

**RESOLUTION NO. 59 -2026**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE RESCINDING AND REPLACING RESOLUTION NO. 44-2026, AND APPROVING AND CALLING FOR THE SUBMISSION TO THE VOTERS OF A CITY COUNCIL PROPOSED MEASURE TO AMEND CITY CHARTER SECTION 61 RELATING TO THE LOCAL CONTROL OF PUBLIC WORKS AND PROCUREMENT AUTHORITY  
AT A GENERAL MUNICIPAL ELECTION  
TO BE HELD IN THE CITY ON NOVEMBER 3, 2026**

**WHEREAS**, the City Council desires to submit a proposed City Charter amendment to the voters at the General Municipal Election on November 3, 2026; and

**WHEREAS**, the City Council has determined that the existing provisions of City Charter Section 61 would benefit from modernization to provide the City with greater flexibility in the performance of public works activities and the administration of purchasing and procurement functions; and

**WHEREAS**, the proposed charter amendment does not alter any procedural or substantive protection, right, benefit, or employment status of any local government employee or any retiree or of any local government employee organization; and

**WHEREAS**, the proposed charter amendment is an exercise of the City's constitutional home rule authority regarding matters of municipal affairs; and

**WHEREAS**, on June 16, 2026, the City Council adopted Resolution No. 44-2026 calling for the submission of the proposed City Charter amendment to the voters; and

**WHEREAS**, following submission of Resolution No. 44-2026 to the Tulare County Registrar of Voters, the Registrar determined that the resolution did not contain all information required to process the measure for the November 3, 2026 General Municipal Election; and

**WHEREAS**, in order to incorporate the required information and facilitate placement of the proposed measure on the ballot, the City Council desires to rescind Resolution No. 44-2026 and replace it in its entirety with this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTERVILLE AS FOLLOWS:**

**SECTION 1.** Resolution No. 44-2026 is hereby rescinded in its entirety and replaced by this Resolution. This Resolution supersedes Resolution No. 44-2026 for all purposes relating to the submission of the proposed City Charter amendment to the voters at the November 3, 2026 General Municipal Election.

**SECTION 2.** That pursuant to requirements of the Charter of the City of Porterville and California Election Code, there is called and ordered to be held in the City of Porterville on Tuesday, November 3, 2026, a General Municipal Election for the purpose of submitting a City Council charter amendment proposal to the voters for approval.

**SECTION 3.** That the City Council, pursuant to its right and authority under State Government Code section 34458, and Elections Code sections 1415 (a)(2) and 9255, does order submitted to the voters at the municipal election on November 3, 2026, the following proposed charter amendment:

| CITY OF PORTERVILLE CHARTER AMENDMENT MEASURE _____-2026                                                                                                                                                                                                                                                                                          |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Shall the City Charter be amended to authorize the City Council to determine whether public works, maintenance, repair, improvement, and construction activities are performed by City forces, through contracts, or through agreements with other public agencies, and to authorize the City to establish purchasing and contracting procedures? | YES |
|                                                                                                                                                                                                                                                                                                                                                   | NO  |

**SECTION 4.** The City Council approves and adopts the complete text of the proposed amendment of City Charter Section 61 as follows, with deletions of existing text shown in strike out and additions shown in underlining for convenient reference only:

~~Section 61. Competitive Bidding For Contract Work For Erection, Improvement And Repair Of Public Buildings, Etc., Where The Amount Is In Excess Of Five Thousand Dollars.~~ Local Control of Public Works and Procurement Authority.

~~When a required expenditure exceeds five thousand dollars, it shall be contracted for and let to the lowest responsible bidder after notice.~~

~~As used in this section public project means a project for the erection, improvement and repair of public buildings and works; work in or about streams, embankments, or other work for protection against overflow; street sewer work except maintenance or repair; furnishing supplies or materials for any such project, including maintenance or repair of streets, sewers or water lines.~~

~~The council may reject any or all bids presented and may, at its discretion, readvertise for other bids, or, the council may, after rejecting bids, determine and declare by a four fifths (4/5) vote of all of its members that the work in question may be more economically or satisfactorily performed by day labor, or the labor or materials purchased at a lower price in the open market and after the adoption of a resolution to this effect it may proceed to have the same done in the manner stated without further observance of the foregoing provisions of this section.~~

~~The notice inviting sealed bids shall set a date for the opening of bids; the first publication shall be at least ten (10) days before the date of the opening of the bids; shall be published~~

~~at least twice not less than five (5) days apart in the official newspaper selected by the council.~~

~~In case of a great public calamity, such as an extraordinary fire, flood, storm, epidemic or other disaster, the council may, by resolution passed by a vote of four-fifths (4/5) of its members, determine and declare that the public interest or necessity demands the immediate expenditure of public money to safeguard life, health, or property, and thereupon they may proceed without advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of any money required in such emergency, on hand in the city treasury and available for such purpose.~~

The City shall have the power to perform any work of improvement, replacement, repair or maintenance by use of its own forces and is not required to contract for such work, including the construction of such work. The City may also contract with other public agencies for such work.

The City shall have the power to establish standards, procedures, rules, or regulations related to the purchasing of goods, property, or services.

**SECTION 5.** Passage of this measure requires a regular majority of votes.

**SECTION 6.** The Tulare County Clerk/Registrar of Voters shall give the appropriate notices for the election in the Porterville Recorder and shall conduct the election pursuant to provisions of state law.

**SECTION 7.** The City Council directs the City Clerk to transmit a copy of the proposed charter amendment to the City Attorney. The City Attorney is directed to prepare an impartial analysis of the proposal, not to exceed 500 words in length, showing the effect of the proposal on existing law and the operation of the proposal. The City Attorney is further directed to transmit the impartial analysis to the City Clerk within ten days of adoption of this Resolution.

**SECTION 8.** The Tulare County Registrar of Voters is hereby requested to reprint the full text of the proposed City Charter amendment, substantially in the form attached hereto as Exhibit A, in the voter information pamphlet to be distributed to voters for the November 3, 2026 General Municipal Election.

**SECTION 9.** Pursuant to Elections Code section 9282, the City Council authorizes the Mayor, or the Mayor's designee, to file a written argument on behalf of the City Council regarding the measure, accompanied by up to four additional printed names and signatures of persons joining in the submission.

**SECTION 10.** Pursuant to Elections Code sections 9285 and 9287, the City Clerk, or County elections official as provided through the consolidated election process, is authorized and directed to perform all duties required by law relating to the receipt, selection, exchange, filing, and printing of ballot arguments and rebuttal arguments for the measure.

The City Clerk or County elections official shall send a copy of the argument in favor of the measure to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receipt of the arguments.

The author or a majority of the authors of an argument relating to the measure may prepare and submit a rebuttal argument or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

The rebuttal argument shall not exceed 250 words. A rebuttal argument may not be signed by more than five persons. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

**SECTION 11.** That the City Clerk, or County elections official is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 12.** Notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election in time, form and manner as required by law.

**SECTION 13.** Pursuant to Elections Code sections 10401 and 10403, the Board of Supervisors of the County of Tulare is hereby requested to consent and agree to the consolidation of the General Municipal Election to be held on Tuesday, November 3, 2026, for the submission of the measure.

**SECTION 14.** The County Elections Division is hereby authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

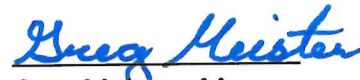
**SECTION 15.** The Board of Supervisors of the County of Tulare is hereby requested to issue instructions to the County Elections Division to take any and all steps necessary for the holding of the consolidated election.

**SECTION 16.** The City Council of the City of Porterville recognizes that additional costs will be incurred by the County of Tulare by reason of this consolidation and hereby agrees to reimburse the County for these costs.

**SECTION 17.** The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Elections Division of the County of Tulare.

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**PASSED, APPROVED, AND ADOPTED** this 21<sup>st</sup> day of July, 2026.

  
Greg Meister, Mayor

ATTEST:  
Richard Tree, City Clerk

By:   
Fernando Gabriel- Moraga, Chief Deputy City Clerk

EXHIBIT A

VOTER INFORMATION PAMPHLET BALLOT TEXT

Section 61. Local Control of Public Works and Procurement Authority.

The City shall have the power to perform any work of improvement, replacement, repair or maintenance by use of its own forces and is not required to contract for such work, including the construction of such work. The City may also contract with other public agencies for such work.

The City shall have the power to establish standards, procedures, rules, or regulations related to the purchasing of goods, property, or services.

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

I, RICHARD TREE, 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 21<sup>st</sup> day of July, 2026.

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

|          |         |          |         |       |       |
|----------|---------|----------|---------|-------|-------|
| Council: | MEISTER | MCKERVEY | BELTRAN | GREEN | RIVAS |
| AYES:    | X       | X        | X       | X     | X     |
| NOES:    |         |          |         |       |       |
| ABSTAIN: |         |          |         |       |       |
| ABSENT:  |         |          |         |       |       |

RICHARD TREE, City Clerk



By: \_\_\_\_\_

Fernando Gabriel-Moraga,  
Chief Deputy City Clerk