19
	C. Receipts	19
	D. Eligibility	19
	E. Event Tickets	20
	F. Council Member Meetings with District Constituents	20

IX.	CONFLICT OF INTEREST	21
	A. City Council Members' Filing Requirements	21
	B. Other Agencies	23
	C. Redevelopment Agency Filing Requirements	23
	D. City of Porterville Conflict of Interest Code	23
X.	GENERAL ITEMS	24
	A. Different Hats	24
	B. Compensation	24
	C. Issuance of Laptop Computers to Council Members	24
	D. Social Media	24
	E. Directions to Support Staff	24
	F. City Attorney	25
	G. Annual City Manager/City Attorney Evaluations	25
	H. Response to President/Governor Directives	25
	APPENDICES	26
	A. Resolution XXX-2025 08-2023 , Order of Business	
	B. Resolution 99-2012, 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	



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
Council Comments
Presentations
Committee and Commission Reports
Staff Informational Reports
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 ~~XX08-20253~~, ~~February 7~~November 18, 20253, 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~~ Members of the Public:

Notwithstanding prior annual budgetary approval of the council members' discretionary funds, nNo City funds or resources shall be used to pay for expenses related to meetings held by individual Council Members with members of the public,~~their constituents,~~ unless express 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 personal or campaign purposes. (*Via M.O. 13-052119, May 21, 2019, and M.O. _____, November 18, 2025.*)



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 ~~XX08~~-202~~53~~, 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 # XX - 2025

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE RESCINDING RESOLUTION 08-2023 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. 08-2023 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(S)
- RECONVENE OPEN SESSION
- REPORT ON ACTION TAKEN IN CLOSED SESSION
- PLEDGE OF ALLEGIANCE
- INVOCATION
- COUNCIL COMMENTS
- PRESENTATIONS
- STAFF INFORMATIONAL REPORTS
- COMMITTEE AND COMMISSION REPORTS
- ORAL COMMUNICATIONS (on any matter of interest)
- CONSENT CALENDAR – to include:
 - Approval of Minutes
 - Claims Against the City
 - Payments on Public Works Projects
 - Authorization to Purchase
 - Authorization to Call for Bids
 - Award of Bids
 - Acceptance of Projects
 - Acceptance of Final Tract Maps
 - Annexations
 - Requests for City Services
 - Reports
 - Other Routine Matters
- PUBLIC HEARINGS
- SECOND READINGS OF ORDINANCES
- SCHEDULED MATTERS
- AB1234 REPORTS

- ORAL COMMUNICATIONS (on any matter of interest)
- COUNCIL COMMENTS
- ADJOURNMENT

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

Greg Meister, Mayor

ATTEST:
Richard Tree, City Clerk

By: Fernando Gabriel-Moraga, Chief 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:

 Greg Meister, Mayor

 Edward L. McKerverey, Vice Mayor

 Raymond Beltran, Council Member

 Stan Green, Council Member

 AJ Rivas, 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>					

Greg Meister, Mayor

Edward L. McKervery, Vice Mayor

Raymond Beltran, Council Member

Stan Green, Council Member

AJ Rivas , 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.

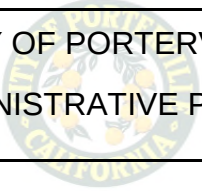
Temporary and permanent files and data prepared or received on a privately-owned device or electronic system by an authorized user containing information relating to the conduct of the public's business are public records subject to control by the City and compliance with the City's record policies. 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.

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.

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. In *Lindke v. Freed*, 601 U.S. 187 (2024), the U.S. Supreme Court held that a public official's social-media activity constitutes state action only if the official possessed the actual authority to speak on the State's behalf and purported to exercise that authority in relevant posts." [601 U.S. at 198.] The decision provides for examination of social media posts individually to determine whether the public official is speaking for the government or for himself. If the official posts about job-related matters using the authority of his office, and opens those posts for public interaction, then his moderation of comments – including blocking users or deleting their speech – may constitute state action subject to the First Amendment's prohibition on viewpoint discrimination. But if the official posts in his private capacity, even about matters related to his work, his actions are private conduct beyond the Constitution's reach.~~

~~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 personal site is private or non-official, and 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:		

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.

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.

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. In *Lindke v. Freed*, 601 U.S. 187 (2024), the U.S. Supreme Court held that a public official's social-media activity constitutes state action only if the official possessed the actual authority to speak on the State's behalf and purported to exercise that authority in relevant posts." [601 U.S. at 198.] The decision provides for examination of social media posts individually to determine whether the public official is speaking for the government or for himself. If the official posts about job-related matters using the authority of his office, and opens those posts for public interaction, then his moderation of comments – including blocking users or deleting their speech – may constitute state action subject to the First Amendment's prohibition on viewpoint discrimination. But if the official posts in his private capacity, even about matters related to his work, his actions are private conduct beyond the Constitution's reach.~~

~~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 personal site is private or non-official, and 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.~~