



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 15, 2017, 5:30 PM**

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: 240-070-018, 240-070-008, and 247-070-016. Agency Negotiator: John Lollis and Mike Reed. Negotiating Parties: City of Porterville and Alan and Elizabeth Changala. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 255-190-022 and 254-010-059. Agency Negotiator: John Lollis and Mike Reed. Negotiating Parties: City of Porterville and Greg L. and Cinda D. Woodard. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 271-060-027. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Greg Shelton. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54956.8 -- Conference with Real Property
Negotiators/Property: APN: 260-235-006 and 260-242-016. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Greg Shelton and Steve Penn. Under Negotiation: Terms and Price.
- 5** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Patrice Hildreth, Che Johnson, and Matt Pierce. Employee Organizations: Porterville City Employees Association, Porterville City Firefighters Association, Fire Officer Series, and all Unrepresented Management Employees.
- 6** - Government Code Section 54956.95 -- Liability Claim: Claimant: Brian Hitt. Agency claimed against: City of Porterville.
- 7** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two Cases in which facts are not yet known to potential plaintiff.
- 8** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two cases.

- 9 - Government Code Section 54957 - Public Employee Evaluation - Title: City Manager.
10 - Government Code Section 54957 - Public Employee Evaluation - Title: City Attorney.

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

Pledge of Allegiance Led by Vice Mayor Ward
Invocation

PRESENTATIONS

Employee of the Month - Griselda Hurtado

AB 1234 REPORTS

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

1. Tulare County Economic Development Corp. (TCEDC) - August 9, 2017

REPORTS

This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - August 3, 2017
 2. Library & Literacy Commission - August 8, 2017
 3. Arts Commission
 4. Animal Control Commission - August 14, 2017
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update
 2. Tulare County Economic Development Corporation Update

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.

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. **City Council Minutes of July 18, 2017**
Re: Considering approval of the draft minutes of July 18, 2017.
2. **Authorization to Negotiate a Contract - Biological Odor Control System Project**
Re: Considering authorization to negotiate a "not to exceed" \$1,135,500 equipment and installation contract with Bio Air Solutions, LLC. for the purchase and installation of an odor control system at the City's Wastewater Treatment Facility.
3. **Authorizing the Retention of Legal Counsel for Water Rights Expertise**
Re: Authorizing the retention of Christopher L. Campbell of Baker, Manock and Jensen, at a rate of \$300 per hour, for water rights expertise for project-specific water issues.
4. **Ratification of Authorizing Council Member Hamilton to serve as Mayor Pro Tem during the Months of June and July, 2017**
Re: Ratifying authority of Council Member to Serve as Mayor Pro Tem in the absence of Mayor and Vice Mayor.
5. **Memorandum of Understanding Between the City of Porterville and San Joaquin Valley Unified Air Pollution Control District For Grant Administration Services**
Re: Considering approval of a Memorandum of Understanding between the San Joaquin Valley Unified Air Pollution Control District and the City of Porterville for grant administration services.
6. **Authorization to set Public Hearing for Adoption of Resolution of Necessity APN 255-190-022**
Re: Considering approval to set a public hearing to consider an adoption of Resolution of Necessity for the acquisition of Assessor Parcel Number 255-190-022 for the regularly scheduled City Council meeting of September 19, 2017.
7. **Approval for Community Civic Event – Family Health Care Network – 17th Annual Health Fair and El Dia de la Familia y Feria de Salud 2017 – October 8, 2017**
Re: Considering approval of an event to take place on Sunday, October 8, 2017, from 11:00 am to 3:00 pm., at Veteran's Park.

8. **Amendment to the Employee Pay and Benefit Plan -- Porterville City Employees Association**
Re: Considering approval of a resolution amending the Employee Pay & Benefit Plan for Porterville City Employees Association employees pursuant to the signed Memorandum of Understanding.
9. **Amendment to Employee Pay and Benefit Plan -- Unrepresented Management Employees**
Re: Considering approval of a resolution to amend the Employee Pay and Benefit Plan to account for changes pertaining to Unrepresented Management Employees.
10. **Authorization to Schedule Joint City Council/City Commission Meetings**
Re: Authorizing staff to schedule joint meetings of the City Council with the Animal Control Commission and Library & Literacy Commission.
11. **Request for Proclamation - Constitution Week - September 17-23, 2017**
Re: Considering approval of a request to proclaim September 17-23, 2017, as "Constitution Week."

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

PUBLIC HEARINGS

12. **Consideration of a Conditional Use Permit to Allow a Religious Facility at 2440 W. Henderson Avenue (Continued from July, 18, 2017, and August 1, 2017 City Council Meetings)**
Re: Consideration of a conditional use permit to allow the use of a religious facility at 2440 W. Henderson Avenue.
13. **General Plan Amendment and Zone Change for 185 N. D Street as a Governmental Use Facility**
Re: Consideration of General Plan Amendment 2017-034 and a change in zoning from DR-D (Downtown Retail D-Street Corridor) to Public Semi-Public for the recently acquired city property; and considering existing lease agreements at the facility.

SCHEDULED MATTERS

14. **Short Range Transit Plan - Proposed Planned Improvements**
Re: Consideration of the proposed plan to restructure Porterville Transit.

15. Designation of Voting Delegates and Alternate for League of California Cities 2017 Annual Conference

Re: Considering the designation of a voting member and alternate for the League of California Cities Annual Business Meeting to take place at the Annual Conference in Sacramento, on September 15, 2017.

16. Status and Review of Declaration of Local Emergency

Re: Consideration of the continuance of the Declaration of Local Emergency.

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 September 5, 2017

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, 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 North Main Street, Porterville, CA 93257, and on the City's website at www.ci.porterville.ca.us.