



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 19, 2023, 5:30 PM**

The City of Porterville is allowing for electronic viewing of City Council Meetings. Porterville City Council Meetings will be live streamed on YouTube at <https://www.youtube.com/channel/UC5KuhSrNMNL9nwHJVtnJvvA>

Alternatively, this meeting will also be available via Zoom as a courtesy using the following information

City of Porterville – City Council Meeting of September 19, 2023

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/84623642560?pwd=RtIKGdfisONVEHhOqRmtwHTtJMKjS5.1>

Or via Telephone: **1-669-900-6833** Webinar ID: **846 2364 2560** Passcode: **613074**

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: 53 North Main Street, Porterville. Agency Negotiator: John Lollis and Jason Ridenour. Negotiating Parties: City of Porterville and Sam Zenz. Under Negotiation: Terms and Price.

2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Martha A. Flores. Employee Organizations: Unrepresented Positions: 1) City Manager; and 2) City Attorney.

3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Porterville City Employees Association, Management and Confidential Series, Public Safety Support Unit, Porterville Peace Officers Association, Porterville City Firefighters Association, Fire Officers Series, and all Unrepresented Management Employees.

4 - Government Code Section 54956.95 – Liability Claim: Claimant: Sabrina Andrade. Agency claimed against: City of Porterville.

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

6 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Four (4) cases in which facts are not yet known to potential plaintiff.

7 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Three (3) cases.

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

Pledge of Allegiance Led by Councilmember Beltran

Invocation

PRESENTATIONS

Employee of the Month

Tulare County Homeless Presentation - Noah Whittacker

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. Parks & Leisure Services Commission - September 7, 2023
 2. Library & Literacy Commission - September 12, 2023
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission - September 13, 2023
 6. Transactions and Use Tax Oversight Committee (TUTOC) - August 24, 2023
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update - August 2023

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. **Intent to Set a Public Hearing for November 21, 2023, to Consider Sewer Rate Increase**
Re: Consideration to set a Public Hearing for November 21, 2023, to consider the adoption of increases to the rates for sewer service fees.
2. **Intent to Set a Public Hearing for November 21, 2023, to Consider Solid Waste Rate Increase**
Re: Council to schedule a Public Hearing for November 21, 2023, to consider the adoption of a Solid Waste Rate Increase for service.
3. **Intent to Set a Public Hearing for November 21, 2023, to Consider New Recycled Water and Meter Rate**
Re: Council to schedule a Public Hearing for November 21, 2023, to consider the adoption of a New Recycled Water and Meter Rate to the City's rates for water service.
4. **Authorization to Negotiate Consultant Agreement - Golf Course Driving Range Netting Project**
Re: Consideration to authorize staff to negotiate a scope of services contract with Judge Netting, Inc., for the Golf Course Driving Range Netting Project.
5. **Consideration of Amended Legal Services Agreement**
Re: Considering approval of an Amended Legal Services Agreement with McCormick, Kabot & Lew and Julia M. Lew extending the term for three years to September 30, 2026; and providing for an annual \$5.00 increase in the hourly rate for each year of the term of the agreement for services provided by attorneys, law clerks, and paralegals.
6. **Approval of Community Civic Event - Word of Victory Church - Community Outreach - September 30, 2023**
Re: Consideration of approval of a Community Civic Event by Word of Victory Church to take place Saturday, September 30, 2023, at 163 W. Orange Avenue, from 2:00 to 7:00 P.M.
7. **Approval of Community Civic Event - Countryside Dog Rescue - The Mud Run 2023 - October 7, 2023**
Re: Consideration to approve the Community Civic Event application from the Countryside Dog Rescue to hold "The Mud Run 2023" on Saturday, October 7, 2023, from 12:00 PM to 6:00 PM, on Main Street.
8. **Approval of Community Civic Event - Comision Honorifica Mexicana Americana, Inc - Maximo's Market 40th Anniversary Celebration - October 8, 2023**
Re: Consideration to approve the Community Civic Event submitted by the Comision Honorifica Mexicana Americana, Inc., for the "Maximo's Market 40th Anniversary Celebration" on Sunday, October 8, 2023, from 10:00 AM to 2:00 PM at Maximo's Market, located at 150 South Main Street.
9. **Approval of Community Civic Event - Tulare County Health & Human Services Agency (HHSA) Mental Health - Mental Health Awareness Movie Night in the Park - October 13, 2023**
Re: Considering approval of a Community Civic Event by Tulare County HHSA Mental Health for Mental Health Awareness Movie Night in the Park to take place on Friday, October 13, 2023, from 6:00 to 10:00 P.M. at Veterans Park.
10. **Approval of Community Civic Event - Trunk or Treat Spooktacular - Porterville Police Department - October 31, 2023**

Re: Consideration to approve the Community Civic Event application from the Porterville Police Department to hold the "Trunk or Treat Spooktacular Event" on October 31, 2023, from 6:00 p.m. to 9:00 p.m. at the Police Department at 350 N. "D" Street.

11. Approval of Community Civic Event - Central California Family Crisis Center - 23rd Annual Domestic Violence Candlelight Vigil - October 19, 2023

Re: Consideration of a Community Civic Event by Central California Family Crisis Center for the 23rd Annual Domestic Violence Candlelight Vigil set for October 19, 2023, from 5:00 to 8:00 P.M. at Veterans Park.

12. Approval of Community Civic Event - Burton Educational Partnership Foundation - Dia De Los Muertos Fun Run - November 4, 2023

Re: Consideration to approve the Community Civic Event application from the Burton Educational Partnership Foundation to hold the "Dia De Los Muertos Fun Run" on November 4, 2023, from 4:00 p.m. to 9:00 p.m., at the Sports Complex.

13. Status and Review of Local Drought Emergency

Re: Considering approval of the continuance of the Declaration of Local Emergency.

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

PUBLIC HEARINGS

14. Consideration of Zone Change from RS-1 (Very Low Density Residential) to CMX (Commercial Mixed-Use) for 1088 W. Linda Vista Avenue.

Re: Council to conduct the Public Hearing to receive public testimony; find that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303; and approve the draft Ordinance supporting the zone change (PRC 2023-006-Z), from RS-1 (Very Low Density Residential) to CMX (Commercial Mixed-Use) to allow for the application of development standards of commercial districts, and give first reading.

15. Adoption of Fiscal Year 2023-2024 Budget

Re: A public hearing to receive public comment on the consideration of the proposed 2023-2024 Fiscal Year Budget.

SECOND READINGS

16. Second Reading - Ordinance No. 1903 - Adopting an Amendment to the Zoning Map Changing the Zoning Designation of Assessor's Parcel Number 253-050-007 to Planned Development

Re: Giving Second Reading of Ordinance No. 1903, an Ordinance adopting an amendment to the zoning map changing the zoning designation of Assessor's Parcel Number 253-050-007 located at the southwest corner of W. Grand Avenue and Plano Street, to Planned Development.

SCHEDULED MATTERS

17. Bid Results - North Friant-Kern Canal Turnout & Basin Project

Re: Consideration to award the North Friant-Kern Canal Turnout & Basin Project located just north of Westfield Avenue at the Friant-Kern Canal, to Nicholas General Engineering Contractors in the amount of \$2,070,400.

18. Bid Results - Fire Station 72 Classroom Remodel Project

Re: Consideration to award the Fire Station 72 Classroom Remodel Project to TMJ Construction Inc., in the amount of \$545,734.

19. 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 or likely impacts relative to increased flow of the Tule River.

AB 1234 REPORTS

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

1. Local Initiatives Navigation Center (LINC) Committee - September 6, 2023
2. Eastern Tule Groundwater Sustainability Act (ETGSA) Board - September 7, 2023
3. Tulare County Water Commission - September 11, 2023
4. Transit Forum - September 13, 2023
5. Council of Cities - September 13, 2023
6. CalVans Board - September 14, 2023
7. Porterville Area Development Authority (PADA) - September 15, 2023
8. Tulare County Association of Governments (TCAG) / Tulare County Transportation Authority (TCTA) - September 18, 2023
9. Tulare County Regional Transit Agency (TCRTA) Board - September 18, 2023

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 October 3, 2023, 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, 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.