



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
NOVEMBER 17, 2015, 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: 252-193-008 . Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Ann Konda. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; Public Safety Support Unit; and all Unrepresented Management Employees.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Elsa Herrera, as Heir of Maria Vargas. Agency claimed against: City of Porterville.
- 4** - Government Code Section 54956.95 -- Liability Claim: Claimant: Maria Zepeda. Agency claimed against: City of Porterville.
- 5** - Government Code Section 54956.95 -- Liability Claim: Claimant: Carolyn Jones. Agency claimed against: City of Porterville.

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

Pledge of Allegiance Led by Vice Mayor Hamilton

Invocation

PROCLAMATIONS

America Recycles Week - November 15 - 21, 2015

AB 1234 REPORTS

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

1. Local Agency Formation Commission (LAFCO) - November 4, 2015

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 - November 5, 2015
 2. Library & Literacy Commission - November 10, 2015
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission - November 9, 2015
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase III Status 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. **Request for Approval to Repair Specialized Equipment**
Re: Considering approval of the repair of the Screenings Cutter Cartridge at a cost of \$9,940.
2. **Request for Street Closure - Myers' Twentieth Annual Christmas Tree Memorial Service**
Re: Considering approval of the closure of "E" Street, between Putnam and Cleveland Avenues, on December 8, 2015, from 5:00 p.m. to 9:00 p.m.

3. **Approval for Community Civic Event - Rotary Club of Porterville and Porterville Chamber of Commerce - Children's Christmas Parade - December 3, 2015**
Re: Considering approval of an event to take place along Main Street on Thursday, December 3, 2015, from 5:00 p.m. to 9:00 p.m.

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

PUBLIC HEARINGS

4. **Massage-Oriented Business Interim Urgency Ordinance- Request for Extension**
Re: Consideration of a request for an extension of the interim urgency ordinance prohibiting the use of land for the purpose of operating a massage-oriented business for a period of ten months, or until the permanent regulation can be adopted and go into effect.
5. **Water Conservation Plan Amendment**
Re: A public hearing regarding the consideration of amending the City's Water Conservation Plan to transition from Phase III (two day a week water schedule) to Phase IV (one day a week water schedule) to be effective December 1, 2015.
6. **Request for Conditional Use Permit (PRC 2015-032-C) to Allow for an Upgrade of a Type 20 Off-Sale License to a Type 21 Off-Sale General License for Sunnyside Handy Market, 809 E. Putnam Ave.**
Re: Consideration of a resolution approving Conditional Use Permit (PRC 2015-032-C); and authorizing the signing of a Letter of Public Convenience or Necessity.

SECOND READINGS

7. **Second Reading - Ordinance 1829 - Permitting Process for Small Residential Rooftop Solar Systems**
Re: Second Reading of Ordinance No. 1829, An Ordinance of the City Council of the City of Porterville Amending Article V of Chapter 7 of the Porterville Municipal Code Authorizing an Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems, which was given first reading on November 3, 2015, and has been printed.
8. **Second Reading - Ordinance 1830 - Water Conservation and Landscape Irrigation**
Re: Second Reading of Ordinance No. 1830, An Ordinance of the City Council of the City of Porterville Adopting a Water Efficient Landscape Ordinance and Amending the Porterville Municipal Code and it Related to Water Conservation and Landscape Irrigation, which was given first reading on November 3, 2015, and has been printed.

SCHEDULED MATTERS

9. Consideration of Appointment to Animal Control Commission

Re: Considering the appointment of an individual to the Animal Control Commission with a term to expire in September of 2018.

10. Parks and Leisure Services Recreation Software

Re: Consideration of the scheduling of a public hearing on December 1, 2015, for consideration of increased Parks and Leisure Services fees to cover Rec1 recreation management software transaction fees.

11. Status and Review of Declaration of Local Drought 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 December 1, 2015.

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.



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: 1. Water Conservation Phase III Status Update

SOURCE: Public Works

COMMENT: On April 1, 2015, the Governor issued an Executive Order that the State Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water-efficiency measures to reduce potable water usage in an amount consistent with the reduction targets. The Governor's Executive Order also directed the Water Board to implement mandatory water reductions in cities and towns across California to reduce potable urban water usage by 25% statewide. The State Water Board released revised proposed regulations that would require the City of Porterville to meet a 32% water usage reduction compared to 2013 production levels. The required implementation date was June 1, 2015.

In order for Porterville to meet the 32% reduction in water usage, the City has transitioned from Phase II to Phase III of the City's Water Conservation Plan as of June 2, 2015. The Water Conservation Plan applies to all municipal water users whether or not within city limits. As part of the Phase III plan, the City has restricted watering days to two days per week, based on address. If an address ends with an "odd" number, the watering days are Tuesday and Saturday only. If an address ends with an "even" number, the watering days are Wednesday and Sunday only. Watering is prohibited between the hours of 5 a.m. to 10 a.m. and 5 p.m. to 10 p.m., with no watering allowed on Mondays, Thursdays, and Fridays.

Violations of prohibited activities are considered infractions and are punishable by fines of up to \$500 for each day in which the violation occurs. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue a citation to the violator. The City of Porterville will be responding to enforcement by issuing a Notice of Violation for all witnessed occurrences and staff will be processing all reported issues. Enforcement statistics for the month of October 2015, show that a total of 67 Notice of Violations were issued for water wasting; 8 resulted in an Administrative Citation.

The City water system has been impacted by the lack of rain over the last four years, resulting in lower water levels. Conservation efforts are beginning to show a beneficial effect on production demand. Water production for October 2015, shows a 28% reduction from the 5-year average.

As part of the emergency regulation, the City is required to provide monthly production data. The production for the month of October 2015 was 262 million gallons, which when compared to the production for the month of October 2013

of 402 million gallons, equates to a 35% reduction.

Unfortunately, City of Porterville did not obtain the 32% mandated conservation goal for the month of August 2015 (28% reduction), which has triggered a consumptive use audit or audit of metered sales. Meter readings and billing cycles complicated the comparison between well production readings and consumption readings. The audit is now complete.

Hot weather during the summer months can significantly impact consumers' habits as it relates to water consumption. The state-implemented 2013 water consumption baseline is truly a focal point and a heavily debated method in generating conservation percentages. Summer temperatures from year to year vary and a small variation in the daily average temperature during a summer month can dramatically impact consumption rates within any water system. The following table is a good illustration of how Porterville's monthly daily average temperature effected water production:

Month/Year	Production Units (1 Unit = 748 gallons)	Gallons (millions)	Average Max. Temperature (F)
July 2013	712,566	533	99.5 ° F
July 2015	419,786	314	95.5 ° F
August 2013	680,481	509	94.7 ° F
August 2015	486,631	364	96.0 ° F

The table illustrates a 24 million gallon production reduction from July 2013 to August of 2013 due to a decrease in maximum daily average temperature of 4.8 degrees (F) and an increase of 50 million gallons in production from July 2015 to August 2015 due to an increase in maximum daily average temperature of 0.5 degrees (F), while still conserving 28% as compared to the state's mandated baseline.

The following table illustrates how water conservation efforts changed from the month of July 2105 to the month of August 2015 as compared to the 2013 baseline due to an increase in the maximum daily average temperature:

Categories	July Comparison 2013-2015 (%)	August Comparison 2013-2015 (%)	Difference (%)
A. Single Family Residential (60%-66% of Total Consumption)	-34.88%	-24.79%	10.09%
B. Multi-Family Residential (10%-12% of Total Consumption)	-28.81%	-17.95%	10.86%
C. Commercial/Institutional (12%-13% of Total Consumption)	-47.63%	-27.59%	20.04%
D. Industrial	-39.18%	-26.23%	12.95%

(0.6% of Total Consumption)			
E. Landscape Irrigation (5%-10% of Total Consumption)	-66.66%	-53.61%	13.05%
F. Other (City) (3%-6% of Total Consumption)	-68.53%	-40.41%	28.12%
Totals	-41.09%	-28.19%	12.90%

All categories illustrate an increase in water consumption from July 2015 to August 2015, while maintaining substantial water conservation efforts as compared to the same two months in 2013. The main reason for not meeting the 32% water conservation goal for the month of August 2015 is primarily due to two (2) interrelated factors; 1) lower maximum daily average temperatures (94.7 F) during the August 2013 month lowered the production baseline, which in turn was counter productive due to the higher maximum daily average temperatures (96.0 F) during the same month in 2015, 2) hotter weather created an increase in consumption to maintain the prior month (July 2015) drought-impacted landscape appearance standards.

The compliance period for statewide conservation began June 1, 2015, and ends February 29, 2016, with Porterville's cumulative total conservation through October 2015 at 35%. Residential consumption for October 2015 was 94 gallons per capita per day (GPCD). Staff is anticipating monthly conservation totals will decline as we enter into winter months; system demand is historically reduced due to less outdoor irrigation. Projected conservation totals for the month of November 2015 are estimated to be in the mid to low 20% range, with additional short falls to the mandated 32% in the following winter months.

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. Drought Response Phase III Flyer
2. Monthly Production Status October 2015

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



DROUGHT RESPONSE Phase III

Mandatory Odd/Even Watering Schedule, based on address.
Residents will be allowed **TWO** days a week to water lawns and landscapes. No watering allowed on Mondays, Thursdays, and Fridays.

Watering is prohibited between the hours of **5:00 AM to 10:00 AM** and **5:00 PM to 10:00 PM**.

No watering outdoor landscapes during and within **48** hours after measurable rainfall.

Excessive water runoff is prohibited.

The washing of sidewalks and driveways is prohibited.

Vehicles shall only be washed on designated watering days and with a hose equipped with a shut-off nozzle.

The operation of ornamental water features is prohibited unless the fountain uses a recycling system.

Non-compliance with Phase III water conservation regulations could result in citations with fines up to **\$500**.

DROUGHT RESPONSE PHASE III

The City of Porterville has adopted Phase III of its Drought Response Plan. As part of the Phase III plan, the City has restricted watering days to two days per week, based on address.

Mandatory Odd/Even Watering Schedule

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
DO NOT WATER	OK TO WATER	OK TO WATER	DO NOT WATER	DO NOT WATER	OK TO WATER	OK TO WATER
---	ODD	EVEN	---	---	ODD	EVEN

■ Odd Address
 ■ Even Address

ODD NUMBER ADDRESSES

If your address ends with an “odd” number, 1, 3, 5, 7, or 9, your watering days are Tuesday and Saturday *only*.

OR

EVEN NUMBER ADDRESSES

If your address ends with an “even” number, 0, 2, 4, 6, or 8, your watering days are Wednesday and Sunday *only*.

Violation Level	Citation Amount
First Violation	Warning Only
Second Violation	\$100 Fine
Third Violation	\$200 Fine
Fourth Violation	\$500 Fine

Mandatory Odd/Even Watering Schedule

Excessive water runoff prohibited

The washing of sidewalks and driveways is prohibited

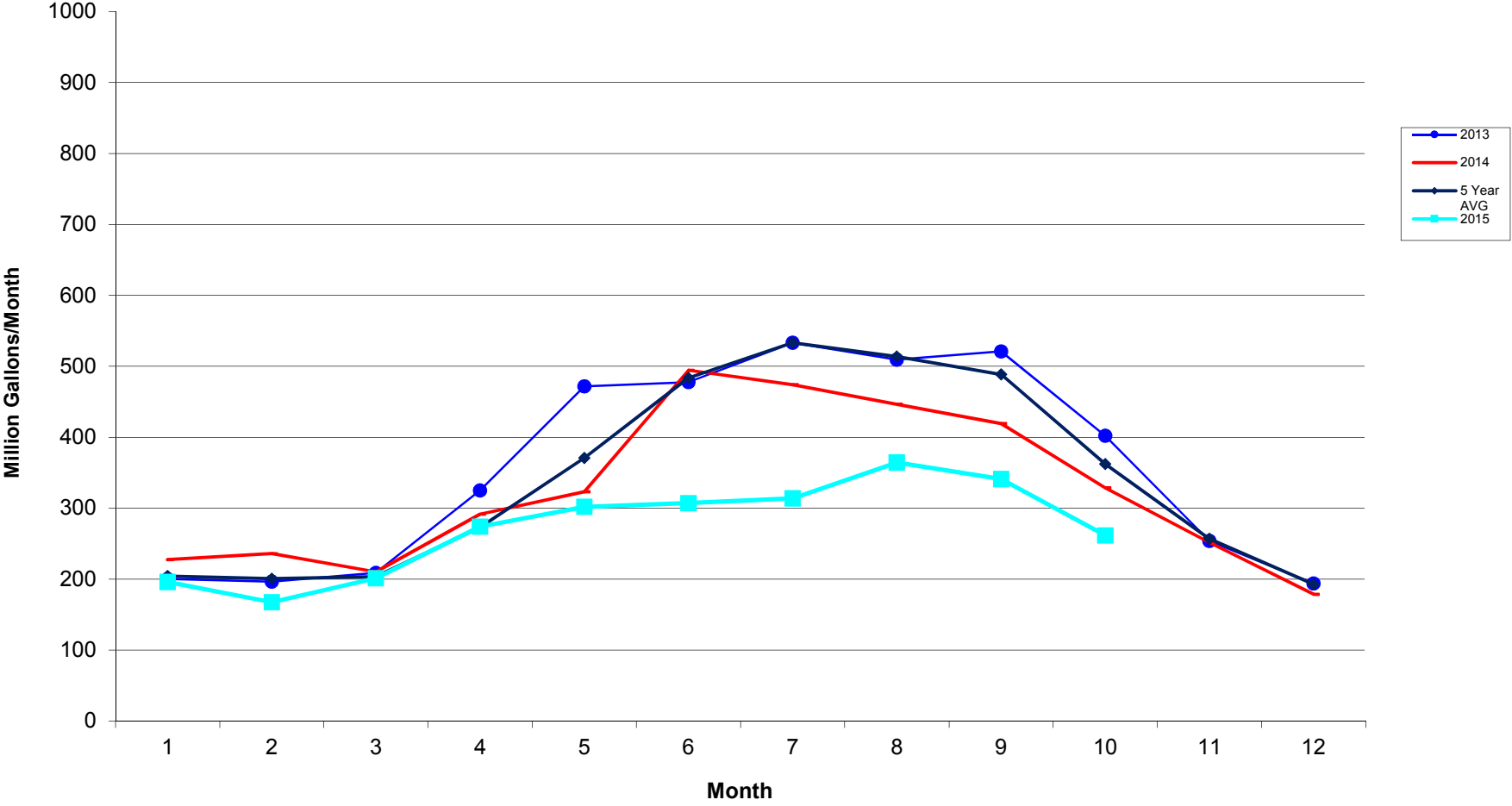
Vehicles shall only be washed on designated watering days and with hoses equipped with a shut-off nozzle

Ornamental water features are prohibited unless the fountain uses a recycling system

WATERING PROHIBITED BETWEEN THE HOURS OF 5:00 – 10:00 AM 5:00 – 10:00 PM

NO WATERING ON MONDAYS, THURSDAYS, AND FRIDAYS.

Monthly Production Status
2014 Comparison to 2013 & 5 Year Average
2015 Production





CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Request for Approval to Repair Specialized Equipment

SOURCE: Public Works

COMMENT: The City of Porterville Wastewater Treatment Facility (WWTF) has received a quote from the sole source manufacturer of its JWC Environmental Screenings/Washer Monster (SWM) for the repair of its grinder cartridge. The grinder cartridge on the SWM uses heat-treated alloy steel cutters to grind the material captured by the barscreens. Over time, the steel cutters wear out and must be replaced. The WWTF has received an estimate of \$9,940 for the repair of the grinder cartridge.

Funding source for the repair of the cutter cartridge is the 2015/2016 WWTF Operating Budget.

RECOMMENDATION: That City Council approve the repair of the Screenings Cutter Cartridge at a cost of \$9,940.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Request for Street Closure - Myers' Twentieth Annual Christmas Tree Memorial Service

SOURCE: Administrative Services

COMMENT: Richard Mendivil, Director of Myers Funeral Service and Crematory, has requested an assemblies permit for December 8, 2015, in order to hold the lighting ceremony for Myers' Twentieth Annual Christmas Tree Memorial Service. The ceremony will be held in front of Myers' Chapel on "E" Street at 7:00 p.m. Approximately 500 people attended the ceremony last year, and Mr. Mendivil has requested an assemblies permit for 500 people again this year.

In conjunction with this ceremony, Mr. Mendivil is also requesting that Council approve the closure of "E" Street between Putnam and Cleveland Avenues from 5:00 p.m. to 9:00 p.m. on December 8, 2015, for the safety of those attending.

The Police Department has approved the assemblies permit, which is attached for the Council's reference, along with a copy of the required Certificate of Liability Insurance.

RECOMMENDATION: That the City Council approve the closure of "E" Street between Putnam and Cleveland on December 8, 2015, from 5:00 p.m. to 9:00 p.m., subject to the conditions specified.

ATTACHMENTS:

1. Assemblies Permit Application
2. Insurance Certificate

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

ORDINANCE NUMBER 927
Section 18-7.2

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

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

- A. Myers Funeral Service & Crematory (559) 784-5454
(Name/Address) (Telephone)
- B. (Name & Address of Organization) (Telephone)
Richard Mendivil (559) 784-5454
(Authorized Head of Organization) (Telephone)
- C. Name of Event Chairman Richard Mendivil
- D. Purpose of event: Memorial Service for families in the community
that have lost loved ones.
- E. Date & Time of Event Tuesday, December 8, 2015 at 7:00 PM
- F. Number of persons Expecting 1,000
- G. Location of the assembly area of event Myers Funeral Service & Crematory
248 N. E. St. Porterville, CA 93257
- H. Security Guards required? [] yes [X] no If so, how many? _____
- I. Plans for the assembly & dispersement of the event. Indicate times
thereof Beginning 5:00 PM Ending 9:00 PM
- J. Other information N/A

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

Legal signature of applicant

Date 10/16/2015

Telephone (559) 784-5454

Application Approved [X] Denied []

Chief of Police

ACOP.

STREET CLOSURE REQUIRES COUNCIL
APPROVAL.

10/96



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/19/2015

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

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

PRODUCER FEDERATED MUTUAL INSURANCE COMPANY HOME OFFICE: P.O. BOX 328 OWATONNA, MN 55060		CONTACT NAME: CLIENT CONTACT CENTER PHONE (A/C, No, Ext): 888-333-4949 FAX (A/C, No): 507-446-4664 E-MAIL ADDRESS: CLIENTCONTACTCENTER@FEDINS.COM	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: FEDERATED MUTUAL INSURANCE COMPANY	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 6** **REVISION NUMBER: 0**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	N	N	9179934	04/01/2015	04/01/2016	EACH OCCURRENCE	\$1,000,000
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
	CLAIMS-MADE ☒ OCCUR						MED EXP (Any one person)	\$5,000
	☒ BUSINESS OWNER'S LIABILITY						PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COMP/OP AGG	\$2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:								
	☒ POLICY ☐ PRO-JECT ☐ LOC							
A	AUTOMOBILE LIABILITY	N	N	9179935	04/01/2015	04/01/2016	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	☒ ANY AUTO						BODILY INJURY (Per person)	
	☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	
	☐ HIRED AUTOS ☐ NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	
A	☒ UMBRELLA LIAB ☒ OCCUR	N	N	9179936	04/01/2015	04/01/2016	EACH OCCURRENCE	\$2,000,000
	☐ EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	\$2,000,000
	☐ DED ☐ RETENTION							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y / N	N / A				WC STATU-TORY LIMITS	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	

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

CERTIFICATE HOLDER 249-988-7 CITY OF PORTERVILLE 291 N MAIN ST PORTERVILLE, CA 93257-3737	CANCELLATION 6 0 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Approval for Community Civic Event - Rotary Club of Porterville and Porterville Chamber of Commerce - Children's Christmas Parade - December 3, 2015

SOURCE: Finance

COMMENT: The Rotary Club of Porterville and Porterville Chamber of Commerce are requesting approval to hold the annual Children's Christmas Parade along Main Street on Thursday, December 3, 2015, from 5:00 p.m. to 9:00 p.m. This application is being submitted under the Community Civic Event Ordinance No. 1326, as amended. The following street closures are requested:

STREETS (5:00 p.m. - 9:00 p.m.):

Main Street from Danner Avenue to Olive Avenue
Olive Avenue from Hockett Street to Second Street
Morton Avenue from Hockett Street to Second Street
Harrison Avenue from Hockett Street to Second Street
Thurman Avenue from Hockett Street to Second Street
Putnam Avenue from Hockett Street to Second Street
Mill Avenue from Hockett Street to Second Street
Cleveland Avenue from Hockett Street to Second Street (not blocking street for fire access)
Oak Avenue from Hockett Street to Second Street
Garden Avenue from Main Street to Second Street
Second Street from Olive Avenue to Oak Avenue
School Avenue, Belleview Avenue, North Avenue and Doris Avenue, from Main Street to Second Street and Sunnyside

SIDEWALKS (5:00 p.m. to 9:00 p.m.):

Main Street from Danner Avenue to Olive Avenue
Olive Avenue from Main Street to Second Street

PARKING SPACES (6:00 a.m. - 9:00 p.m.):

Main Street in front of Chamber of Commerce

PARKING SPACES (3:00 p.m. - 9:00 p.m.):

Main Street in front of City Hall, north end

This application has been routed according to the ordinance regulations and has been reviewed by all departments involved. The requirements are listed on the attached copy of the Application and Agreement, Exhibit A and Exhibit B.

RECOMMENDATION:

That the City Council:

1. Approve the Community Civic Event application from the Porterville Chamber of Commerce and Rotary Club of Porterville, subject to the restrictions and requirements contained in the Application and Agreement, Exhibit A and Exhibit B;
2. Authorize the temporary suspension of the Fixed Route Transit System from 4:30 p.m. to 7:00 p.m. on December 3, 2015; and
3. Restrict the use of parking spaces in front of City Hall to those at the north end of City Hall along Main Street from 3:00 p.m. to 5:00 p.m.

ATTACHMENTS:

1. Community Civic Event Application and Agreement, Exhibit A, Exhibit B, Outside Amplifier Permit, Street Map and Insurance Certificates

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



(Incomplete applications can delay permit process)

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

DO YOU HAVE? Event Flyer? E-mail address? Website?

Application date: October 20, 2015 Event date: Dec 3, 2015
10/27/2015 Event time: 5-9pm street & sidewalk closure
7-9pm parade camp parking
Name of Event: Children's Christmas Parade in front of chamber
3pm parking
spaces in front
of City Hall

Sponsoring organization: Rotary club of Porterville Phone # 784-7502
Porterville chamber of Commerce
Address: City of Porterville
93 N. Main St. Porterville, CA 93257
Authorized representative: Stephanie Cortez Phone # 784-7502
Address: 93 N. Main St Porterville, CA 93257
Event chairperson: Greg Meister Phone # _____

Location of event Main St. from Danner to Olive, side streets for
assembly (Location map must be attached) and disbursement
Type of event: Children's Christmas Parade

Non-profit organization status: on file BL# 0248
(IRS Determination)

City services requested (fees associated with these services will be billed separately):
Barricades (quantity): ✓ Street sweeping Yes ✓ No _____
Police protection Yes ✓ No _____ Refuse pickup Yes ✓ No _____
Other: _____

Parks facility application required: Yes _____ No ✓ Attached _____
Assembly permit required: Yes _____ No ✓ Attached _____

STAFF COMMENTS (list special requirements or conditions for event):

Appr.	Deny	
_____	_____	Bus. Lic. Spvr. _____
_____	_____	Pub. Works Dir _____
_____	_____	Comm. Dev. Dir. _____
_____	_____	Field Svcs. Mgr. _____
_____	_____	Fire Chief _____
_____	_____	Parks Dir. _____
_____	_____	Police Chief _____
_____	_____	Admin. Svcs. Dir. _____

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. **The City of Porterville and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured.** A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. **This original certificate and endorsement shall be submitted to the Finance Department prior to the City of Porterville Council's approval.** *The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than one million dollars (\$1,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

 Authorized Representative Initials

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

 Authorized Representative Initials

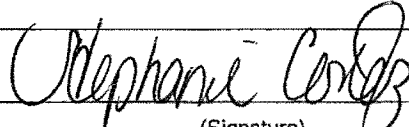
Health permit: Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-738-6932; or visit their website: www.tularehhsa.org.

 Authorized Representative Initials

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

 Authorized Representative Initials

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

Porterville Chamber of Commerce Rotary Club of Porterville		10/26/15
(Name of Organization)	(Signature)	(Date)

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

Location: Main St Event date: Dec 3 2015 Event time: 5pm-9pm

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

will be submitted later by the Chamber

[illegible]

***Municipal Code 15-20(E) Community Civic Events (16): Business License Fees:** Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unenclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16.

The nonprofit sponsor shall collect said fee and remit the fee to the city within five (5) working days following the CCE. Said remittance shall be accompanied by a complete list of participants and consecutively numbered receipts written in triplicate, containing the name, address and telephone number of the licensee, and the licensee's California seller's permit number. Said receipts shall be furnished by the city. One copy of the receipt shall be furnished to the licensee, one copy filed with the finance department of the city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.

CITY OF PORTERVILLE

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

Name of event: Children's Christmas Parade

Sponsoring organization: Rotary Club of Porterville, Porterville Chamber of Commerce
City of Porterville

Event date: Dec 3, 2015 Hours: 5pm - 9pm streets & sidewalks

6am parking spaces in front
of Chamber

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

3pm parking spaces in front
of City Hall

Closed

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
Main St	Danner Ave	Olive Ave	Parade Route + Assembly
Olive Ave	Hockett St	Second St.	Parade Route
Morton Harrison Thurman, Chamber, Patrons, mill, & Oak	Hockett St.	Second St.	Adjacent to Parade Route
Garden Ave	Main St	Second St.	Adjacent to Parade Route
School, Bellevue North & Doris	Main St.	Second + Division on east Division + Sunnyside on west	Parade Assembly
Second St.	Olive Ave	Oak Ave	Parade Disbursement
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
Main St	Danner Ave	Olive Ave	View Parade and
Olive Ave	Main St	Second St.	Assembly Area
<u>Parking lots and spaces</u>	<u>Location</u>		<u>Activity</u>
Main St (7 spaces)	Chamber of Commerce 93 N. Main		Judges' Stand
Main St (5 motherly spaces)	City Hall 291 N. Main		Announcer's Stand

Requirements for Community Civic Event
Rotary Club of Porterville
Porterville Chamber of Commerce
Children's Christmas Parade
December 3, 2015

Finance Director:
M. Bemis

Public Works Director, Acting:
M. Reed

Community Development Manager:
J. Phillips

Field Services Manager:
B. Styles

City sponsored parade. City staff will close streets with barricades, provide recycling and trash removal, and also street sweeping.

Fire Chief:
G. Irish

Parks and Leisure Services Director:
D. Moore

Public to remain out of Main Street planters.

Police Lieutenant:
C. Contreras

See list of Conditions/Requirements for Children's Christmas Parade in Exhibit B.

Administrative Services Director:
P. Hildreth

See Exhibit A, page 2.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsors: Rotary Club of Porterville, Porterville Chamber of Commerce
Event: Children's Christmas Parade
Event Chairman: Greg Meister
Location: Main Street
Date of Event: December 3, 2015
Time of Event: 5:00 p.m. to 9:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Chamber of Commerce and Rotary Club of Porterville provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville and the Successor Agency to the Porterville Redevelopment Agency, its Officers, Employees, Agents and Volunteers as Additional Insured against all claims arising from, or in connection with, the Permittee's operation and sponsorship of the aforementioned Community Civic Event.

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

CITY OF PORTERVILLE - POLICE DEPARTMENT

Community Civic Event Application

Proposed Event: Children's Christmas Parade

Date of Event: December 3rd, 2015

Location of Event: Main Street

Recommendations/Requirements:

- City Council approval is required for any/all street closures.
- Ensure highly visible and adequate barricades/barriers are used to warn motorists of non-access to closed streets and prevent vehicle access to those designated areas.
- Children's Christmas Parade Committee should meet with street vendors to coordinate rules regarding their activities, such as:
 - Staying off the parade route (street area) and avoid crossing in front of floats or groups.
 - Shall not sell silly string, snap caps or party poppers.
 - Ensure each vendor has properly obtained a City business license.
- Food vendors should be situated where they will not block the sidewalk.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the Children's Christmas Parade Committee, to ensure safe food products.
- Throwing candy from vehicles, floats, or any parade entry is prohibited. This results in children scampering to catch or find candy in a crowded environment, and causes others to run out into the street. This practice creates significant and unnecessary risk for parade goers. All registered parade entrants should be informed of this prohibition and efforts taken to cease this practice.
- An Outside Amplifier Permit has been requested and approved. However, event organizers should not allow amplification to be so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- Event organizers shall establish contact with Lt. Rich Standridge or Lt. Dominic Barteau (Porterville Police Department) no less than 15 days in advance of the event in order to coordinate efforts related to the posting of the parade route and advance enforcement. They can be contacted at 559-782-7410 or 559-782-7400.

Chris Contreras, Lieutenant
Porterville Police Department

Exhibit B

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



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

- 1 Name and home address of the applicant: Rotary Club of Porterville
Chamber of Commerce
93 N Main St. Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Main Street
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Individual
enters in parade
- 4 Type of event for which amplification equipment will be used: Children's Christmas Parade
- 5 Dates and hours of operation of amplification equipment: Dec. 3, 2015 6pm - 9pm
(Before and during parade)
- 6 A general description of the sound amplifying equipment to be used: Unknown at this time

Section 18-9

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

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section. (Ord. Code § 8311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 8312)

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

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

Phyllis Conley
Signature of Applicant

10/26/15
Date

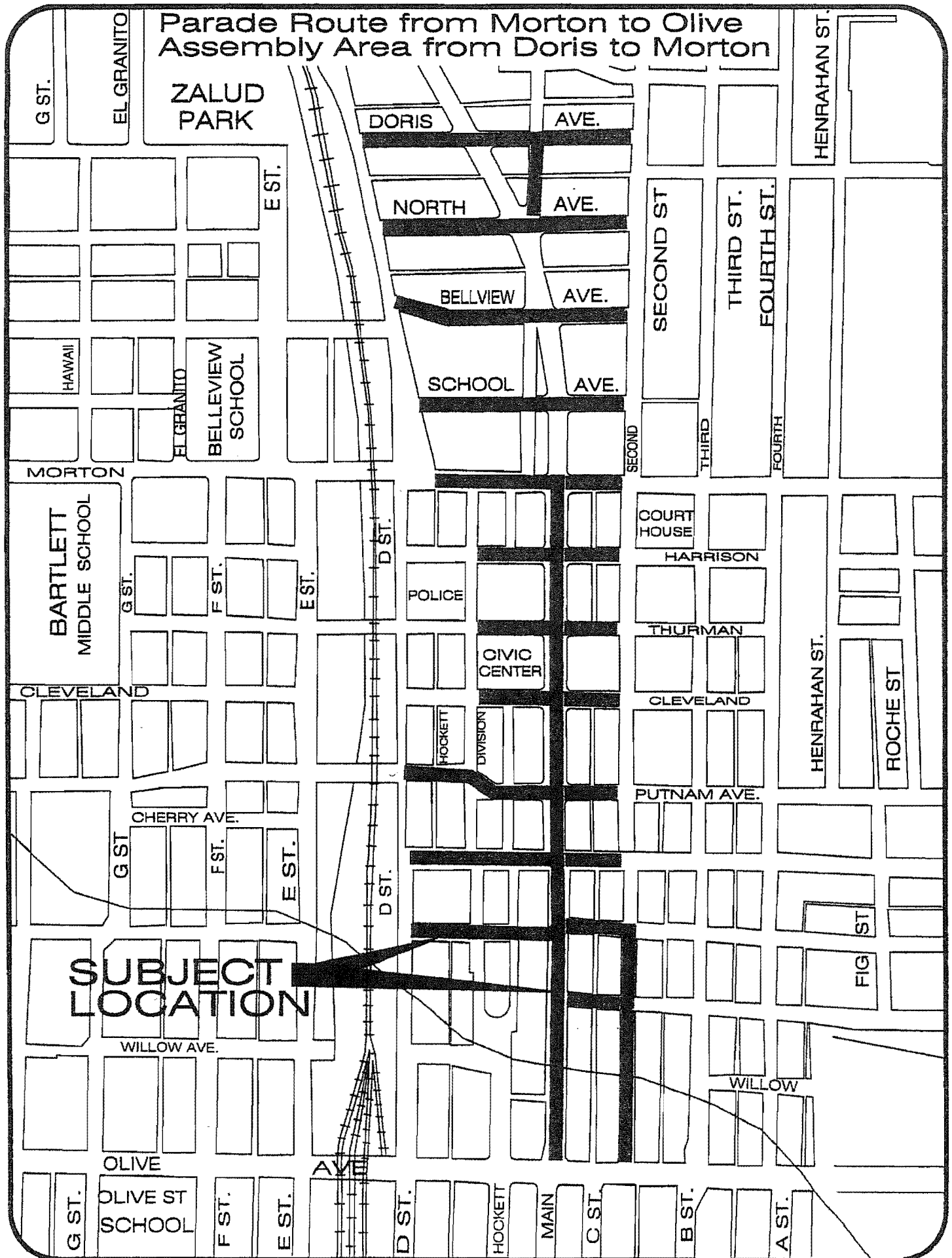
THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.

[Signature]
City of Porterville, Chief of Police/Designee

11-6-15
Date

Children's Christmas Parade

Parade Route from Morton to Olive
Assembly Area from Doris to Morton





CERTIFICATE OF LIABILITY INSURANCE

7/1/2016

DATE (MM/DD/YYYY)

11/06/2015

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

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

PRODUCER LOCKTON COMPANIES 500 West Monroe, Suite 3400 CHICAGO IL 60661 (312) 669-6900	CONTACT NAME: Lockton Companies	
	PHONE (A/C, No, Ext): 1-800-921-3172 FAX (A/C, No): 1-312-681-6769 E-MAIL ADDRESS: Rotary@lockton.com	
INSURED 1379367 All Active US Rotary Clubs & Districts Attn: Risk Management Department 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Westchester Fire Insurance Company	10030
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES ROTIN01**CERTIFICATE NUMBER:****REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:			PMI G23861355 007	7/1/2015	7/1/2016	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS			PMI G23861355 007	7/1/2015	7/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB ☐ EXCESS LIAB DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) if yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A		NOT APPLICABLE			PER STATUTE ☐ OTHER ☐ E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

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

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

CERTIFICATE HOLDER**CANCELLATION**

The City of Porterville and Successor Agency to the Porterville Redevelopment Agency
291 N Main Street
Porterville CA 93257
Re: Rotary Club of Porterville, Children's Christmas Parade on December 3rd, 2015

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

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/6/2015

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

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

PRODUCER Walter Mortensen Insurance / INSURICA CA License #0D44424 410 North Main Street Porterville CA 93257	CONTACT NAME: Jacqueline Madrigal PHONE (A/C, No, Ext): (559) 781-5200 FAX (A/C, No): (559) 781-3229 E-MAIL: jmadrigal@INSURICA.com ADDRESS: jmadrigal@INSURICA.com
INSURED Porterville Chamber of Commerce 93 N. Main St. Porterville CA 93257-3711	INSURER(S) AFFORDING COVERAGE INSURER A: Travelers Property Casualty Ins. NAIC # 36161 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: CL1510710687

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	X	6607588A004	5/28/2015	5/28/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS HIRED AUTOS SCHEDULED AUTOS NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Certificate issued as evidence of insurance coverage maintained by the named insured. Coverage is subject to the terms, conditions, limitations and/or exclusions of the policy. Certificate holder is added as additional insured to the policy per endorsement included on policy. REFERENCE: Children's Christmas Parade, December 3, 2015.

CERTIFICATE HOLDER

CANCELLATION

The City of Porterville
Successor Agency to the Porterville
Redevelopment Agency
291 N Main Street
Porterville, CA 93257

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

AUTHORIZED REPRESENTATIVE

Ron Burcham/JMADRI

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CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Massage-Oriented Business Interim Urgency Ordinance- Request for Extension

SOURCE: Community Development

COMMENT: On October 6, 2015, the City Council adopted Ordinance 1827, an interim urgency ordinance prohibiting the use of land for the purpose of operating a massage-oriented business. The City Council found that a current and immediate threat existed to the public health, safety and welfare arising from a lack of sufficient authority and controls to allow the City to impose appropriate and necessary conditions and regulations upon massage-oriented businesses. As a result, no new business licenses have been, or may be, issued for the duration of the interim urgency ordinance. As required by California Government Code Section 65858(d), the City Council issued a written report describing the measures taken to alleviate the condition that led to the adoption of the interim urgency ordinance; the report was issued at the Council meeting of November 3, 2015.

City Planning staff and the City Attorney continue to draft a new ordinance that will identify: 1) appropriate locations for massage-oriented businesses; 2) appropriate procedures to provide for staff and public input and comment on the siting of massage-oriented businesses; and 3) appropriate mechanisms to be put in place to impose appropriate and necessary conditions upon massage-oriented businesses and practitioners.

The new ordinance will likely amend the Development Ordinance and Municipal Code Chapter 15 – Licenses and Business Regulations, and establish a new permitting program for massage businesses. There are two options staff is considering: a Conditional Use Permit requirement, or a Massage Business permit. While the Massage Business Registration would establish a new process not currently in place, this system has been approved in other jurisdictions and is supported by CAMTC. A Conditional Use Permit, while certainly a familiar and strong tool, would be a costly process for individual practitioners, and may inhibit even legitimate businesses from complying with a new program.

While work continues on a draft ordinance, staff requests an extension of the interim urgency ordinance for a period not to exceed the statutory ten (10) months, or until the permanent regulation can be adopted and go into effect, whichever is sooner. Staff intends to bring a draft ordinance to the Council at its meeting on December 15th, after the proposed business license revocations are considered at the December 1st meeting.

RECOMMENDATION: That the City Council extend the interim urgency ordinance prohibiting the use of land for the purpose of operating a massage-oriented business for a period of ten months, or until the permanent regulation can be adopted and go into effect, whichever is sooner.

ATTACHMENTS: 1. Ordinance 1827

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Julia Lew, City Attorney

Final Approver: John Lollis, City Manager

ORDINANCE NO. 1827

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE PROHIBITING THE USE OF LAND FOR THE PURPOSE OF
OPERATING A MASSAGE ORIENTED BUSINESS

BE IT ORDAINED by the City Council of the City of Porterville, as follows, to wit:

SECTION 1: The City Council of the City of Porterville herewith finds that there is a current and immediate threat to the public health, safety, or welfare, arising from the lack of procedures for determining the appropriateness of locations for massage oriented businesses, and from a lack of sufficient authority and controls to allow the City to impose appropriate and necessary conditions and regulations upon massage oriented businesses within the City of Porterville.

SECTION 2: The City Planning staff and City Attorney are presently studying the issues concerning location and regulation of massage oriented businesses.

SECTION 3: The City of Porterville does further herewith find and determine that further issuance of business licenses which in turn would allow the use of land for the purpose of operating a massage business prior to the adoption of any regulations concerning the location and standards of massage oriented businesses would result in that threat to public health, safety or welfare being exacerbated.

SECTION 4: That the City of Porterville does further herewith find and determine that there are significant public health, safety or welfare concerns relating to issues concerning:

- (a) Appropriate locations for massage oriented businesses;
- (b) Appropriate procedures to provide for staff and public input and comment on the siting of massage oriented businesses; and
- (c) Appropriate mechanisms being in place to impose appropriate and necessary conditions upon massage oriented businesses and practitioners.

All of which gives rise to a need to complete the study, within a reasonable time, of the potential and appropriate City zoning procedures and policies with regard to this particular land use, and in order to protect the public safety, health or welfare it is necessary to prohibit the use of land for the purpose of operating a massage oriented business until such time as said study is completed and the City Council has determined, what new and additional, if any, procedures and policies are necessary and appropriate to put in place.

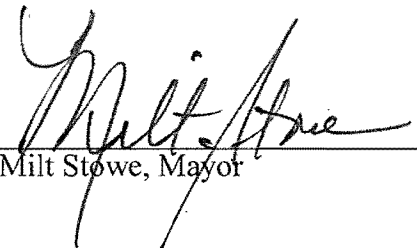
SECTION 5: The City Council of the City of Porterville herewith finds that the adoption of the subject interim ordinance is not an activity subject to the California Environmental Quality Act, according to the general rule that CEQA does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

SECTION 6: This Ordinance shall remain in full force and effect for a period of forty-five (45) days from and after its passage and adoption.

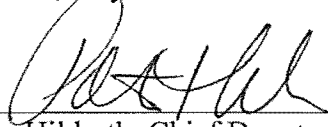
SECTION 7: The City Council does herewith direct the City staff to prepare and submit to the City Council, for consideration of approval and issuance by the City Council, a written report describing the measures taken and to be taken to alleviate the conditions which led to the adoption of this Ordinance; and that said report shall be submitted to the City Council at least 10 days prior to the expiration of this Ordinance.

SECTION 8: For the reasons set forth hereinabove, the City Council of the City of Porterville does herewith declare and determine that it is necessary to protect the public safety, health or welfare by adopting this Ordinance (by the required 4/5's majority vote) as an urgency measure to take effect immediately upon passage and adoption.

PASSED, ADOPTED AND APPROVED this 6th day of October, 2015


Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk

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

I, JOHN D. LOLLIS, the duly qualified City Clerk of the City of Porterville do hereby certify:

THAT the foregoing ordinance is a true and correct copy of Ordinance No. 1827, an Interim Ordinance, passed and adopted by the Council of the City of Porterville at a regular meeting held on the 6th day of October, 2015, and that by the terms and provisions of the Charter of the City of Porterville, said ordinance is to be in full force and effect immediately upon adoption.

THAT said ordinance was introduced by Council and the same was duly passed and adopted by the following vote:

COUNCIL:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X		X	X	X
NOES:					
ABSTAIN:					
ABSENT:		X			

JOHN D. LOLLIS, City Clerk


By: Luisa M. Zavala, Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Water Conservation Plan Amendment

SOURCE: Public Works

COMMENT: The Water Conservation Plan is a tool that outlines phases and methods to achieve different percentages of water conservation; it specifically focuses on outdoor water use. Currently, the Water Conservation Plan (“Plan”) lists four distinct phases. Phase I applies during periods when a normal water supply is available, and does not impose watering restrictions. Phase II applies during periods when there is a water supply shortage, and mandates an odd/even watering schedule limiting outdoor water use to three days per week. Phase III applies during periods when there is a significant water supply shortage, and limits outdoor water use to two days per week. Phase IV applies during periods when there is a critical water supply shortage, and includes a 20% water rate increase on all residential and landscape accounts. In addition, no outdoor watering is allowed in Phase IV.

With the ongoing drought, even as the cooler autumn weather brings more precipitation, the city of Porterville struggles to continue to meet the State imposed water conservation mandate. However, rather than impose the Phase IV water conservation requirements, which would be a significant cost impact to many water users, staff proposes an amendment to the Plan to create an additional phase. The new Phase IV would further limit outdoor water use to one day per week, with odd addresses watering on Saturdays, and even addresses watering on Sundays. The (now re-numbered) Phase V would remain as written, to be imposed in times of critical water supply shortage. In addition to adding this new phase to the Plan, staff wishes to clarify within the text of the Plan the definition of “measurable rainfall.” This is a term used on the informational flyers sent with water bills, and is defined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) as 1/100th of one inch. Expressly defining the term within the Plan will make the restriction simpler for water users to understand, and clearer for those tasked with enforcing it.

RECOMMENDATION: That the City Council:

1. Hold a Public Hearing to receive comment;
 2. Adopt the draft Resolution amending the Porterville Water Conservation Plan, Appendix D of the Urban Water Master Plan; and
 3. Authorize transitioning from Phase III (two day a week water
- Item No. 5.

schedule) to Phase IV (one day a week water schedule) of the Porterville Water Conservation Plan effective December 1, 2015.

ATTACHMENTS:

1. Draft Resolution
2. Draft Amended Urban Water Management Plan

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING APPENDIX D OF THE CITY OF PORTERVILLE 2010
URBAN WATER MANAGEMENT PLAN

WHEREAS, The Water Conservation Plan is a tool that outlines phases and methods to achieve different percentages of water conservation; it specifically focuses on outdoor water use. Currently, the Water Conservation Plan (“Plan”) lists four distinct phases; and

WHEREAS, With the ongoing drought, even as the cooler autumn weather brings more precipitation, the city of Porterville struggles to continue to meet the State imposed water conservation mandate; and

WHEREAS, rather than impose the Phase IV water conservation requirements, which would be a significant cost impact to many water users, the City of Porterville has elected to amend the Plan to create an additional phase. The new Phase IV would further limit outdoor water use to one day per week, with odd addresses watering on Saturdays, and even addresses watering on Sundays. The (now re-numbered) Phase V would remain as written, to be imposed in times of critical water supply shortage; and

WHEREAS, the text of the Plan is further amended to provide a definition of “measurable rainfall” as defined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) as 1/100th of one inch.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Porterville that the above referenced modifications be made to the Water Conservation Plan, which is Appendix D of the City of Porterville 2010 Urban Water Management Plan, and attached hereto as Exhibit A, incorporated by reference.

PASSED, APPROVED, AND ADOPTED this 17th day of November, 2015.

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: _____

Patrice Hildreth, Chief Deputy City Clerk

CITY OF PORTERVILLE



URBAN WATER MANAGEMENT PLAN 2010 UPDATE AUGUST 2014

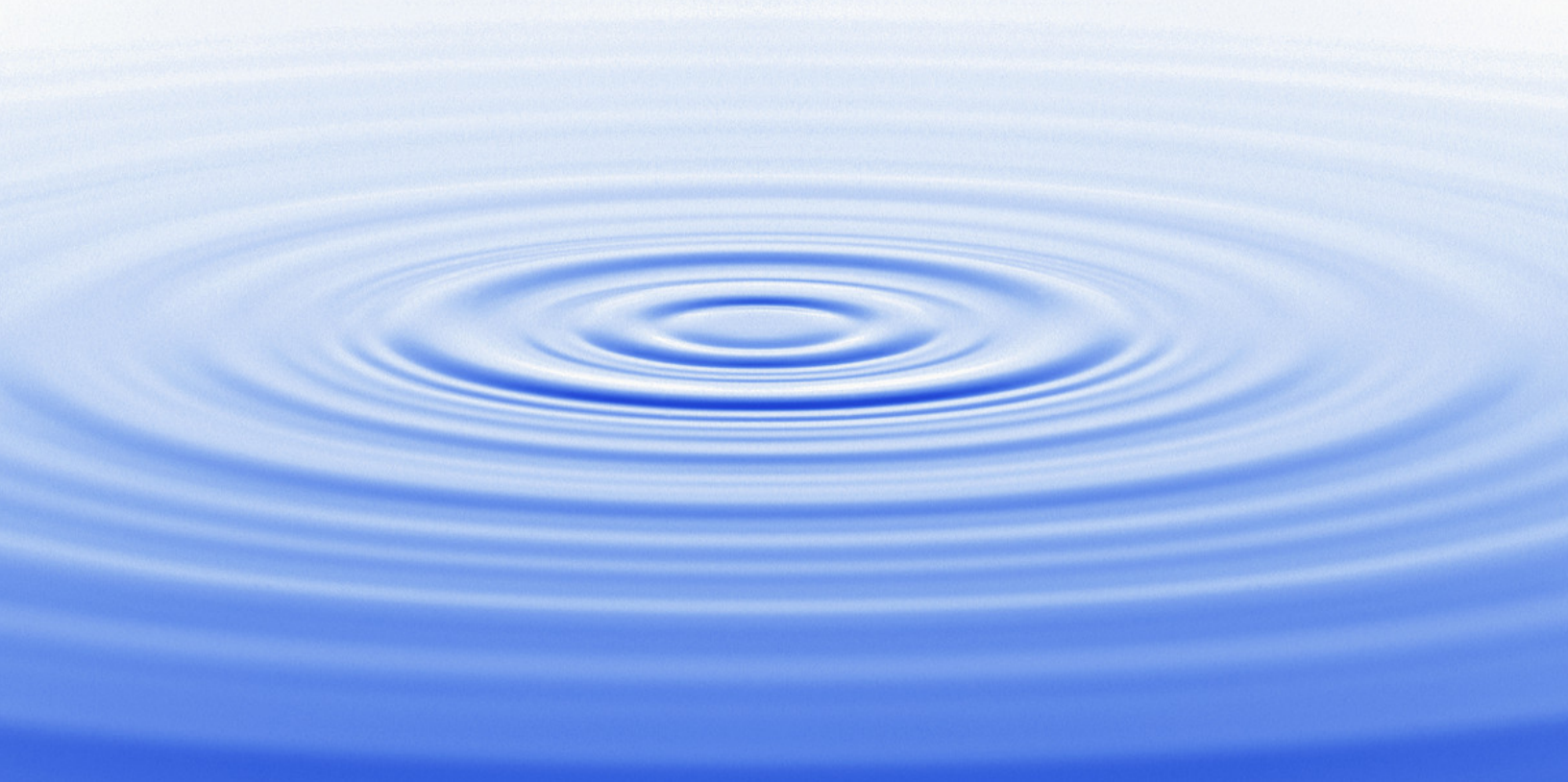


Table of Contents

1	Introduction.....	1
1.1	Purpose.....	1
1.2	Background	1
1.2.1	Urban Water Management Planning Act.....	1
1.2.2	Previous Urban Water Management Plan.....	2
1.3	Resource Maximization/Import Minimization.....	2
2	Plan Preparation.....	3
2.1	Coordination	3
2.2	Plan Adoption, Submittal, and Implementation	4
3	System Description.....	5
3.1	Service Area Physical Description	5
3.1.1	Location and History	5
3.1.2	Land Use.....	7
3.1.3	Climate	8
3.2	Service Area Population.....	9
4	System Demands	11
4.1	Historical Water Use.....	11
4.2	Baselines and Targets.....	12
4.2.1	Baseline	12
4.2.2	Targets.....	13
4.2.3	Summary of Baseline and Targets.....	16
4.3	Water Demands	17
4.3.1	Residential Customer Class.....	19
4.3.2	Mixed-Use Customer Class	20
4.3.3	Commercial/Office/Industrial Customer Class	20
4.3.4	Agricultural/Rural/Conservation	21
4.3.5	Public Uses and Open Space	21
4.4	Water Demand Projections	21
4.5	Planned Development.....	24
4.5.1	Low Income Projected Water Demands.....	24
4.6	Water Use Reduction Plan	25



5	System Supplies.....	28
5.1	Water Sources.....	28
5.1.1	Water Supply and Storage Facilities.....	28
5.2	Groundwater.....	30
5.2.1	Groundwater Description and Management Plan.....	30
5.2.2	Groundwater Levels and Historical Trends.....	31
5.2.3	Sources of Recharge.....	31
5.2.4	Existing and Projected Groundwater Pumping.....	31
5.3	Transfer Opportunities.....	32
5.3.1	Existing Surface Water Rights.....	33
5.3.2	Other Surface Water Sources.....	33
5.3.3	Surface Water Purchases.....	33
5.3.4	Surface Water Treatment.....	34
5.4	Desalinated Water Opportunities.....	34
5.5	Recycled Water Opportunities.....	35
5.6	Coordination.....	36
5.7	Wastewater Quantity, Quality and Current Uses.....	36
5.8	Future Water Projects.....	38
6	Water Supply Reliability and Water Shortage Contingency Plan.....	41
6.1	Water Supply Reliability.....	41
6.1.1	Frequency and Magnitude of Supply Deficiencies.....	41
6.1.2	Basis of Water Year Data.....	42
6.1.3	Supply Reliability.....	43
6.1.4	Projected Normal Water Year Demands.....	45
6.1.5	Projected Single Dry Water Year.....	46
6.1.6	Projected Multiple Dry Water Years.....	46
6.1.7	Factors Affecting Supply Reliability.....	47
6.2	Water Shortage Contingency Planning.....	49
6.2.1	Water Shortage Stages and Reduction Objectives.....	49
6.2.2	Prohibitions, Consumption Reduction Methods, and Penalties.....	50
6.2.3	Revenue and Expenditure Impacts/Measures to Overcome Impacts.....	54
6.2.4	Actions During a Catastrophic Interruption.....	55
6.2.5	Reduction Measuring Mechanism.....	55



6.3	Water Quality.....	56
7	Demand Management Measures (DMM)	58
7.1	DMMs	58
7.1.1	Water Survey Programs.....	59
7.1.2	Residential Plumbing Retrofit.....	61
7.1.3	Water System Audits.....	62
7.1.4	Metering and Commodity Rates.....	63
7.1.5	Landscape and Irrigation Programs	64
7.1.6	Washing Machine Rebate Program	66
7.1.7	Public Information Program.....	66
7.1.8	School Education Program	67
7.1.9	Commercial, Industrial, and Institutional Conservation Programs	68
7.1.10	Wholesale Agency Programs.....	70
7.1.11	Conservation Pricing.....	70
7.1.12	Water Conservation Coordinator.....	70
7.1.13	Water Waste Prohibition	71
7.1.14	Ultra-Low Flush Toilet Replacement.....	72
7.1.15	Evaluation of Programs not Implemented.....	73
8	Climate Change.....	75
8.1	UWMP Requirement	75
8.2	Introduction.....	75
8.3	Potential Impacts.....	75
8.4	Mitigation and Adaptation.....	75
9	Completed UWMP Checklist	77
10	Bibliography/References	84
	• NEW WELLS:.....	94
	• TELEMETRY SYSTEM:.....	94
	• RESERVOIRS:	94
	• METERIZATION PROGRAM:.....	94
	• UTILITY BILLING NOTICE:	94
	• WATER AUDIT/LEAKAGE DETECTION & REPAIR PLAN:	95
	• NEW WATER LINE TESTING:.....	95



- FIRE HYDRANT TESTING:.....95

APPENDIX

Appendix AResolutions and Ordinances

Appendix BPublic Notification

Appendix CGroundwater Basin Information

Appendix DWater Conservation Plan



LIST OF FIGURES	Page
Figure 3-1: Regional Location Map	6
Figure 3-2: Population – Historical and Projected	10
Figure 4-1: Projected Water Demands with and without Conservation	26
Figure 6-1: Historic Per Capita Demand.....	44

LIST OF TABLES	Page
Table 1-1: Pertinent Bills.....	2
Table 2-1: Coordination with Appropriate Agencies	4
Table 3-1: Land Use Categories (source: <i>Porterville General Plan (2008)</i>)	7
Table 3-2: Climate Characteristics.....	8
Table 3-3: Service Population – Current and Projected	9
Table 4-1: Water Deliveries – 2005	11
Table 4-2: Base Period Ranges	12
Table 4-3: Base Daily Per Capita Water Use – 10 Year Range	13
Table 4-4: Base Daily Per Capita Water Use – 5 Year Range	13
Table 4-5: Method 4 Summary	16
Table 4-6: Baseline and Targets Summary	17
Table 4-7: Water Deliveries 2010 – 2030	18
Table 4-8: Sales to Other Water Agencies	22
Table 4-9: Additional Water Uses and Losses	22
Table 4-10: Total Water Use.....	23
Table 4-11: Low-Income Projected Water Demands.....	25
Table 4-12: Total Water Use Projections.....	25
Table 5-1: Water Supplies	29
Table 5-2: Wholesale Supplies	29
Table 5-3: Groundwater – Volume Pumped	32
Table 5-4: Groundwater – Volume Projected to be Pumped	32
Table 5-5: Transfer and Exchange Opportunities	34
Table 5-6: Desalination Opportunities	35
Table 5-7: Recycled Water – Wastewater	36
Table 5-8: Recycled Water – Wastewater Disposal	37
Table 5-9: Recycled Water – Projection Compared to Actual	37



Table 5-10: Recycled Water – Potential Future Users	38
Table 5-11: Methods to Encourage Recycled Water Use	38
Table 5-12: Future Water Supply Projects	40
Table 6-1: Basis of Water Year Data	43
Table 6-2: Supply Reliability – Historic Conditions	45
Table 6-3: Supply Reliability – Current Water Sources	45
Table 6-4: Supply and Demand Comparison – Normal Year	46
Table 6-5: Supply and Demand Comparison – Single Dry Year	46
Table 6-6: Supply & Demand Comparison – Multiple Dry Years.....	47
Table 6-7: Factors Resulting in Inconsistency of Supply	47
Table 6-8: Water Shortage Stages and Reduction Objectives	50
Table 6-9: Water Shortage Contingency – Mandatory Prohibitions	54
Table 6-10: Water Shortage Contingency – Consumption Reduction Methods	54
Table 6-11: Water Shortage Contingency – Penalties and Charges	55
Table 6-12: Actions During a Catastrophic Event.....	55
Table 6-13: Water Quality – Current and Projected Water Supply Impacts	57
Table 7-1: Demand Management Measures	59
Table 7-2: Past Residential Water Surveys	60
Table 7-3: Future Residential Water Surveys.....	61
Table 7-4: Residential Plumbing Retrofit Implementation	62
Table 7-5: Metering and Commodity Rates Implementation	63
Table 7-6: Landscape and Irrigation Program Implementation	65
Table 7-7: Public Information Program Implementation.....	67
Table 7-8: School Education Program Implementation.....	68
Table 7-9: CII Conservation Program Implementation.....	69
Table 7-10: Water Conservation Coordinator Program Implementation.....	71
Table 7-11: Water Waste Prohibition Program Implementation.....	72



ABBREVIATIONS – Entities

CDP	Census-Designated Place
CDPH	California Department of Public Health
DCTRA	Deer Creek and Tule River Authority
DWR	Department of Water Resources
ID	Irrigation District
IRWMP	Integrated Regional Water Management Plan
MOU	Memorandum of Understanding
PID	Porterville Irrigation District
SWRCB	State Water Resources Control Board
USBR	United States Bureau of Reclamation
UWMP	Urban Water Management Plan
UWMPA	Urban Water Management Plan Act
UWMPGB	UWMP 2010 Guidebook
WCP	Water Conservation Plan
WMP	Water Master Plan or Water System Master Plan

ABBREVIATIONS – Terminology & Units

AB	State Assembly Bill
ac	acre
ADD	Average Daily Demand
af	acre-feet
afy	acre-feet per year
bgs	below ground surface
cfs	cubic feet per second
CWC	California Water Code
DMM	Demand Management Measures
DU	Dwelling Unit
ETo	Evapotranspiration
ft	feet
gpd	gallons per day
gpcd	gallons per capita per day



MDD	Maximum Day Demand
MG	Million Gallons
mgd	million gallons per day
µg/L	micrograms per liter
pCi/L	picocuries per liter
PHG	Public Health Goal
PKH	Peak Hour Demand
psi	pounds per square inch
SB	State Senate Bill
TCP	1,2,3-Trichloropropane
UDB	Urban Development Boundary
ULF	Ultra-Low Flush Toilet



1 INTRODUCTION

1.1 Purpose

The Urban Water Management Plan (UWMP) is a requirement of the Urban Water Management Planning Act (UWMPA) (Division 6, Part 2.6 of the California Water Code [CWC] §10610-10656). The UWMPs must be filed every five years and submitted to the Department of Water Resources (DWR). The submittal is required to meet the requirements of the UWMPA, including the most current amendments that have been made. The UWMPA applies to urban water suppliers with 3,000 or more connections being served or supplying more than 3,000 acre-feet (AF) of water annually.

UWMPs are required of the state's urban water suppliers in an effort to assist their resource planning and to ensure adequate water supplies are available for future use. A secondary purpose of the UWMP is to provide for a plan or series of plans during water drought situations. This report was prepared according to the requirements of the CWC, UWMPA and the UWMP Guidebook 2010.

1.2 Background

1.2.1 Urban Water Management Planning Act

In 1983, SB797 altered Division 6 of the CWC by producing the UWMPA. Since 1983, several amendments to the original document have increased the requirements of the UWMPs submitted today. One such amendment required projections for water use to extend 20 years at 5-year intervals. Recently, this has been increased to a 25-year projection providing for a minimum 20-year projection up until the next UWMP is completed.

Various other amendments have increased requirements to include sections on recycled water use, demand management measures (DMMs), and water shortage contingency plans. Recycled water use sections were added to assist in evaluation of alternate water supplies for future use when projects exceed the current water supplies. Demand management measures must be clearly described including which measures are being implemented and which are scheduled for implementation in the future. Water contingency plans are to be prepared and coordinated with other water suppliers in the area for use during times of drought. Pertinent bills that have passed are included in **Table 1-1**.



Table 1-1: Pertinent Bills

Bill	Requirements
SB610 and AB901	Consideration of water availability when reviewing new large developments
SB318	Investigate possibilities of developing desalinated water
AB105	Submit UWMP to State Library
Water Conservation Bill (2009)	Urban water suppliers to reduce the statewide average per capita daily water consumption by 20% by December 31, 2020

1.2.2 Previous Urban Water Management Plan

The City of Porterville (City) previously prepared an UWMP in 2007. This 2010 UWMP serves as an update to the previous UWMP and complies with all new requirements and regulations.

1.3 Resource Maximization/Import Minimization

The City has strived to maximize their existing water resources to minimize the need to import water. This has been done through conservation programs, especially metering, to minimize per capita consumption. The City's per capita demands are lower than most cities in the area. However, an expanding population has required more groundwater pumping. This has stressed the local groundwater supplies and well yields are declining. Consequently, the City has begun to secure surface water contracts.

According to the 2005 UWMP, the City of Porterville and Porterville Irrigation District (PID) had recently completed a Memorandum of Understanding (MOU) regarding cooperative water operations. In the MOU, the two parties agreed to jointly develop and conduct programs to increase surface water imports to the City.

The City has not historically worked much with other agencies in the management of their water resources. However, the City plans to build closer relations with the County of Tulare and nearby irrigation and water districts. The City began to develop those relationships during preparation of the General Plan Update in 2006 and continues to build on those relationships.

The City has not been a participant in an Integrated Regional Water Management Plan (IRWMP), but they are interested in evaluating the benefits of participation. Funding is available from Propositions 50 and 84 for IRWMPs. PID may prepare an IRWMP with the member agencies of the Tule River Improvement Joint Powers Agreement, since it includes most of the important regional water users. The City may also consider preparing an IRWMP with the Tulare County Association of Governments. Historically, this group has coordinated mostly on transportation projects, but they could feasibly collaborate on water projects also.



2 PLAN PREPARATION

2.1 Coordination

Legal Requirements:

§10620(d)(2) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.

§10621(b) Every urban water supplier required to prepare a plan pursuant to this part shall, at least 60 days prior to the public hearing on the plan required by §10642, notify any city or county within which the supplier provides water supplies that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. The urban water supplier may consult with, and obtain comments from, any city or county that receives notice pursuant to this subdivision.

§10635(b) The urban water supplier shall provide that portion of its urban water management plan prepared pursuant to this article to any city or county within which it provides water supplies no later than 60 days after the submission of its urban water management plan.

§10642 Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan.

§10642 Prior to adopting a plan, the urban water supplier shall make the plan available for public inspection and shall hold a public hearing thereon. Prior to the hearing, notice of the time and place of hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code. The urban water supplier shall provide notice of the time and place of hearing to any city or county within which the supplier provides water supplies. A privately owned water supplier shall provide an equivalent notice within its service area.

The efforts to prepare this UWMP were coordinated with appropriate agencies to provide the most accurate and clear representation of the water supply in the City.



Table 2-1: Coordination with Appropriate Agencies

(UWMPGB Table 1)

Coordinating Agencies	Participated in Developing the Plan	Commented on the Draft	Attended Public Meetings	Contacted for Assistance	Sent a Copy of the Draft Plan	Sent a Notice of Intention to Adopt
Porterville Irrigation District					X	X
Terra Bella ID					X	X
Saucelito ID					X	X
Lower Tule River ID					X	X
Vandalia ID					X	X
Tea Pot Dome ID					X	X
Tulare County					X	X
Tule River Association					X	X

2.2 Plan Adoption, Submittal, and Implementation

Legal Requirements:

§10640 – 10621(c) The amendments to, or changes in, the plan shall be adopted and filed in the manner set forth in Article 3.

§10642 After the hearing, the plan shall be adopted as prepared or as modified after the hearing.

§10643 An urban water supplier shall implement its plan adopted pursuant to this chapter in accordance with the schedule set forth in its plan.

§10644(a) An urban water supplier shall submit to the department, the California State Library, and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption. Copies of amendments or changes to the plans shall be submitted to the department, the California State Library, and any city or county within which the supplier provides water supplies within 30 days after adoption.

§10645 Not later than 30 days after filing a copy of its plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.

The City will hold a public hearing and adopt the 2010 UWMP on or about August 19, 2014. A copy of the adopting resolution is included in Appendix A. Prior to the public hearing, a notice will be published notifying the public of the pending hearing.

Once the UWMP has been adopted, a copy of the UWMP and amendments will be submitted to DWR and the State Library. Once submitted to DWR, a copy will be made available for public review for 30 days and submitted to Tulare County within 60 days.



3 SYSTEM DESCRIPTION

3.1 Service Area Physical Description

Legal Requirements:

§10631(a) Describe the service area of the supplier.
§10631(a) (Describe the service area) climate.

3.1.1 Location and History

The city of Porterville is located in the San Joaquin Valley in central California. The city is nestled against the western edge of the Sierra Nevada foothills in the southern portion of Tulare County. Porterville is approximately 24 miles southeast of Visalia, California, and 50 miles north of Bakersfield, California. The Friant-Kern Canal, a major conveyance facility of the Central Valley Project, passes approximately four miles to the west of the center of the city. The city is also situated approximately one mile east of the Porterville Irrigation District (PID). PID encompasses about 17,400 acres in Tulare County.

The city of Porterville covered approximately 13.3 square miles in 2005 and 17.6 square miles in 2010 (2010 Census). This UWMP focuses on the city, but still addresses some areas outside of the City that are within the Planning Area as defined in the General Plan update. As described in the General Plan adopted in 2008, the Planning Area covers about 36,341 acres (56.8 square miles). Approximately 25,100 acres (39.2 square miles) or about 70 percent of the Planning Area lies outside of the existing city limits within unincorporated Tulare County. The Planning Area encompasses land that is of interest for long-term planning, including hillsides and surrounding agricultural land. However, being included within the Planning Area does not necessarily mean that the City is considering annexation.

The Tule River, which flows through the southern portion of the city, is one of the principal watercourses in Tulare County. The city is bisected by the Tule River, dividing the northern and southern portions of the city. Under normal conditions, discharge in the Tule River is regulated by Success Dam, located approximately five miles upstream. Tule River flood stages at the city have been reduced significantly by Success Dam, which is operated for flood control by the US Army Corps of Engineers. The 100-year floodplain for the Porterville urban area is delineated by the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps and these floodplains closely correspond to the watercourses that flow through the city. The main channel of the Tule River can pass flows of about 10,000 cubic feet per second (cfs) before extensive damage occurs. Damage to urban property would occur at flows of approximately 16,000 cfs.

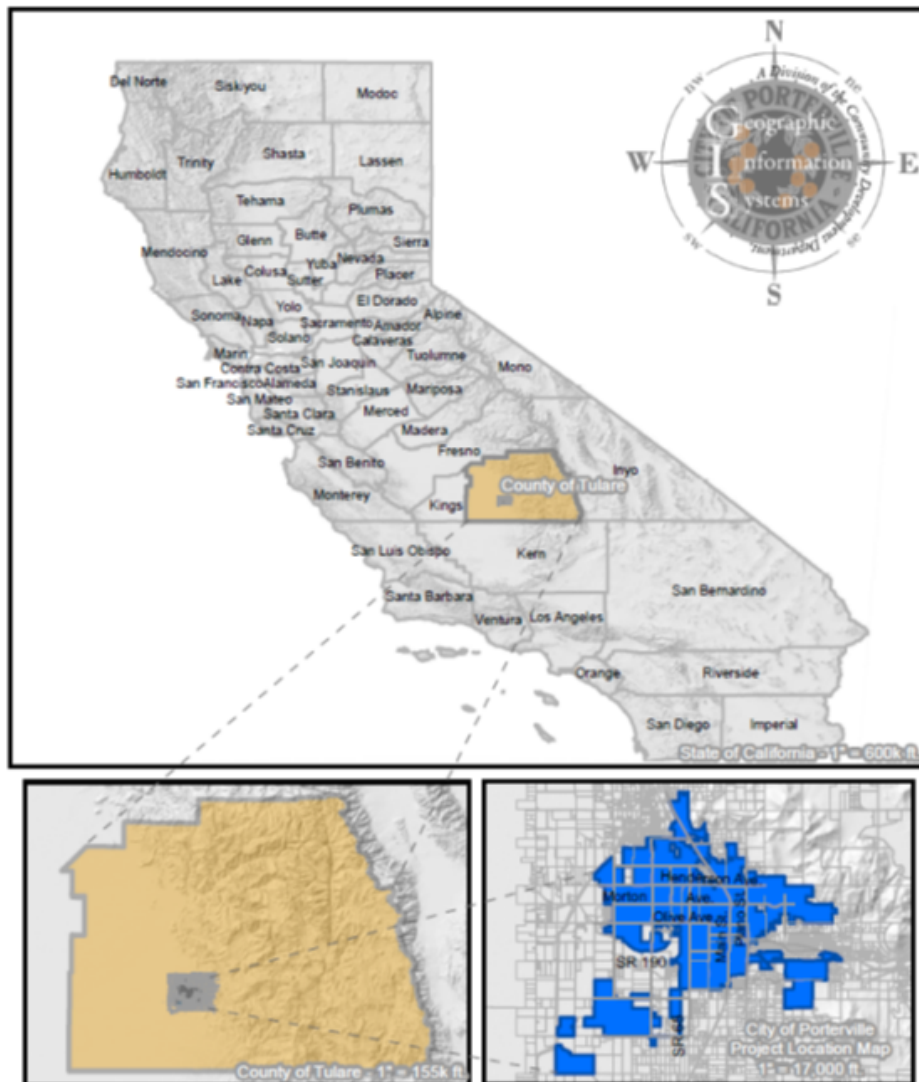
Porter Slough is a natural tributary of the Tule River and flows through the center of the urban area (see Figure 3-1: Regional Location Map). It originates from the Tule River approximately 4 miles upstream from the center of the city, and returns to the river approximately 17 miles below its point of origin. Porter Slough has a designated capacity of 450 cfs and is an officially designated floodway of Tule River, as determined by the



Central Valley Flood Protection Board (known as the Reclamation Board prior to 2008). In practice, the policy has been to prevent Tule River flood flows from entering Porter Slough in order to avoid potential flooding problems in central Porterville. However, controlled flows are released into Porter Slough for groundwater recharge.

Private ditches form another major water feature in the area. Seven ditch companies divert water from points within the Planning Area: Pioneer, Campbell-Moreland, Porter Slough, Vandalia, Poplar, Hubbs-Miner, and Woods-Central. In addition to delivering water for irrigation, these ditches also provide extra capacity to carry peak flood flows and urban stormwater runoff. The Friant-Kern Canal defines the western edge of the Planning Area. Water in the Canal is imported from the San Joaquin River northeast of Fresno, and distributed to the western portion of the Planning Area by the Porterville Irrigation District.

Figure 3-1: Regional Location Map



3.1.2 Land Use

According to the 2008 General Plan, Single-Family Residential and Public/Quasi-Public were the most significant existing land uses located within the 2005 city limits, each representing more than 20 percent of the total land use. More than 1,500 acres (17 percent) of the incorporated land was designated as vacant, with no identified land use designation. Within the Planning Area, approximately 21,270 acres (59 percent) of the total land area was being used for agriculture and other rural uses. Thirteen percent of the entire Planning Area was categorized as single family residential and 10 percent was considered vacant.

Other land uses in the Planning Area include commercial, retail, and industrial. Downtown lies near the center of the Planning Area, bordered by Morton Avenue to the north, Olive Avenue to the south, D Street to the west, and Fourth Street to the east. Main Street is the central commercial street. Other large commercial areas are located along State Route 65 (SR 65) and Olive Avenue. The majority of the industrial sites are in proximity to the intersection of SR 190 and Main Street, and in proximity to the Union Pacific Railroad. A few industrial developments are also located near the Porterville Municipal Airport. **Table 3-1** indicates the distribution of land amongst the various land use categories, as discussed in the 2008 General Plan.

Table 3-1: Land Use Categories (source: *Porterville General Plan* (2008))

Land Use	<i>Incorporated</i>		<i>Unincorporated</i>		<i>Total Planning Area</i>	
	Area (acres)	Percent of Total (%)	Area (acres)	Percent of Total (%)	Area (acres)	Percent of Total (%)
Agricultural/Rural/Conservation	820	9%	20,390	75%	21,210	58%
Single-Family Residential	2,230	24%	2,525	9%	4,760	13%
Multi-Family Residential	170	2%	65	0%	240	1%
Retail Shopping	80	1%	0	0%	80	0%
Commercial	480	5%	277	1%	760	2%
Industrial	320	3%	31	0%	350	1%
Public/Quasi-Public	2,020	22%	614	2%	2,630	7%
Vacant	1,580	17%	2,009	7%	3,590	10%
Unclassified (roads, water, etc.)	1,461	16%	1,220	4%	2,680	7%
Total	9,161	100%	27,131	100%	36,300	100%



3.1.3 Climate

Porterville has an inland Mediterranean climate that is characterized by warm, dry summers and cooler winters. Summer high temperatures often exceed 100 degrees Fahrenheit (°F), averaging in the mid-90s. The daily summer temperature variation can be as high as 30°F. Winters are for the most part mild and humid. Average high temperatures during the winter are in the high 50s to low 60s, while the average daily low temperature is in the 40s. The average annual precipitation in the Porterville area is approximately 11 inches. Approximately 85 percent of the annual precipitation occurs between November and April.

Table 3-2 summarizes the climate data for the city.

Table 3-2: Climate Characteristics

Month	Average Eto	Maximum Temperature	Minimum Temperature	Average Temperature	Average Rainfall
January	1.04	58.5	38.6	48.5	2.10
February	1.88	64.9	42.0	53.5	1.94
March	3.65	71.1	45.7	58.4	2.00
April	5.53	77.2	49.2	63.2	1.05
May	7.20	85.9	55.5	70.7	0.41
June	8.00	93.3	61.8	77.6	0.10
July	8.40	98.8	67.6	83.2	0.02
August	7.46	97.7	65.8	81.8	0.02
September	5.56	92.6	61.0	76.8	0.16
October	3.89	82.3	52.4	67.4	0.56
November	1.89	68.4	43.3	55.8	1.15
December	1.05	58.6	38.0	48.3	1.71
Annual	55.55	79.2	51.8	65.5	11.22

Notes:

- 1) Rainfall and temperature data from Western Regional Climate Center, Porterville Station, based on data from 1981-2010.
- 2) Evapotranspiration data from California Irrigation Management Information System Porterville (#169) Station, based on data from 2000-2012.



3.2 Service Area Population

Legal Requirements:

§10631(a) (Describe the service area) current and projected population...The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier...

§10631(a) ... (population projections) shall be in five-year increments to 20 years or as far as data is available.

§10631(a) Describe...other demographic factors affecting the supplier's water management planning.

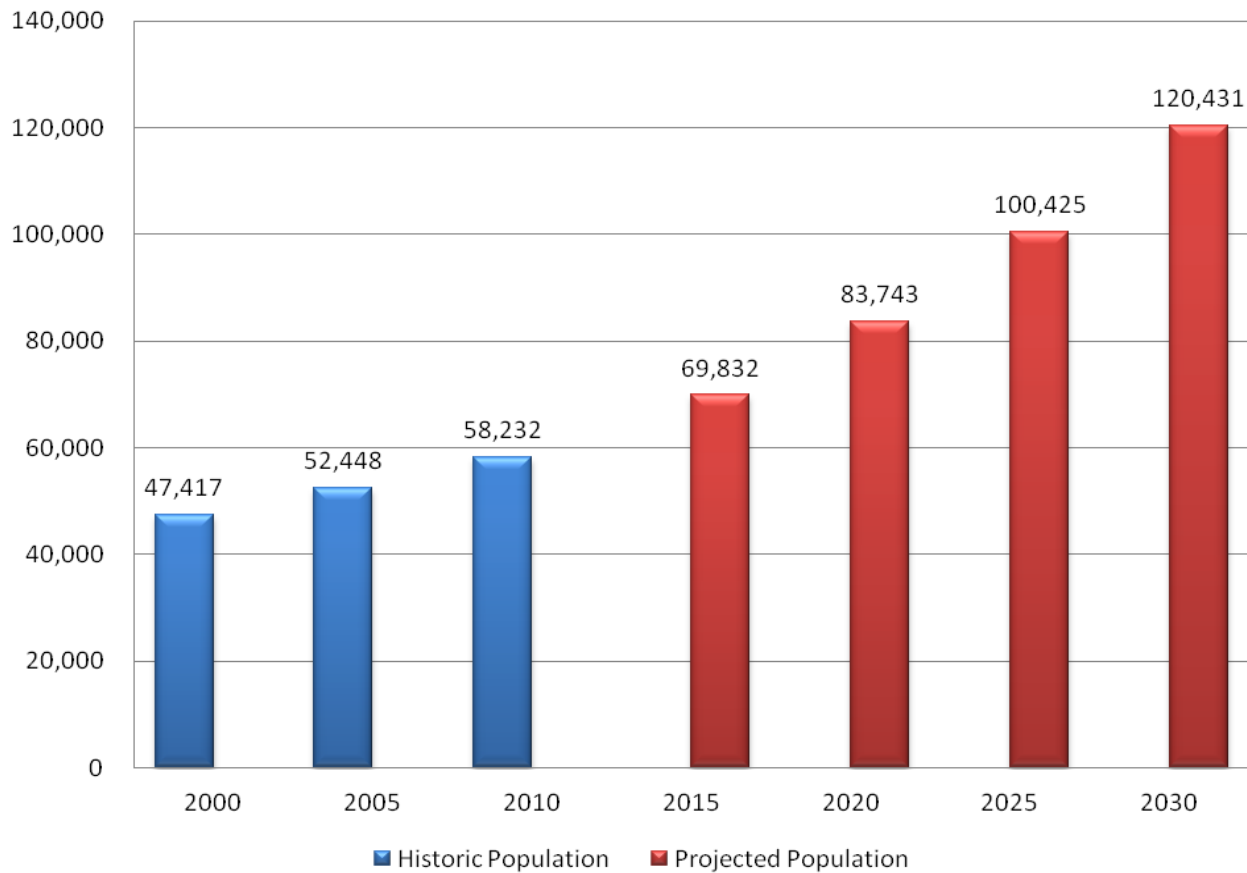
Over the past 30 years, the city of Porterville's population has grown at an average annual rate of 3.7 percent. However, the City's population growth has slowed to an average annual rate of 2.8 percent over the past 15 years. According to the 2010 Census, the city currently has a population of 54,165. Water service is provided to an additional population outside of the city limits of about 4,067 in 2010, for a total 2010 population of 58,232. Buildout according to the 2008 General Plan would accommodate a population of 107,300 residents in the Planning Area through year 2030. However, based on the 2010 population of 54,165, and maintaining the projected annual population growth rate of 3.7 percent, as contemplated in the General Plan, the projected 2030 population is 120,431.

Table 3-3: Service Population – Current and Projected

(UWMPGB Table 2)

	2010	2015	2020	2025	2030
Service area population¹	58,232 ²	69,832 ³	83,743 ³	100,425 ³	120,431 ³
¹ Service area population is defined as the population served by the distribution system.					
² Source: Census (2010) plus population outside of city limits.					
³ Population projections based on 3.7% annual increase (City of Porterville General Plan).					



Figure 3-2: Population – Historical and Projected

The current 2010 City of Porterville population is 54,165 persons in a gross area of 11,270 acres. That equates to an average density of 4.8 persons per gross acre, within the City limits. The current 2010 population between the City limits and the proposed Urban Development Boundary (UDB) is 4,067 persons within 4,900 acres. The service area population includes the City population and the remaining population within the UDB but outside of the City limits, for a total 2010 population within the UDB of 58,232.



4 SYSTEM DEMANDS

4.1 Historical Water Use

Water demands within the City's service area are largely residential, with commercial, industrial, institutional, and City-related consumption accounting for approximately 25% of the total water demand (Water Master Plan 2001). As of 2010, the City has 14,746 metered services, which is 97% of the total service connections.

In 2010, the City produced 12,380 AF (4,034,035,380 gallons) of water from groundwater supplies to serve a population of about 58,232. **Table 4-1** details the actual water deliveries for 2005 in terms of metered versus unmetered services.

The City's water use increased in a fairly linear fashion through 2007. Beginning in 2008, water use began to decline due to economic conditions and water conservation measures. It is anticipated that overall use will continue to increase, but at a slower pace due to growth policies and conservation measures being implemented.

Table 4-1: Water Deliveries – 2005

(UWMPGB Table 3)

Water use sectors	2005				
	Metered		Not metered		Total
	# of accounts	Volume	# of accounts	Volume ³	Volume
Single family	11,907	6,903	449	413	7,316
Multi-family	800	1,296	6	14	1,310
Commercial/Institutional	1,086	2,119	4	12	2,132
Industrial	22	177			177
Landscape Irrigation	2	48			48
Other	156	599			599
Agricultural Irrigation					0
System Losses^{1,2}				610	610
Total	13,953	11,142	459	1,049	12,191

Units: acre-feet per year

1. Unaccounted for system losses are estimated to be five percent of total production.

2. System losses may include leaks, flushing, fires, flow testing, backflushing, etc.

3. Volumes for unmetered connections are estimated based on the total volume less the metered volume and system losses, and the number of unmetered connections for each water use sector.

Approximately 97 percent of the city of Porterville and surrounding communities served by the City water supply system are metered. All new construction will be metered, and meters may be installed on existing unmetered service connections at the request of the customer. There is no proactive system in place to retrofit the remaining unmetered services with meters at this time.



4.2 Baselines and Targets

Legal Requirements:

§10608.20(e) An urban retail water supplier shall include in its urban water management plan...due in 2010 the baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.

Determining the City's baseline per capita use is the first step of calculating the required targets for the 20-year planning period, which will allow DWR to determine the City's compliance with required reduction described in the Water Conservation Bill of 2009.

4.2.1 Baseline

The first step in developing a baseline water usage rate for the City is determining the applicable range of years for which the baseline average will be calculated. It was determined that the City will use the 10-year approach since the City had no recycled water deliveries in 2008. A 5-year baseline is also calculated to assist in establishing the reduction targets. A summary of the 2008 total and recycled water deliveries, 10-year baseline range, and 5-year baseline range is included in **Table 4-2**.

Table 4-2: Base Period Ranges

(UWMPGB Table 13)

Base	Parameter	Value
10-year base period	2008 total water deliveries	13,615
	2008 total volume of delivered recycled water	0
	2008 recycled water as a percent of total deliveries	0
	Number of years in base period ¹	10
	Year beginning base period range	2000
	Year ending base period range ²	2009
5-year base period	Number of years in base period	5
	Year beginning base period range	2003
	Year ending base period range ³	2007
<i>Units : acre-feet per year</i>		
<i>¹If the 2008 recycled water percent is less than 10 percent, then the first base period is a continuous 10-year period. If the amount of recycled water delivered in 2008 is 10 percent or greater, the first base period is a continuous 10- to 15-year period.</i>		
<i>²The ending year must be between December 31, 2004, and December 31, 2010.</i>		
<i>³The ending year must be between December 31, 2007, and December 31, 2010.</i>		

The data used to calculate the baseline is summarized in the following table. The UWMPA requirements state a continuous range must be used with the range ending between the end of 2004 and 2010.



SECTION FOUR

Table 4-3: Base Daily Per Capita Water Use – 10 Year Range

(UWMPGB Table 14)

Base period year		Distribution system population ¹	Daily system gross water use (AF/yr)	Daily system gross water use (mgd)	Annual daily per capita water use (gpcd)
Sequence Year	Calendar Year				
Year 1	2000	47,417	10,577	9.4	199
Year 2	2001	48,638	11,174	10.0	205
Year 3	2002	50,092	12,497	11.2	223
Year 4	2003	50,134	12,340	11.0	220
Year 5	2004	51,401	12,796	11.4	222
Year 6	2005	52,448	12,191	10.9	208
Year 7	2006	50,740	12,767	11.4	225
Year 8	2007	56,698	13,775	12.3	217
Year 9	2008	56,911	13,615	12.2	214
Year 10	2009	57,318	13,156	11.7	205
Base Daily Per Capita Water Use					214
1. Population based on DOF Table E-4 (city of Porterville), 2001-2010 with 2000 and 2010 Census Counts, plus number of connections outside of the city limits at an average occupancy of 3.2 persons per unit.					

The following table summarizes the data used to calculate the 5-year baseline, which has a UWMPA requirement to be a continuous range, ending between the end of 2007 and 2010.

Table 4-4: Base Daily Per Capita Water Use – 5 Year Range

(UWMPGB Table 15)

Base period year		Distribution system population	Daily system gross water use (mgd)	Annual daily per capita water use (gpcd)
Sequence Year	Calendar Year			
Year 1	2003	50,134	11.0	220
Year 2	2004	51,401	11.4	222
Year 3	2005	52,448	10.9	208
Year 4	2006	50,740	11.4	225
Year 5	2007	56,698	12.3	217
Base Daily Per Capita Water Use				218

4.2.2 Targets

Four methods have been developed to determine water use targets for the City. The UWMPA requires a target be established for 2020 and an interim target for 2015. Each method and its calculated water use are described below.



4.2.2.1 Method 1 – 80 Percent

Method 1 is based upon the determined base daily per capita use as determined by the water supplier. The base daily per capita use is 214 gallons per capita per day (gpcd). Method 1 requires that this usage be reduced to by 20%, yielding a target use of 171 gpcd.

4.2.2.2 Method 2 – Performance Standards

Method 2 uses commercial, industrial, institutional, indoor residential, and landscape water usage quantities to calculate a water use target. The City's data is deficient of landscape water usage, therefore making this method impractical for use in calculating a target water use.

4.2.2.3 Method 3 – 95 Percent Hydrologic Region Target

Method 3 is based upon the hydrologic region target, which is reduced by 5% to obtain the 95% target. According to the 20x2020 Water Conservation Plan, the region-specific conservation goal is 188 gpcd for the Tulare Lake region. With this information, Method 3 yields a target use of 179 gpcd.

4.2.2.4 Method 4 – Provisional

Development of Method 4 by DWR began in February 2010. The draft method was released on January 24, 2011. The draft method had to be presented to several agencies including the California Water Commission before being adopted in mid-February 2011 and being released along with DWR's final 2010 guidebook. DWR has stated that this is a provisional method, subject to later revisions during the 2015 UWMP cycle. The methodology for the provisional draft method relies on the base daily per capita use in 2000 and reduction in the three urban use sectors:

- Residential indoor;
- Commercial, industrial, and institutional (CII); and
- Landscape use and water loss.

A discussion of each of these components, and the calculated savings in each of these sectors is included below.

4.2.2.4.1 Residential Indoor Savings

Since indoor and outdoor water use is delivered through a single meter, an assumption of 70 gpcd has been provided by DWR for standard residential indoor water use. To determine indoor residential savings, the draft provisional method outlines two methodologies. First, a best management practices (BMP) calculator has been developed to sum the savings for three conservation elements including single and multi-family residential housing toilets, residential washers, and showerheads. Due to insufficient data on the implementation of these water-saving measures, it will not be discussed further or used to assess indoor residential savings for the city. Therefore, the City will use what



has been termed the “default option” to determine these savings. Based on the draft provisional method, this default value is 15 gpcd.

4.2.2.4.2 Commercial, Industrial and Institutional Savings

Baseline CII water can be easily established for the City since more than 99 percent of the commercial, industrial, and institutional connections were metered in 2000, 2005 and 2010. The calculated baseline for CII use (over the same 2000 through 2009 period) was 42.8 gpcd. The draft provisional method estimates a default value for CII savings of 10 percent. The CII water savings are therefore 4.3 gpcd.

4.2.2.4.3 Landscape and Water Loss Savings

The landscape and water loss water use is determined by subtracting the default indoor water use of 70 gpcd and CII water use of 43 gpcd from the calculated base line per capita use of 214. Based on calculated baseline per capita water use, the landscape and water loss use is 101 gpcd. The draft provisional method estimates a default value for landscape and water loss savings of 21.6 percent. The landscape and water loss savings are therefore 21.9 gpcd.

4.2.2.4.4 Metered Savings

Metered savings are considered in addition to the savings attributed to the three sectors previously discussed. Based on the provisional method, a meter savings of 20 percent is applied to the average delivery per unmetered connection in the midpoint of the baseline period. Using the assumed savings outlined in the provisional method of 20 percent, savings from metering is calculated as 3.6 gpcd.

4.2.2.4.5 Summary

Based on the steps above, the total water savings is estimated at 44.7 gpcd. When compared with the baseline demand of 214 gpcd, this would result in a water conservation target of 169 gpcd.



Table 4-5: Method 4 Summary

	Baseline Water Use (gpcd)	Water Savings (gpcd)
Residential Indoor	70 ¹	-15 ²
CII	43 ¹	-4.3 ³
Landscape/Water Loss	101	-22 ⁴
Metered	N/A	-3.6 ⁵
Totals	214	-44.7
Net Usage	169	
¹ Assumed value based on UWMPGB Draft Provisional Method 4		
² Residential indoor water savings based on UWMPGB Draft Provisional Method 4		
³ CII water savings of 10% based on UWMPGB Draft Provisional Method 4		
⁴ Landscape and Water Loss savings of 21.6% based on UWMPGB Draft Provisional Method 4		
⁵ Metered savings of 20% based on UWMPGB Draft Provisional Method 4		

4.2.2.5 Minimum Water Use Reduction Requirement

The final step in determining the applicability of the water use target for the City is to confirm the water use targets discussed above meet the minimum reduction requirements as defined by DWR. The minimum reduction required by DWR must be below 95 percent of the 5-year baseline, which is 218 gpcd, as defined in **Table 4-4**.

4.2.3 Summary of Baseline and Targets

Based on the water use targets, the City's water use target for 2020 is 179 gpcd, while the interim 2015 target is 197 gpcd (based on 50% of the target conservation below the 10-year baseline). The 2020 target was determined using Method 3, 95% of the regional water conservation goal. According to DWR guidelines, this target is valid because it is less than the target confirmation. A summary of the baselines and targets is presented in the following table.



Table 4-6: Baseline and Targets Summary

Baselines (gpcd)	
10-Year	214
5-Year	218
Target Determinations (gpcd)	
Method 1	171
Method 2	N/A
Method 3	179
Method 4	169
Target Confirmation (gpcd)	207
Target Selected (gpcd)	179
Interim Target (gpcd)	197
<i>Notes:</i> <i>Method 1: 80% of 10-Year Baseline</i> <i>Method 3: 95% of Hydrologic Region Target (Tulare – 179 gpcd)</i> <i>Target Confirmation: 95% of 5-Year Baseline</i> <i>Interim Target: Target Selected plus 10-year Baseline, divided by 2</i>	

4.3 Water Demands

Legal Requirements:

§10631(e)(1) Quantify, to the extent records are available, past and current water use, and projected water use (over the same five-year increments described in subdivision (a)), identifying the uses among water use sectors, including, but not necessarily limited to, all of the following uses:

(A) Single-family residential; (B) Multifamily; (C) Commercial; (D) Industrial; (E) Institutional and governmental; (F) Landscape; (G) Sales to other agencies; (H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof; (I) Agricultural.

§10631(e)(2) The water use projections shall be in the same 5-year increments to 20 years or as far as data is available.

§10631.1(a) The water use projections required by Section 10631 shall include projected water use for single-family and multifamily residential housing needed for lower income households, as defined in Section 50079.5 of the Health and Safety Code, as identified in the housing element of any city, county, or city and county in the service area of the supplier.

Since 2005, new connections to the water system have been added at an average annual rate of 1.1% with an overall water demand increase of 0.3% per year. Approximately 97% of the system is metered, which intrinsically commands a water use efficiency characteristic within the community, promoting conservation. This has contributed to an overall decrease in per capita water consumption over the past five years.

Table 4-9 illustrates current and projected water demand from 2010 to 2030 in acre-feet per year and the number of metered/non-metered service connections for the same time



SECTION FOUR

period. The data for the year 2010 is actual data. For future years the data is projected based on general plan land uses, projected growth rates, and historic demands.

Table 4-7: Water Deliveries 2010 – 2030

(UWMPGB Tables 4, 5, 6 & 7)

	2010				
	Metered		Not Metered		Total
Water use sectors	# of accounts	Volume	# of accounts	Volume	Volume
Single family	12,578	6,401	361	650	7,051
Multi-family	747	1,224	105	564	1,788
Commercial/Institutional	1,071	1,989	3	19	2,007
Industrial	18	78			78
Landscape Irrigation	161	410			410
Other	171	411	2	16	427
Agricultural Irrigation					0
System Losses ^{1,2}				619	619
Total	14,746	10,513	471	1,867	12,380
	2015				
	Metered		Not Metered		Total
Water use sectors	# of accounts	Volume	# of accounts	Volume	Volume
Single family	15,228	7,919	289	607	8,525
Multi-family	938	1,520	84	487	2,007
Commercial/Institutional	1,286	2,508	2	12	2,520
Industrial	22	110			110
Landscape Irrigation	193	802			802
Other	206	659	2	16	675
Agricultural Irrigation					0
System Losses ^{1,2}				770	770
Total	17,873	13,517	377	1,815	15,410
	2020				
	Metered		Not Metered		Total
Water use sectors	# of accounts	Volume	# of accounts	Volume	Volume
Single family	18,435	9,053	208	191	9,245
Multi-family	1,175	1,880	60	144	2,024
Commercial/Institutional	1,543	2,932	1	3	2,935
Industrial	26	120			120
Landscape Irrigation	231	878			878
Other	248	744	1	6	750
Agricultural Irrigation					0
System Losses ^{1,2}				840	840
Total	21,658	15,607	270	1,184	16,791
	2025		2030		



Water use sectors	Metered		Metered	
	# of accounts	Volume	# of accounts	Volume
Single family	22,357	11,179	26,811	13,406
Multi-family	1,481	2,370	1,776	2,842
Commercial/Institutional	1,852	3,519	2,221	4,220
Industrial	31	140	37	170
Landscape Irrigation	277	1,025	332	1,262
Other	299	897	359	1,077
Agricultural Irrigation				
System Losses ^{1,2}		1,007		1,207
Total	26,297	20,136	31,536	24,183

Units: acre-feet per year

1. Unaccounted for system losses are estimated to be five percent of total production.

2. System losses may include leaks, flushing, fires, flow testing, etc.

4.3.1 Residential Customer Class

Rural Residential This designation is intended to allow opportunities for rural living on lots ranging in size from 2.5 to 10 acres or more. This land use is around the periphery of the community because it helps serve as a transition between agriculture/open space and more intensive urban uses. This type of development helps define the limits of urban development. Clustered development is encouraged, and smaller lots may be allowed, provided that the overall density does not exceed 0.2 units per acre, with lower limits applying in the Hillside Development Zone.

Resort Residential This designation is intended to allow residential development along the Lake Success shore and surrounding hillsides. There is an emphasis on creating a resort community with supporting commercial and recreation uses. Pedestrian-oriented design standards, including clustered development patterns, will promote sustainable development. The maximum overall density is 5.0 units per acre, with lower limits applying in the Hillside Development Zone.

Very Low Density Residential This designation is typical of large lot or executive home single-family subdivisions. The maximum residential density is 2.5 units per gross acre.

Low Density Residential This density represents typical single-family subdivisions. The maximum residential density is 6.0 units per gross acre.

Low-Medium Density Residential This density is also for typical single-family subdivisions, but allows for smaller lots. The maximum residential density is 9.0 units per gross acre.

Medium Density Residential This density range would accommodate a variety of housing types, such as small-lot single-family homes, detached zero lot line developments, duplexes, townhouses, and garden apartments. Pedestrian-oriented design and clustered development can support higher levels of density. The maximum residential density is 12.0 units per gross acre.



High Density Residential This classification is intended to accommodate attached homes, two- to four-plexes, and apartment buildings. The maximum residential density is 24.0 units per gross acre.

4.3.2 Mixed-Use Customer Class

Downtown Mixed-Use Downtown Mixed-Use development allows for a mostly vertical mix of commercial, service, office, and residential uses. The vertical nature of this type of use may allow for a reduction in the minimum parking requirements. This designation allows a maximum FAR of 3.0. The maximum residential density is 30.0 units per gross acre.

Commercial Mixed-Use This designation allows for either horizontal or vertical mixed-use development. Commercial, service, office, and residential uses are allowed. Buildings more than one story are strongly encouraged. The designation allows a maximum FAR of 2.0. The maximum residential density is 24.0 units per gross acre.

4.3.3 Commercial/Office/Industrial Customer Class

Downtown Retail Pedestrian-oriented and “Main Street” design standards, a vertical mix of uses, and the retention of a unique retail environment is the focus in the Downtown area. This designation allows for a maximum FAR of 3.0.

Retail Centers Design and use standards will be established for regional shopping centers located at major circulation intersections. Large format or “big box” retail and auto sales as well as travel related services, such as hotels and gas stations are allowed. This designation allows for a maximum FAR of 0.35.

General and Service Commercial This designation is intended for retail and services uses that meet local and regional demand. Examples of allowable uses include: equipment rental and repair, commercial print shops, auto sales, storage facilities, and wholesale businesses, and specialized retail not normally found in shopping centers. Accessory office uses related to the primary commercial use are also allowed. This designation allows for a maximum FAR of 0.40.

Neighborhood Commercial This designation is intended for small-scale commercial development that primarily provides office space and convenience retail for local neighborhoods. This designation allows for a maximum FAR of 0.30.

Professional Office This designation is intended for office complex development, including professional and medical offices, as well as research and development activities. Small restaurants, support services, convenience retail and limited medium and high density residential are also allowed. This designation allows for a maximum FAR of 0.50.

Industrial Park This designation comprises a mix of light industrial, secondary office, bulk retail, and service uses. Typical uses include warehouse, mini-storage, research and development, wholesale, bulk retail, and office space with limited customer access. Other uses may be allowed, such as commercial recreation, distribution centers, or other uses that require large, warehouse-style buildings. Small-scale retail and service uses serving local employees and visitors are permitted as secondary uses. This designation allows for a maximum FAR of 0.40.



Industrial This designation allows primary manufacturing, refining, and similar activities including those with outdoor facilities. It also accommodates warehousing, distribution, with support commercial services and ancillary office space. No retail uses are allowed. This designation allows for a maximum FAR of 0.60.

4.3.4 Agricultural/Rural/Conservation

This designation preserves agricultural and resource conservation areas. Incidental residential uses with septic systems are allowed, subject to health and environmental standards. Clustered housing is strongly encouraged because it makes the provision of other infrastructure, such as roads and electricity, more cost-effective and limits the impact on natural resources. Industrial gravel and aggregate mining is allowed in areas designated as Mineral Resource Zones.

4.3.5 Public Uses and Open Space

Public/Institutional This designation is intended for lands owned by public entities, including the Municipal Airport, City Hall, County buildings, and the hospital. At the Municipal Airport, industrial park uses will be allowed. It will provide for needed public facilities, including, but not limited to, recycling centers, sewage treatment ponds, and police and fire stations. This designation allows for a maximum FAR of 0.25.

Education This designation is intended for lands owned by public or private entities for educational purposes, including schools, colleges, vocational training facilities, and administrative offices.

Commercial Recreation This designation is intended for campgrounds, off-road vehicle complexes, and other recreation areas where patrons usually pay to participate. The maximum FAR is 0.10.

Park This designation applies to both public and private recreation sites and facilities. It allows for a maximum FAR of 0.10.

4.4 Water Demand Projections

Legal Requirements:



§10631(k) Urban water suppliers that rely upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision (c). An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and (c).

The population growth data summarized in **Table 3-3** was used to estimate the future water use within the city. The population in 2010 was 58,232 and is projected to reach 120,431 in 2030.

The City of Porterville does not currently sell water to any other agencies, and has no plans to sell water to other agencies in the future.

Table 4-8: Sales to Other Water Agencies

(UWMPGB Table 9)

Water distributed	2005	2010	2015	2020	2025	2030
N/A	0	0	0	0	0	0
Total	0	0	0	0	0	0
<i>Units :acre-feet per year</i>						

The City has projected future additional water uses and losses including use of water for groundwater recharge. These values are presented in **Table 4-9**, but they do not represent additional water sources or demands. All water that is recharged will later be pumped and consumed; hence, it is incorporated into the numbers in **Table 4-7**. Recycled water is used for groundwater recharge and crop irrigation, however it is not used to directly meet the demands of the city customers, and is therefore not considered in this section. System losses have already been accounted for in **Table 4-7**, and are not reproduced in **Table 4-9**.

Table 4-9: Additional Water Uses and Losses

(UWMPGB Table 10)

Water use	2005	2010	2015	2020	2025	2030
Groundwater Recharge ¹	0	0	0-1,800	0-1,800	0-1,800	0-1,800
Untreated Surface Water ²	0	0	0	0	0	0
Recycled water ³	0	0	0	0	0	0
System losses ⁴	0	0	0	0	0	0
Total	0	0	0-1,800	0-1,800	0-1,800	0-1,800
<i>Units :acre-feet per year</i>						
<i>Source:</i> ¹ Only a range of values for groundwater recharge can be provided at this time. Recharge is assumed to range from 0% to about 200% of annual average surface water deliveries (2005 UWMP). ² No untreated surface water considered. ³ No recycled water considered. ⁴ System losses are assumed to be 5% of total water delivered into the system; these losses have already been accounted for						

SECTION FOUR

in Table 4-1 and Table 4-7.

Table 4-10: Total Water Use

(UWMPGB Table 11)

Water Use	2005	2010	2015	2020	2025	2030
Total water deliveries ¹	12,191	12,380	15,410	16,791	20,136	24,183
Sales to other water agencies ²	0	0	0	0	0	0
Additional water uses and losses ³	0	0	0-1,800	0-1,800	0-1,800	0-1,800
Total	12,191	12,380	15,410	16,791	20,136	24,183
<i>Units :acre-feet per year</i>						
¹ Table 4-1 and Table 4-7						
² Table 4-8						
³ Table 4-9						

As shown above, the total water use for the City service area will continue to increase due to population growth.



4.5 Planned Development

§10910(a) Any city or county that determines that a project, as defined in section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.

§10912 For the purpose of this part, the following terms have the following meanings:

§10912(a) "Project" means any of the following:

- (1) A proposed residential development of more than 500 dwelling units.*
- (2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.*
- (3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.*
- (4) A proposed hotel or motel, or both, having more than 500 rooms.*
- (5) A proposed industrial, manufacturing or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.*
- (6) A mixed-use project that includes one or more of the projects specified in this subdivision.*
- (7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.*

Legal Requirements:

Within the next five years the City has a few large scale projects planned that may fall within the statutory definition under §10912(a). They include the River Walk Commercial Center located on S. Jaye Street at the intersection with Hwy. 190, and the South County Detention Facility located on Scranton Ave at the intersection with Newcomb Street.

4.5.1 Low Income Projected Water Demands

The City of Porterville General Plan references the Housing Element, which is included in a separate volume and was adopted in March 2004. The Housing Element has since been updated, and a Final Draft Housing Element was updated on May 18, 2010. The Housing Element contains the Regional Housing Needs Allocation (RHNA) and the assumptions used to develop the allocations. The RHNA identified the need to construct 1,224 very low-and 862 low-income housing units by 2014. Since the RHNA used January 1, 2007, as the baseline for growth projections for the Housing Element planning period of 2009-2014, any new units built or issued certificates of occupancy since 2007 may be counted. Based on the 2010 Housing Element, 213 very low and low income housing units have been developed, approved, or are under construction since January 2007. With these credits, the City has remaining RHNA including 1,173 very low income units and 700 low income units.

To calculate the low income water demands, the 2010 Census shows 3.27 persons per occupied household and the interim demand target of 197 gpcd will be used for 2015, and the 2020 target of 179 gpcd will be used for the years 2020 through 2030.

For the year 2015:

$$1,873 \times 3.27 \text{ persons per unit} \times 197 \text{ gpcd} \times 365 \text{ days} \div 325,851.4 \text{ gallons per AF} =$$



1,352 AF per year demand.

For the years after 2015, the low income demand will be reduced to 1,228 AF per year based on the 2020 target of 179 gpcd.

Table 4-11: Low Income Projected Water Demands

(UWMPGB Table 8)

Low Income Water Demands	2015	2020	2025	2030
Residential	1,352	1,228	1,228	1,228
Total	1,352	1,228	1,228	1,228
<i>Units : afy</i>				

4.6 Water Use Reduction Plan

Legal Requirements:

CWC§10608.26 Urban wholesale water suppliers shall include in the urban water management plans . . . an assessment of their present and proposed future measures, programs, and policies to help achieve the water use reductions required by this part (10608.36). Urban retail water suppliers are to prepare a plan for implementing the Water Conservation Bill of 2009 requirements and conduct a public meeting which includes consideration of economic impacts.

The previously discussed water use targets will result in a large amount of water conserved but will take a significant effort to attain. The following demand projections are not inclusive of the demand management measures, as those are difficult to quantify and will be better understood with actual data as the measures are implemented.

Table 4-12: Total Water Use Projections

Demand Projection	2015	2020	2025	2030
Population	69,832	83,743	100,425	120,431
Demand Projection w/o Water Conservation	16,712	20,041	24,033	28,821
Demand Projection w/ Water Conservation	15,410	16,791	20,136	24,147
Difference	1,330	3,283	3,937	4,721
<i>Units : af/yr</i>				

Figure 4-1: Projected Water Demands with and without Conservation

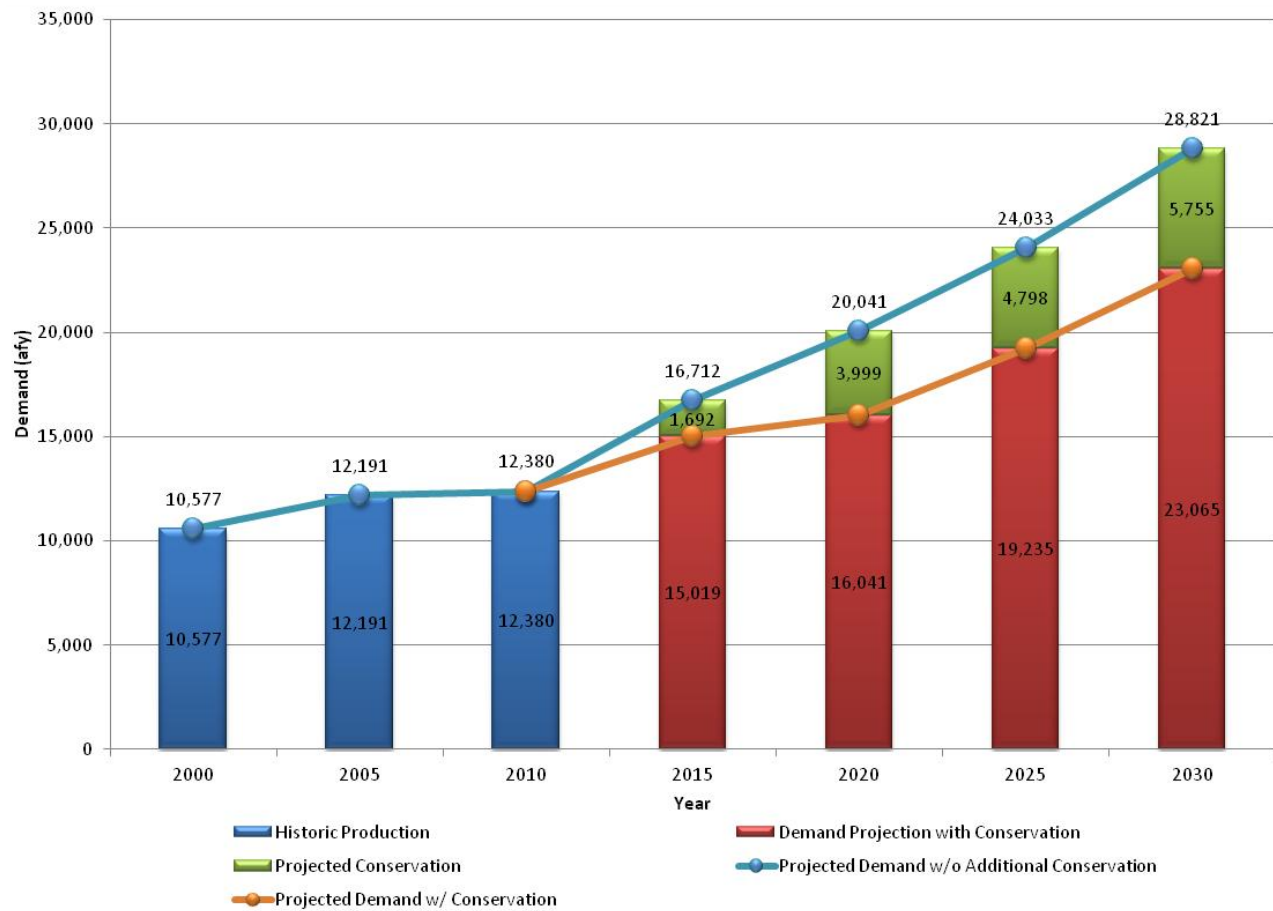


Figure 4-1 shows the difference in water use projections with and without conservation practices in place. The City will have to achieve a water savings of 5,753 afy by 2030. To achieve these savings, the City will make efforts toward implementing the DMMs described in Section 6. Of primary importance are the residential DMMs, as the customer base is largely residential.



5 SYSTEM SUPPLIES

5.1 Water Sources

Legal Requirements:

§10631(b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a).

UWMPA requirements state the water supplier must describe their existing and planned water supply sources for the next 20 years. The following description includes information such as water rights, an overdraft summary, any adjudication decrees and other pertinent information.

5.1.1 Water Supply and Storage Facilities

The City of Porterville has historically relied on groundwater to supply municipal water to its residents. In addition to groundwater, the City has purchase rights for about 900 AF annually from the Pioneer Ditch Company and Porter Slough Ditch Company (General Plan 2008). Some of this surface water is used for a small pond at Murry Park in Porterville, but historically most of this water has not been used by the City. However the City has recently begun a ground water recharge program with this surface water.

Water production and distribution in the city are provided by two separate water systems maintained and operated by the Public Works Department. Each system is completely independent of each other. The systems include the Central City System and the Rowland Water System.

According to the General Plan, the City has 34 active wells serving the Planning Area, which includes both water systems. Water is distributed from the wells through approximately 200 miles of pipeline operated and maintained by the Public Works Department. The City has approximately 14,746 metered connections, of which approximately 13,325 are residential meters.

The City's municipal wells are generally scattered west of Plano Avenue and south of Westfield Avenue. The area east of Plano Avenue is considered water deficient. The City currently operates and maintains five hillside reservoirs, including three 3.0 million gallon reservoirs, one 550,000 gallon reservoir, and one 300,000 gallon reservoir.

Current and future supply projections through 2030 are shown in **Table 5-1**. The City of Porterville expects to update their Water System Master Plan in 2015-2016. This will include a water balance study as well as analysis of the distribution facilities needed to accommodate population growth, potential need for a surface water treatment plant, and the facilities needed to accept and recharge surface water. After completion of the Master Plan, several new projects will likely be identified to improve the distribution system and provide greater assurance that the City can meet peak water demands.



SECTION FIVE

The City has established a goal of gradually reducing groundwater pumping to match the aquifer safe yield by 2020 (UWMP 2007). The City anticipates purchasing surface water and implementing water conservation programs to meet the remaining demands. Purchase of surface water will be either recharged or treated and delivered directly to users. In order to safely deliver surface water to customers, the City would need to build a surface water treatment plant.

Table 5-1: Water Supplies

(UWMPGB Table 16)

Water Supply Sources	2010	2015	2020	2025	2030
Porterville Produced Groundwater ¹	12,380	15,410	16,791	20,136	24,183
Surface Water Diversions ²	0	900	900	900	900
Surface Water Purchases ³	0	1,500	3,520	4,300	5,440
Total	12,380	17,810	21,211	25,336	30,523
<i>Units : acre-feet per year</i>					
<i>Sources:</i>					
¹ The aquifer safe yield is assumed to be 1.0 AF/acre. This value is approximate and needs to be verified with a detailed water balance study.					
² Includes water rights on the Tule River with the Pioneer Ditch Company and Porter Slough Ditch Company.					
³ Surface water sellers are likely to include Porterville Irrigation District and other local irrigation and water districts.					

Table 5-2: Wholesale Supplies

(UWMPGB Table 17)

Wholesale Sources	Contracted	2015	2020	2025	2030
N/A	0	0	0	0	0

The City does not use wholesale water for its supply source.



5.2 Groundwater

Legal Requirements:

§10631(b) (Is) groundwater...identified as an existing or planned source of water available to the supplier...

§10631(b)(1) (Provide a) copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.

§10631(b)(2) (Provide a) description of any groundwater basin or basins from which the urban water supplier pumps groundwater.

§10631(b)(2) For those basins for which a court or the board has adjudicated the rights to pump groundwater, (provide) a copy of the order or decree adopted by the court or the board.

§10631(b)(2) (Provide) a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree.

§10631(b)(2) For basins that have not been adjudicated, (provide) information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition.

§10631(b)(3) (Provide a) detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

§10631(b)(4) (Provide a) detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

5.2.1 Groundwater Description and Management Plan

The city is located within the Tule Sub-basin of the San Joaquin Valley Groundwater Basin. The Tule Sub-basin is not presently adjudicated but is considered to be in a state of overdraft. The area is underlain by an unconfined aquifer which receives groundwater recharge from the Sierra Nevada Mountains and seepage from the Tule River and irrigation ditches. The alluvial fans of the Tule River provide highly permeable area in which groundwater is readily replenished. Annual rainfall in Porterville usually ranges from eight to 12 inches; however, there is no estimate of what percentage of rainfall reaches the groundwater supply.

Groundwater quality in the Porterville area is generally good. Groundwater quality and quantity is generally better on the western edge of town, which is why most of the production wells are located in that area. A few wells have been shut down due to water quality problems. Wells adjacent to Porter Slough have been closed due to perchloroethylene (PCE) contamination, and a few wells in the downtown area and eastern portion of town have nitrate problems (originating from citrus orchards). All active wells produce water that meets State and Federal drinking water quality standards. The City does not currently treat any groundwater supply well.

More detailed information on the groundwater conditions within the city of Porterville area is provided in an October 2009 report prepared by Kenneth Schmidt and Associates, entitled *Groundwater Conditions within the City of Porterville Urban Area Boundary*.



The City does not currently have a Groundwater Management Plan (GMP). The Deer Creek and Tule River Authority (DCTRA) is a joint powers authority comprised of five local irrigation districts in the vicinity of Porterville. The DCTRA adopted a new Groundwater Management Plan (GMP) in the summer of 2006. The City may consider becoming a partial or full member of the DCTRA and signatory to the GMP, or the City may develop their own GMP.

5.2.2 Groundwater Levels and Historical Trends

Groundwater levels have declined an average of 0.75 feet per year on well hydrographs completed by the Department of Water Resources. In addition, well yields have decreased substantially in the past 10 years. Some City wells have had capacity reductions from 1,500 gallons per minute (gpm) to 500 or 600 gpm. New wells typically have capacities of 500 gpm or less (General Plan).

According to a 2009 Ken Schmidt report regarding groundwater conditions within the city of Porterville,

“The decreases in specific capacities and pumping rates for a number of City wells are not indicative of an overall long-term overdraft, or that the City may ‘run out of water’ within a few years. Rather, they are indicative of short-term decreases in saturated thickness during droughts, and for some flo-path wells, of well plugging.”

5.2.3 Sources of Recharge

The City has not recharged groundwater in the past, however they are interested in developing a recharge program, particularly in the Porter Slough. The City currently owns approximately 25 stormwater detention basins, which allow for incidental groundwater recharge. The City will consider additional water detention basins, which could serve as both stormwater detention and groundwater recharge. Some of the best topsoils for groundwater recharge are located along the present or ancestral channels of the Tule River (General Plan).

5.2.4 Existing and Projected Groundwater Pumping

The City has historically relied on groundwater pumping for most of its water supply. The following tables show the quantities of groundwater the City has pumped in the past five years and anticipates what will be pumped through 2030.



Table 5-3: Groundwater – Volume Pumped

(UWMPGB Table 18)

Basin name(s)	Metered or Unmetered	2006	2007	2008	2009	2010
Tule Sub-basin	Metered	11,259	12,381	12,075	11,295	10,513
Tule Sub-basin	Unmetered	1,508	1,394	1,540	1,861	1,867
Total groundwater pumped		12,767	13,775	13,615	13,156	12,380
Groundwater as a percent of total water supply		100.0%	100.0%	100.0%	100.0%	100.0%
Units: acre-feet per year						

Table 5-4: Groundwater – Volume Projected to be Pumped

(UWMPGB Table 19)

Basin Name(s)	2015	2020	2025	2030
Tule Sub-basin	15,410	16,791	20,136	24,183
Total groundwater pumped	15,410	16,791	20,136	24,183
Percent of total water supply	100%	86%	79%	79%
Units: acre-feet per year				

As shown in **Table 5-3**, the amount of groundwater being pumped has seen a decline from 2007 to 2010 due to decrease in demands. The projection from 2010 to 2030 anticipates that the amount of groundwater being pumped will increase due to population increases, while the percent of the total water supply that groundwater represents will decrease with the introduction of surface water supplies. The City is considering surface water treatment as a long term water supply option to relieve their reliance on groundwater.

5.3 Transfer Opportunities

Legal Requirements:

§10631(d) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

The City of Porterville presently has limited water supplies that could be transferred or exchanged. Groundwater constitutes the majority of the City's water supply and cannot be transferred or exchanged. The City has rights to 900 AF of Tule River water with the Pioneer Ditch Company and Porter Slough Ditch Company. The City will not likely transfer or exchange these supplies, but plans to use them directly for groundwater recharge, landscape irrigation, or as treated surface water.

The City is interested in purchasing (transferring in) surface water from other agencies. The City has determined that surface water is needed to supplement groundwater due to rapidly declining well yields. Surface water purchases will improve the reliability of the City's water supply.



The City has established a goal of gradually increasing surface water purchases between 2010 and 2020 so that groundwater pumping is equal to the safe yield in 2020. Surface water will be either recharged or treated and delivered directly to users. When possible, the City will take advantage of more affordable floodwaters and recharge more water in wet years. As a result, surface water purchases will vary annually, but, on a long-term average, will meet their purchase goals.

5.3.1 Existing Surface Water Rights

The City has limited surface water rights in the Pioneer Ditch Company and Porter Slough Ditch Company. These water rights can provide up to 900 AF of water per year from the Tule River. Some of this water is used for a small pond at a municipal park in the City, but historically, most of this water has not been used by the City. By virtue of holding stock in the two ditch companies, the City is allowed to divert Tule River floodwater in some years for free. Flood releases, under direction of the Corps of Engineers, are charged against the Success Reservoir storage accounts with the highest percentage of their allowable storage space filled. The units, whose stored water is released for flood control, has first call on the flood released water for their irrigation and spreading demands, after which the flood released water is available to others. When feasible, the City will divert these flood waters for groundwater recharge.

5.3.2 Other Surface Water Sources

Other surface water sources potentially available to the City include Central Valley Project Friant water and other Tule River waters. Central Valley Project Friant water originates in Lake Millerton and is conveyed through the Friant-Kern Canal. This water is not fully reliable since the Friant-Kern Canal is taken out of service for a 10-week period every three years. However, this impact would be minor since the outage period is relatively short, the City has a groundwater supply, and there would be low demand for water when the Canal is taken out of service (winter months). In addition, Porterville could use existing storage facilities to store surface water prior to a canal outage. Tule River water is stored in Lake Success, which is located a few miles east of the city.

5.3.3 Surface Water Purchases

The Porterville Irrigation District, located west of the City, has appropriate water rights on Tule River, ditch company water rights on the Tule River, and Central Valley Project Friant Division water rights. Due to the seasonal nature of water supplies and demands, the Porterville Irrigation District sometimes has more water available to its landowners than they can reasonably use at the time. It is during these periods that PID would be able to sell some of their water to the City. PID has been able to find willing buyers for the water, but they would prefer to sell it to a local agency, such as the City of Porterville, since that would benefit PID's groundwater levels and the local community. The City and PID have held several meetings to discuss surface water purchases and both sides are committed to holding further discussions and hope to ultimately negotiate a surface water purchase agreement.



In December 2006 the City approved \$34,000 per year for three years to purchase surface water for groundwater recharge. This was the first major commitment by the City to import surface water and address the problem of declining well yields. If local irrigation districts sell surplus CVP water to the City with no markup, then the water would cost about \$50/AF. This represents the lower end of possible water costs and at this price the \$34,000 could purchase 680 AF/year or about 6% of the 2005 City water demands. It should be recognized, however, that surface water could cost up to \$100/AF or more.

5.3.4 Surface Water Treatment

The City will need to construct a surface water treatment plant if surface water supplies are delivered directly to customers. Boyle Engineering Corporation has prepared a report outlining the steps needed to develop a plant. The City has determined that a surface water treatment plant will need a fairly firm water supply and operate the majority of the time to be economical. The City has held discussions with Porterville Irrigation District about partnering on the construction and operation of a treatment plant. The results of the discussions were favorable and both sides are interested in further negotiations. Construction of a surface water treatment plant will be dependent on the City receiving approval for a \$5 million infrastructure loan.

Table 5-5: Transfer and Exchange Opportunities

(UWMPGB Table 20)

Transfer agency	Transfer or exchange	Short term or long term	Proposed Volume
Pioneer Ditch Company and Porter Slough Ditch Company	Transfer	Long Term ¹	900
Porterville Irrigation District	Transfer	Long Term ¹	5,000
Total			5,900
Units : acre-feet per year			
¹ Volume to be provided to the City as raw water to be recharged or treated by the City.			

5.4 Desalinated Water Opportunities

Legal Requirements:

§10631(i) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

There are no opportunities to develop desalination of ocean water or brackish ocean water since the city of Porterville is located in the Central San Joaquin Valley. In addition, the groundwater is of adequate quality and desalination is not necessary.

Table 5-6: Desalination Opportunities

Water Source	Proposed Volume to be Desalinated
Seawater	0
Brackish Seawater	0
Brackish Groundwater	0
Total	0
<i>Units : acre-feet per year</i>	

5.5 Recycled Water Opportunities

Legal Requirements:

§10633 Provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area.

§10633(a) (Describe) the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.

§10633(b) (Describe) the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

§10633(c) (Describe) the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.

§10633(d) (Describe and quantify) the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.

§10633(e) (Describe) the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.

§10633(f) (Describe the) actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.

§10633(g) (Provide a) plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.

The City owns and operates a wastewater treatment plant that provides secondary level treatment of all of the city's wastewater. In 2005, the city generated approximately 5 million gallons (MG) of wastewater each day. Recently, wastewater generation has averaged about 47% of total water used. The difference between the water demand and effluent is considered the outside water use. Accordingly, the wastewater generation will increase to an estimated 10 MG/day (annual average) by 2030.

The City presently uses wastewater effluent (recycled water) for groundwater recharge and crop irrigation. Six ponds are used to percolate wastewater effluent. In the spring and summer the ponds are dry because the effluent is used to irrigate crops. Crops are irrigated with recycled water on agricultural land located about five to six miles from the city's center. The City has annexed this land so they can keep it under agricultural production and ensure that there is always a demand for the effluent.

5.6 Coordination

The City has not actively involved other agencies in determining the best uses for recycled water, partly because all of the water is already being used for beneficial purposes. The City has been encouraged by several parties to consider other uses for the water, such as landscape irrigation, dual distribution systems, and industrial water supply, but tertiary level treatment would need to be added to their wastewater treatment plant. If opportunities arise to use recycled water for other uses, then a public hearing will be used to solicit comments from the public and other agencies.

5.7 Wastewater Quantity, Quality and Current Uses

Table 5-7 summarizes the past and projected volumes of wastewater generated and treated in Porterville. A breakdown of recycled water use for crop irrigation and groundwater recharge is not available. More detailed data on recycled water use will be maintained in the future. Estimating future recycled water uses would be highly speculative and therefore is not included here. However, the City plans to recycle 100% of its effluent (i.e. none will be sent to evaporation ponds). It is also likely that some recycled water will be used for groundwater recharge and crop irrigation through 2030. It is possible that some will be used for landscape irrigation in the future.

The use of recycled water for residential non-potable use would only be possible if a dual distribution system is constructed and the water receives tertiary-level treatment. The construction of a dual distribution system would only be practical in new developments. The City plans to investigate the use of dual distribution systems in the near future.

Table 5-7: Recycled Water – Wastewater

(UWMPGB Table 21)

Type of Wastewater	2005	2010	2015	2020	2025	2030
Wastewater collected & treated in service area ¹	5,693	5,782	7,160	7,841	9,417	11,294
Volume that meets recycled water standard (Secondary Level)	5,693	5,782	7,160	7,841	9,417	11,294
Units : acre-feet per year						
1. Wastewater assumed to be approximately 46.7% of total water delivered into system.						

In 2008, the City pumped about 13,300 acre-feet of water for public supply. The amount of wastewater effluent generated at the City WWTF was about 5,100 acre-feet for the same year. The residual, or approximately 8,200 acre-feet, is considered the outside water use within the water supply area. Of this, an estimated 70 percent (5,700 acre-feet) was consumed by evapotranspiration (Schmidt 2009).

Of the 5,100 acre-feet of effluent that was generated, 3,100 acre-feet of effluent was applied for irrigation of 425 acres of crops in the airport area in 2008. An estimated 1,500



acre-feet was applied within the proposed UDB. In 2008, 2,000 acre-feet of effluent was delivered to percolation basins in the Old Deer Creek channel. Of this amount, an estimated 50 acre-feet was lost to evaporation, and the remaining 1,950 acre-feet percolated to the groundwater (Schmidt 2009).

During the winter, most of the City effluent has been percolated in basins in the Old Deer Creek channel, located immediately south of the UAB. In 2008, about 1,950 acre-feet of this effluent percolated to the groundwater (Schmidt 2009).

Table 5-8: Recycled Water – Wastewater Disposal

(UWMPGB Table 22)

Method of disposal	Treatment Level	2010	2015	2020	2025	2030	2035
Percolation Ponds	Secondary	1,999	2,005	2,011	2,017	2,023	2,029
Recycled Water Use	Secondary	3,024	3,033	3,042	3,051	3,060	3,069
Groundwater Recharge	Secondary						
Total		5,024	5,038	5,053	5,068	5,083	5,098
<i>Units : acre-feet per year</i>							

Table 5-9: Recycled Water – Projection Compared to Actual

(UWMPGB Table 24)

Use Type	2010 Actual Use	2005 Projection for 2010 ¹
Agricultural irrigation/incidental recharge	3,025	4,269
Landscape irrigation ²	0	0
Industrial reuse	0	0
Groundwater recharge	1,999	750
Water feature	0	0
Total	5,024	5,019
<i>Units : afy</i>		
¹ From the 2005 UWMP. There has been some modification of use types. Data from the 2005 UWMP can be left in the existing categories or modified to the new categories, at the discretion of the water supplier.		
² Includes parks, schools, cemeteries, churches, residential, or other public facilities)		



Table 5-10: Recycled Water – Potential Future Users

(UWMPGB Table 23)

User Type	Description	Feasibility	2015	2020	2025	2030	2035
Agricultural irrigation	Tertiary Treated	Yes	3,033	3,042	3,051	3,060	3,069
Landscape irrigation	Tertiary Treated	Yes	0	0	0	0	0
Industrial reuse	Tertiary Treated	No	0	0	0	0	0
Groundwater recharge	Tertiary Treated	Yes	2,005	2,011	2,017	2,023	2,029
Water feature	Tertiary Treated	Yes	0	0	0	0	0
Units : afy							
Note: Each line item is a possible use; not all would be utilized concurrently.							

It will be much easier to encourage the use of recycled water in areas that are not yet developed. The City is considering requiring that new development within areas to receive recycled water install recycled water mains (purple pipe) to supply recycled water to landscape areas. The City would be able to guarantee availability to customers even during water shortages that are not disaster related.

Customers will be educated about the uses of recycled water and the need for its reuse. Potential customers will be educated about the merits of using recycled water for recirculation uses. During the development process, the City will promote, encourage, and in some cases, require potential developments to include ways to use recycled water. The following table summarizes potential methods the City may use to encourage recycled water use.

Table 5-11: Methods to Encourage Recycled Water Use

(UWMPGB Table 25)

Actions	Projected Volume			
	2015	2020	2025	2030
Lower Cost of Water				
Dual Distribution System				
Customer Education				
Promotion of Recirculating Uses				
Development Review Committee				
Total				
Units : acre-feet per year (No Data to submit at this time.)				



5.8 Future Water Projects

Legal Requirements:

§10631(h) (Describe) all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single-dry, and multiple-dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

This section provides a description of planned water supply projects that could directly increase water supplies. Although the City is planning to complete the projects described below, their success will be dependent on staff and funding availability, and in some cases cooperation from other agencies. Planned water supply projects include the following:

Construct Surface Water Treatment Plant. The City plans to design and construct a surface water treatment plant. The plant will allow the City to directly deliver surface water to customers. The size of the plant is currently unknown and will depend on several factors including available funding and the volume of surface water the City can secure through long-term purchase agreements.

Water Distribution System Improvements. Porterville expects to update their Water System Master Plan in 2014-2015. This will include an analysis of the distribution facilities needed to accommodate population growth, a surface water treatment plant, and the facilities needed to accept and recharge surface water. After completion of the Master Plan a number of new projects will likely be identified. These projects will improve the distribution system and provide greater assurance that the City can meet peak water demands.

New Well Constructions. In the past the City has typically installed one new wells each year with capacities ranging from 500 to 1,500 gpm. The City will continue to install new wells at a rate necessary to keep up with demands. Due to the unreliable nature of surface water, well capacities will need to have sufficient capacity to meet almost 100% of City demands. Planned groundwater recharge will help to ensure that the wells can provide the same yield in normal, single dry, and multiple dry years.

Water Conservation. The City has established a goal of reducing per capita water demands as discussed in Section 4.2. This will be accomplished through a variety of demand management measures as described in Section 7 of this UWMP. The water savings are essentially equivalent to securing a water source of the same volume.



Table 5-12: Future Water Supply Projects

(UWMPGB Table 26)

Project name			
Projected start date			
Projected completion date			
Potential project constraints			
Normal year supply			
Single dry year supply			
Multiple Dry Years	Year 1		
	Year 2		
	Year 3		
Units : afy (No Projects at this Time)			



6 WATER SUPPLY RELIABILITY AND WATER SHORTAGE CONTINGENCY PLAN

6.1 Water Supply Reliability

Legal Requirements:

§10620(f) An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

§10631(c)(1) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following: (A) an average water year, (B) a single dry water year, (C) multiple dry water years.

§10631(c)(2) For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.

6.1.1 Frequency and Magnitude of Supply Deficiencies

This section discusses the reliability of water supplies and their vulnerability to seasonal and climatic shortages. Seasonal shortages are based on precipitation patterns of individual watersheds. The City considers estimated impacts due to climate change or climate fluctuations to be highly speculative and has chosen not to rely on them. The City does recognize that they exist and will reassess their water supply adequacy regularly to address climate changes. The City will also design their system with some redundancy so that some adverse impacts from climate change can be accommodated.

The City has historically used groundwater to meet all of their water demands. Groundwater supplies have not significantly been impacted, and, as a result, there is no history of any water supply deficiencies for the City water system. However, groundwater levels have declined about 0.5 to 1.0 feet/year over the last 20 years based on Department of Water Resources' well hydrographs. This decline in groundwater levels, however, is not consistent with the decline in well yields, which has been more serious. Some City wells have seen capacity reductions from 1,500 gallons per minute (gpm) to 500 or 600 gpm (although well rehabilitation may be able to restore these wells to their previous performance levels). In addition, some new wells have capacities of 500 gpm or less, although this might be improved by drilling wells in different locations.

Surface water is less reliable than groundwater since its availability depends on precipitation. The reliability of surface water sources for the City cannot be determined until specific water sources and water sellers are identified. The reliability will also depend on details in any surface water purchase agreements. The City may acquire some firm water that would be guaranteed or almost guaranteed each year. This water would possibly be treated at a new surface water treatment plant. The City could also buy surplus or floodwaters that are only available during wet years. This water would be available in varying quantities and would most likely be recharged and later pumped for use in normal and dry years. The City has established goals for surface water purchases and the City could begin purchasing and banking water in advance to meet these demands in case droughts occur in the near future. The City Council has approved the



purchase of surface water to be used for groundwater recharge. Existing retention facilities and the Porter Slough are available for groundwater recharge.

Surface water could potentially be utilized from the Pioneer Water Company (PWC, of which the City currently owns 466 shares, approximately 12.94%) and would like to increase the City's holdings and water rights. City Council has subsequently authorized the Public Works Director, at his discretion, to purchase surface water for groundwater recharge and purchase or bid on PWC shares. As of July 2014, the City Water Fund had \$100,000 available for water purchases of this nature.

Another potential surface water partner is Porterville Irrigation District (PID). PID has several surface water supplies including appropriative water rights on the Tule River, ditch company water rights on the Tule River, and Central Valley Project Friant Division water. PID has stated that due to the seasonal nature of water there are points in time when more water is available than their landowners can reasonably use. It is during these times that PID would be able to sell water to the City.

It should also be noted that other surface water supplies could be available to the City, if needed. With access to the Friant-Kern Canal, the City can potentially buy water from anywhere in the State through an exchange. In addition, the City could feasibly purchase canal company stock from the various stockholders. This would be a relatively simple way to transfer water supplies. These water sources will be pursued in the future if necessary, but it is believed that groundwater pumping, surface water purchases from PWC, and water conservation efforts will allow the City to meet their water demands through 2030.

Although the City's aquifer is in a state of overdraft they could still meet their water demands for several more years solely with groundwater. While the City recognizes the need to address their water problems as soon as possible, they are not in an immediate need to secure surface water sources, and could secure them incrementally as demands increase. **Table 5-5** lists potential surface water purchases.

6.1.2 Basis of Water Year Data

Historical rainfall data available for the city of Porterville from the Western Regional Climate Center (WRCC)¹ were examined to establish a basis of water year for average, single dry, and multiple dry years. As shown in Table

Table 6-1, for the purposes of this report, the year 2001 is classified as an "average" year, the year 1989 is classified as a "single dry" year, and the years 1988 to 1990 are classified as "multiple dry" years.

Table 6-1: Basis of Water Year Data

(UWMPGB Table 27)

¹ Source <http://www.wrcc.dri.edu/>. Data was examined for the Porterville Station (period of record: 1948-2006).



Water Year Type	Base Year(s)
Average Water Year	2001
Single-Dry Water Year	1989
Multiple-Dry Water Years	1988-1990

6.1.3 Supply Reliability

During drought years, water use patterns typically change. Outdoor water use will typically increase as irrigation is used to replace the decrease in precipitation. However, the increase in outdoor use can be offset, in part, by increasing mandatory conservation measures.

In order to assess the impact of drought years on the City's annual demands, the City's historical per capita water usage was calculated. By dividing the City's service area population into the total water consumed on an annual basis, consumption in gallons per capita per day (gpcd) was determined. This method of annual consumption, based on current population, eliminates the impact of growth changes. The historical per capita consumption from 2000 to 2010 is shown in **Figure 6-1**.

The historic per capita demand has been variable over the past 10 years, with an overall increase from 2000 through 2004, a dip in 2005, and a recent downward trend since 2006. As shown, the per capita consumption in 2006 was about 5 percent above the 10-year average of 214 gpcd calculated in Section 4, **Table 4-6**. The 10-year Historic Per Capita Demand is considered to be indicative of the maximum potential variation in water demands on an annual basis. As shown in **Figure 6-1**, the year 2006 represents the largest increase in water demand above the Historic Per Capita Trend. For purposes of calculating the impact of dry years, water demands will be increased by five percent for single dry and multiple dry hydrologic years.



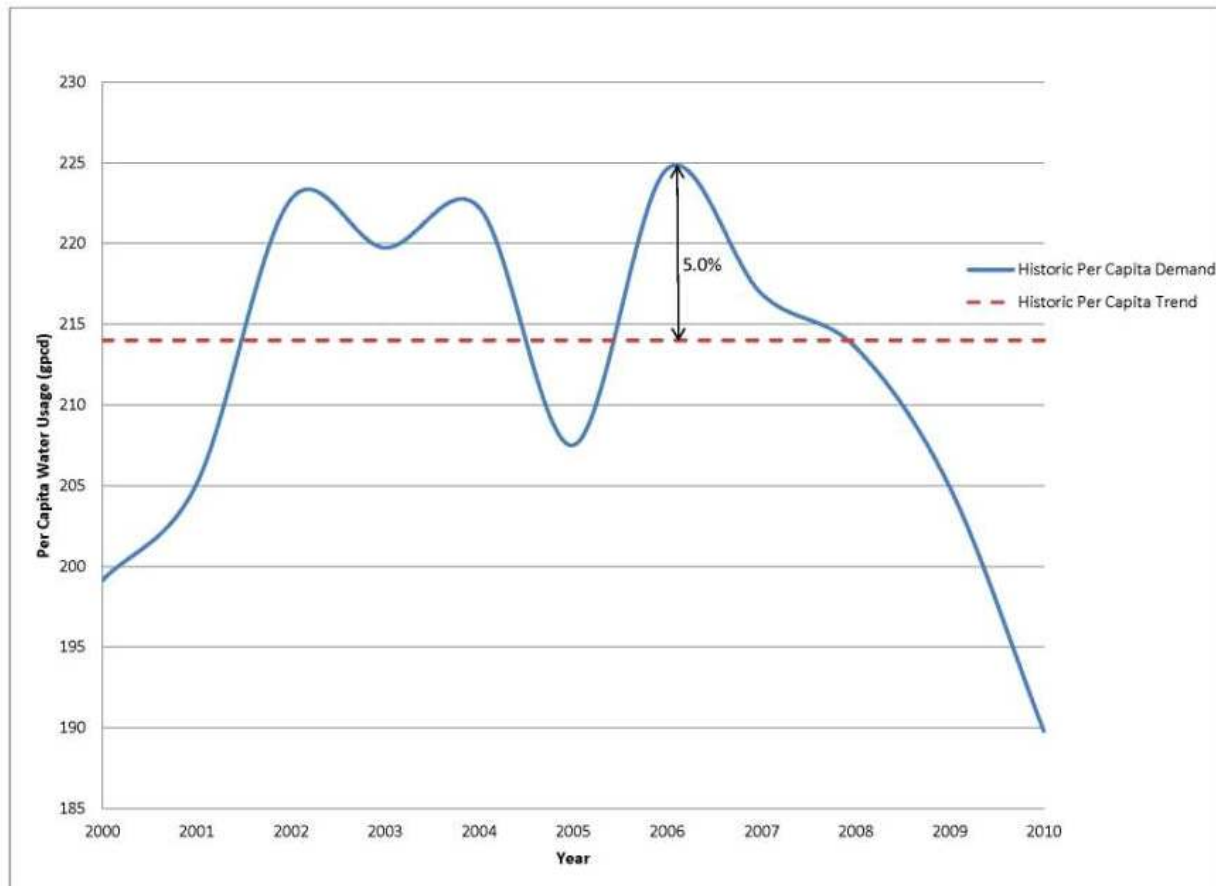
Figure 6-1: Historic Per Capita Demand

Table 6-2 presents calculations showing the percentage of supply available for the hydrologic years shown in **Table**

Table 6-1. The percentages of normal year shown in **Table 6-2** were calculated by comparing the actual per capita demand for that year to the per capita demand trend of 214 gpcd. Since the City relies solely on groundwater to meet its demands, the available “supply” drawn from the groundwater aquifer in any year is essentially equal to the system water demand for that year. As such, the variation in per capita water use from the historic trend does not necessarily coincide with “dry” or “wet” years. These percentages are not used in this report for projecting future increases in water demands, as per capita demands have been highly variable. The calculation of the percent of water supply consumed relative to the Normal Year Water supply (Percent of Average/Normal Year) is shown in **Table 6-2**. This difference identifies two characteristics: the City of Porterville in an Average Water Year (2001), used less water than the 10 year Historic Per Capita Trend, and in dry and multiple dry water years used more water than the 10 year Historic Trend, ranging from 11 percent to 17 percent. Factors such as conservation efforts and economic considerations have contributed to an overall reduction in per capita demands in more recent years.

Table 6-2: Supply Reliability – Historic Conditions

(UWMPGB Table 28)

Supply Source	Average Water Year (2001)	Single Dry Water Year (1989)	Multiple Dry Water Years		
			Year 1 (1988)	Year 2 (1989)	Year 3 (1990)
Ground Water	11,174 ¹	8,865 ²	8,046 ³	8,865 ²	9,481 ⁴
Surface Water	0	0	0	0	0
Total	11,174	8,865	8,046	8,865	9,481
Percent of Average/Normal Year	96% ⁵	117%	117%	117%	111%

¹ 2001 Actual water consumption Table 4-3
^{2,3,4} Actual water consumption Department of Water Resources Public Water Utility Statistics
⁵ Percent of Average/Normal Year = Average Water Year (11,174 acre-ft) / Normal Water Year based on Historic Trend (Historic Per Capita Demand (214 gpcd) * 2001 Population Table 4-3 (48,638)*365 days/year / 325,851)

Based on conservative planning assumptions, the City's current supply reliability is summarized in **Table 6-3**. The "Normal Year" water use was calculated by multiplying the City service area's 2010 population by the baseline per capita water usage of 214 gpcd. This equates to an annual volume of 13,959 acre-feet per year for a "normal" condition; however, the City's actual 2010 water use was 12,380 acre-feet. This variation is because the Normal Water Year demand estimate is based on a 10 year Historic Per Capita Trend, see **Figure 6-1**. The single and multiple dry year consumptions are assumed to be five percent more than the normal water use, based on **Figure 6-1**.

Table 6-3: Supply Reliability – Current Water Sources

(UWMPGB Table 31)

Water Supply Sources	Normal Water Year	Single Dry Water Year	Multiple Dry Water Years		
			Year 1	Year 2	Year 3
Porterville Produced Groundwater	13,959 ¹	14,657 ²	14,657	14,657	14,657
Surface Water Diversions	0	0	0	0	0
Surface Water Purchases	0	0	0	0	0
Percent of Normal Year:	100%	105%	105%	105%	105%

Units : acre-feet per year
¹ Normal Water Year 2010 = Historic Per Capita Demand (214 gpcd) * 2010 Population Table 3-3 (58,232)*365 days/year / 325,851
² Normal Water Year 2010 = 13,959 acre-ft * 105% = 14,657 acre-ft

6.1.4 Projected Normal Water Year Demands

The Water Supply Totals for the years 2015 through 2030, shown in **Table 6-4**, originate from **Table 5-1**, and include both groundwater and surface water supplies.



Table 6-4: Supply and Demand Comparison – Normal Year

(UWMPGB Table 32)

Water Use	Water Use (AFY)			
	2015	2020	2025	2030
Supply Totals ¹	17,810	21,211	25,336	30,523
Demand Totals ²	15,410	16,791	20,136	24,183
Difference	2,400	4,420	5,200	6,340
Difference as % of Supply	13%	21%	21%	21%
Difference as % of Demand	16%	26%	26%	26%
Units : AFY				
¹ Table 5-1 Water Supply Sources				
² Table 5-4 Groundwater – Volume Projected to be Pumped				

As shown, both supply and demand are expected to increase from 2015 to 2030. The supply totals reflect using groundwater only to the extent required to meet potable demands. Excess supply is a reflection of other supplies such as surface water or recycled water. The supplies utilized will be provided by the sources discussed previously.

6.1.5 Projected Single Dry Water Year

The projected single dry year water demands through 2030 are estimated based on the normal dry year demands, with an anticipated demand and supply increase of five percent. As shown in **Table 6-5**, the projected supplies and demands are equal, because the City's supply source is groundwater.

Table 6-5: Supply and Demand Comparison – Single Dry Year

(UWMPGB Table 33)

Water Use	Water Use (AFY)			
	2015	2020	2025	2030
Supply totals ¹	16,180	17,630	21,143	25,392
Demand totals ²	16,180	17,630	21,143	25,392
Difference	0	0	0	0
Difference as % of Supply	0%	0%	0%	0%
Difference as % of Demand	0%	0%	0%	0%
Units : AFY				
¹ Supply total includes only groundwater supply from Table 5-1 (UWMPGB Table 16), plus 5%.				
² Demand total includes normal year demand projection from Table 4-10 (UWMPGB Table 11), plus 5%.				

6.1.6 Projected Multiple Dry Water Years

During a multiple year drought the City will probably have to rely almost exclusively on groundwater. The projected multiple dry year water demands through 2030 are estimated based on the normal year demands and the anticipated demand and supply increase of 5%. The projected multiple dry water year supplies and demands are presented in **Table 6-6**.



Table 6-6: Supply & Demand Comparison – Multiple Dry Years

(UWMPGB Table 34)

Water Use		Water Use (AFY)			
		2015	2020	2025	2030
Year 1	Supply totals ¹	16,180	17,630	21,143	25,392
	Demand totals ²	16,180	17,630	21,143	25,392
	Difference	0	0	0	0
	Difference as % of Supply	0%	0%	0%	0%
	Difference as % of Demand	0%	0%	0%	0%
Year 2	Supply totals ¹	16,180	17,630	21,143	25,392
	Demand totals ²	16,180	17,630	21,143	25,392
	Difference	0	0	0	0
	Difference as % of Supply	0%	0%	0%	0%
	Difference as % of Demand	0%	0%	0%	0%
Year 3	Supply totals ¹	16,180	17,630	21,143	25,392
	Demand totals ²	16,180	17,630	21,143	25,392
	Difference	0	0	0	0
	Difference as % of Supply	0%	0%	0%	0%
	Difference as % of Demand	0%	0%	0%	0%
Units : AFY					
¹ Supply total includes only groundwater supply from Table 5-1 (UWMPGB Table 16), plus 5%.					
² Demand total includes normal year demand projection from Table 4-10 (UWMPGB Table 11), plus 5%.					

6.1.7 Factors Affecting Supply Reliability

The factors that can affect water supply reliability are varied. **Table 6-8** lists the factors that are anticipated to potentially affect the City's water supply.

Table 6-7: Factors Resulting in Inconsistency of Supply

(UWMPGB Table 29)

Water supply sources	Limitation quantification	Legal	Environmental	Water quality	Climatic
Porterville-produced groundwater	X			X	
Surface Water Diversions				X	X
Surface Water Purchases				X	X
Units : acre-feet per year					



6.1.7.1 Legal

The supplies the City relies upon are neither in the process of adjudication nor the subject of any new legislation limiting them. However, that could change in the future; in which case those supplies could be diminished from their current volume.

6.1.7.2 Environmental

The status of environmental regulation in California is routinely changing due to new legislation, endangered species statuses, et cetera. Should new environmental legislation come into existence it could potentially cause a lack of supply. The recent water supply reductions in the Delta are an example of environmental water needs versus community water supplies. It is anticipated that alterations to the water supply could be made to accommodate these changes, should they occur.

6.1.7.3 Water Quality

Water quality standards are fairly stable but can still experience periods of modification as new constituents are deemed to be 'of concern' and MCLs are created or made more stringent.

6.1.7.4 Climatic

As climate change becomes more quantifiable and potentially affects the local water conditions, alterations in the water supply planning area will likely be required. Climate change elements, such as drought or severe flooding, could strongly affect supply reliability, therefore requiring the City to make modifications to their water supplies.



6.2 Water Shortage Contingency Planning

Legal Requirements:

§10632(a) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.

§10632(b) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency.

§10632(c) Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.

§10632(d) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.

§10632(e) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.

§10632(f) Penalties or charges for excessive use, where applicable.

§10632(g) An analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.

§10632(h) A draft water shortage contingency resolution or ordinance.

§10632(i) A mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.

§10635(a) Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry water years. This water supply and demand assessment shall compare the total water supply sources available to the water supplier with the total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and multiple dry water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.

6.2.1 Water Shortage Stages and Reduction Objectives

The City has an existing Water Conservation Plan (WCP) that outlines policies and procedures to help reduce water demands during droughts. The WCP addresses the following stages of action.

Stages of Action

The Water Conservation Plan includes four phases of implementation. Actions in each phase would be undertaken by the City or the general public. When staff determines that water supply conditions warrant a phase change they present the request to the City Council for their approval. The production capacity will be monitored to determine recommendations for moving from one phase to the next. Any decision to change phases will be based on a combination of surface water supplies, weather conditions, trends in water usage, groundwater levels, and well yields.

Conservation measures gradually increase with each phase. The public are given opportunities to voluntarily reduce consumption in Phase I. If these efforts are not sufficient, then Phase II is implemented, which includes mandatory measures with a



target reduction of 10%. If these are not sufficient then Phase III is implemented, which includes more stringent mandatory regulations with a target reduction of 10-25%. If these are not sufficient then Phase IV is implemented, which includes more increasingly stringent, mandatory regulations with a target reduction of 25-50%.

Estimate of Minimum Supply

Historically, the City has pumped groundwater to meet all water supply demands. While there may be less water infiltrating from rainfall, snowfall, runoff and irrigation during dry years, it does not adversely impact groundwater supplies in the short term. As a result, the City has had fairly consistent water supplies during different hydrologic years. Although well yields are gradually declining each year, it is expected that there would be no water shortages.

Table 6-8: Water Shortage Stages and Reduction Objectives

(UWMPGB Table 35)

Phase	Conditions	Percentage Shortage
Water Conservation Phase I Minor (Voluntary)	Supplies available to meet demands (Normal Water Supply)	0%
Drought Response Phase II Moderate (Mandatory)	Groundwater in overdraft or available production within 10% of peak hour demands (Water Supply Shortage)	10%
Drought Response Phase III Significant (Mandatory)	Significant water shortage, available water production is up to 25% less than peak hour demands (Significant Water Supply Shortage)	10-25%
Emergency Response Phase IV Critical (Mandatory)	Severe water shortage, available water production is up to 50% less than peak hour demands (Critical Water Supply Shortage)	25%-50%

6.2.2 Prohibitions, Consumption Reduction Methods, and Penalties

Descriptions of the prohibitions, penalties and consumption reduction methods in each phase of the Water Conservation Plan are provided below:

Phase I

Phase I applies during periods when a normal water supply is available. Water conservation efforts include a myriad of programs and policies that are described in Section 7.

Phase II

Phase II applies during periods when there is a water supply shortage. All of the conservation measures in Phase I will continue to be implemented along with the following as mandatory regulations.



Actions by the City:

1. Continuation of all Conservation Programs and Regulations Established in Phases I.
2. The City of Porterville will enforce a mandatory odd/even watering schedule for all residents. Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. Excessive run-off is prohibited.
3. Per Section 25-5.1 of the City Municipal Code, Non-compliance with the City of Porterville's water conservation regulations will result in one written warning from the City of Porterville before the issuance of a citation. A second violation within a 12 month period will result in the issuance of a citation with a fine of \$100.00; a second citation will result in a fine of \$200.00; a third citation will result in a fine of \$500.00. Willful and egregious violations will result in issuance of a citation without a warning. Each day that a violation continues shall be regarded as a new and separate offense.
4. Public Information Program. The City will pursue a more aggressive distribution of information than its efforts initiated in Phase I to promote public awareness of the need to conserve water with a stronger emphasis on the water shortage condition.
5. Water System Pressure Reduction. The City's water system may experience reduced water pressures during high usage periods. This may deter water use for nonessential activities and encourage scheduling of landscape watering to late nights or early mornings.
6. City Landscapes and Watering Schedules. All City parks, median islands and public facility landscapes will be watered during the late night or early morning hours to reduce impact on the water system during peak usage hours.
7. Leak Detection - Water Waste. The City will continue in its proactive plan to audit water supply usage. All City staff will be reminded of the necessity of reporting any evidence of leaks or water waste for immediate action. There will be an emphasis on coordinated community efforts to reduce water waste.
8. Waste of Water Notices. City staff will be equipped to issue "Waste of Water" notices to consumers identified as misusing water.

Actions by the General Public:

1. Watering Schedule. Addresses ending in an odd number (1, 3, 5, 7, or 9) water on Tuesday, Thursday and Saturday. Addresses ending in an even number (0, 2, 4, 6, or 8) water on Wednesday, Friday and Sunday. There is no watering on Monday.
2. Lawn and Landscaping Watering. All residential, commercial and industrial landscape watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days.
3. Conservation Efforts. The general public will be strongly encouraged to utilize those water conservation measures contained within the City's public information program.
4. Restaurants. Notices will be sent to all restaurants within the city limits requesting support of water conservation efforts by serving water to customers upon request only.
5. Vehicle Washing and Sidewalk Hosing. The washing of sidewalks, driveways,



parking areas, patios or other paved areas is prohibited, unless it is necessary for the health and safety of the public. The washing of automobiles, trucks, trailers, boats, and airplanes is only permitted on designated watering days. Such washing, when allowed, shall be done with a hand held bucket, or hand held hose equipped with a positive shutoff nozzle for quick rinses.

Phase III

Phase III applies during periods when there is a significant water shortage and the following mandatory regulations will apply:

Actions by the City:

1. Continuation of all Conservation Programs and Regulations Established in Phases I and II.
2. The City of Porterville will enforce a two day a week odd/even watering schedule for all residents. Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. Excessive run-off is prohibited.
3. Per Section 25-5.1 of the City Municipal Code, Non-compliance with the City of Porterville's water conservation regulations will result in one written warning from the City of Porterville before the issuance of a citation. A second violation within a 12 month period will result in the issuance of a citation with a fine of \$100.00; a second citation will result in a fine of \$200.00; a third citation will result in a fine of \$500.00. Willful and egregious violations will result in issuance of a citation without a warning. Each day that a violation continues shall be regarded as a new and separate offense.
4. Public Information Program. The utility billing system will begin to notify customers of restrictions on water use. The program to promote public awareness will be intensified with emphasis placed on communicating the mandatory water conservation requirements to the public.
5. City Landscapes and Watering Schedules. All City parks, median islands and public facility landscapes will adopt a two-day watering schedule. If it becomes necessary, watering of City parks and median islands will be suspended and evaluated each day.

Actions by the General Public:

1. Watering Schedule. Addresses ending in an odd number (1, 3, 5, 7, or 9) water on Tuesday and Saturday. Addresses ending in an even number (0, 2, 4, 6, or 8) water on Wednesday and Sunday. There is no watering on Monday, Thursday, or Friday.
2. Landscape Watering. Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days.
3. Vehicle Washing and Sidewalk Hosing. The washing of sidewalks, driveways, parking areas, patios or other paved areas is prohibited, unless it is necessary for the health and safety of the public. The washing of automobiles, trucks, trailers, boats, and airplanes is only permitted on designated watering days. Such washing, when allowed, shall be done with a hand held bucket, or hand held hose equipped



with a positive shutoff nozzle for quick rinses.

Phase IV

Phase IV applies during periods when there is a severe water shortage and the following mandatory regulations will apply:

Actions by the City:

1. Continuation of all Conservation Programs and Regulations Established in Phases I, II, and III.
2. Rate Structure Enhancement. A 20% rate increase on all residential and landscape water accounts will go into effect. This rate increase will encourage water conservation and will also serve as a provision to recover the lost revenues from water conservation.
3. Per Section 25-5.1 of the City Municipal Code, Non-compliance with the City of Porterville's water conservation regulations will result in one written warning from the City of Porterville before the issuance of a citation. A second violation within a 12 month period will result in the issuance of a citation with a fine of \$100.00; a second citation will result in a fine of \$200.00; a third citation will result in a fine of \$500.00. Willful and egregious violations will result in issuance of a citation without a warning. Each day that a violation continues shall be regarded as a new and separate offense.
4. City Landscapes and Watering Schedules. Watering of City parks and median islands will be suspended and evaluated each day.

Actions by the General Public:

1. Landscape Watering. Lawn and landscaping watering is prohibited.
2. Vehicle Washing and Sidewalk Hosing. The washing of sidewalks, driveways, parking areas, patios or other paved areas is prohibited, unless it is necessary for the health and safety of the public. The washing of automobiles, trucks, trailers, boats, and airplanes is only permitted on designated watering days. Such washing, when allowed, shall be done with a hand held bucket, or hand held hose equipped with a positive shutoff nozzle for quick rinses.



Table 6-9: Water Shortage Contingency – Mandatory Prohibitions

(UWMPGB Table 36)

Examples of Prohibitions	Stage When Prohibition Becomes Mandatory
Outdoor water use on non-watering day	Phase II
Using a hose without a nozzle	Phase II
Broken sprinklers or other leaks	Phase II
Excessive runoff from property	Phase II
Outside washing	Phase II
Outside watering	Phase IV

Table 6-10: Water Shortage Contingency – Consumption Reduction Methods

(UWMPGB Table 37)

Consumption Reduction Methods	Stage When Method Takes Effect	Projected Reduction (%)
Main flushing only on complaint basis	Phase II	10%
Irrigation reduced to 1 or 2 days per week	Phase III	18% to 35%
20% water rate increase	Phase IV	20%
No outdoor watering	Phase IV	50%
Customer allotments/rate changes	Phase IV	25% to 40%

6.2.3 Revenue and Expenditure Impacts/Measures to Overcome Impacts

The City bills most of its customers on a volumetric basis. As a result, conservation measures, which aim to reduce water consumption, can also reduce revenue for the City. Significant water conservation during droughts can have a major impact on City revenues. Although the City would have lower water purchase and pumping costs with lower water deliveries, they also have considerable fixed and overhead costs that are the same for any volume of water delivered. As a result, conservation measures need to be coupled with rate adjustments to ensure that the water system is financially sustainable.

The City has developed a Water Conservation Plan that raises water rates by 20% during droughts. The higher unit rate is intended to discourage use, but it will also help to offset the revenue lost from selling a lower volume of water. The suitability of this 20% increase is not yet known and it needs to be tested during a single-year and multi-year drought. If, in the future, the 20% price increase is found to be inadequate the City will again reevaluate the WCP and modify it accordingly.

Implementation of the WCP will not have a large impact on expenditures or revenues. No additional costs are expected for billing or operations. Existing City staff will provide the personnel needed to implement the plan and enforce water conservation measures. It is likely that higher expenditures will be needed for public information programs, but these



will probably be small compared to the total City water budget. Fines for water waste are a source of revenue and they typically increase during droughts. However, the revenues from fines are also small compared to the overall City water budget.

Table 6-11: Water Shortage Contingency – Penalties and Charges

(UWMPGB Table 38)

Penalties or Charges	Stage When Penalty Takes Effect
Increase in water rates of 20%	Phase IV
Fines for waste	Phase II

6.2.4 Actions During a Catastrophic Interruption

The City does not have a formal written plan to address a catastrophic non-drought related interruption in water supply (i.e. power outage, system failure, natural disaster, etc.). However, the WCP could be used to reduce consumption after a catastrophic supply interruption. The City also has back-up generators in the event of a power outage. Lastly, the City recognizes the need for more contingency plans to address non-drought related events and plans to investigate other alternatives.

Table 6-12: Actions During a Catastrophic Event

Event	Action
Regional Power Outage	Utilize emergency backup power at selected facilities and provide public notice through broadcasts of emergency and ask customers to reduce consumption to essential uses.
Terrorism Event	Make use of alternate production facilities as available.
Natural Disaster	Utilize emergency backup power if utility provided power is interrupted. Utilize intertie connection if available. Immediately implement Phase III demand reduction program.

6.2.5 Reduction Measuring Mechanism

Water meters are read monthly, but during a drought the water consumption must be tracked more frequently. Reading customer meters more frequently would be costly and impractical, however, the City will be able to closely track groundwater pumping and surface water deliveries on a daily basis. This data will be evaluated weekly to determine if the WCP is effective in reducing water consumption.



6.3 Water Quality

Legal Requirements:

§10634 The plan shall include information, to the extent practicable, relating to the quality of existing sources of water available to the supplier over the same five-year increments as described in subdivision (a) of Section 10631, and the manner in which water quality affects water management strategies and supply reliability.

Presently, water quality problems do not pose a threat to water reliability, but the City recognizes the need to protect water quality and prevent future degradation. A discussion on surface water quality and groundwater quality follows.

Surface Water

Future surface water sources would likely be purchased from local irrigation and water districts. These districts have water rights on the San Joaquin River and Tule River. Both of these water sources originate primarily from precipitation in the Sierra Nevada Mountains and as a result have good to excellent water quality. These water supplies have no restrictions on use for municipal water, but they will require standard water treatment.

Tule River water is delivered from Lake Success. According to a report entitled *Surface Water Treatment Guideline* prepared by Boyle Engineering in February 2005: “*The reservoir (Lake Success) periodically experiences turnover episodes which have caused hydrogen sulfide problems. These turnovers take place in the spring and fall. In the summer/fall, the lake experiences algae growth problems.*” A turnover episode takes place when convection circulation occurs in a lake causing the lower waters to rise and the upper waters to sink. Hydrogen sulfide must be present in the lake bottom sediments and is brought to the surface during a turnover episode.

Additional development in watershed areas may cause some water quality degradation in the San Joaquin and Tule Rivers. However, improved watershed management may prevent further degradation or even improve the water quality. As a result, it is assumed that the quality of these surface water sources will remain good to excellent through the next 20 years.

Groundwater

Groundwater quality in the City is generally good, however a few wells have been shut down due to water quality problems. Some wells have been closed due to perchloroethylene (PCE) contamination, and a few wells have experienced nitrate problems. All active wells produce water that meets State and Federal drinking water quality standards.

The City does not presently provide treatment of any well water. Blending could feasibly be used at wells that experience water quality problems. However, the City does not have infrastructure in place to blend good and poor quality groundwater, and does not have plans to construct blending facilities in the immediate future. The City does not perform any groundwater remediation, but there are possibly some other agencies conducting groundwater remediation projects within the city limits.



Groundwater quality is generally better on the western edge of town, and hence most of the production wells are placed in this area. At each new well site, a test hole is drilled to characterize the groundwater quality before a decision is made to install a new well.

The impacts of groundwater quality on future supplies are unknown. However, water supply is considered a greater threat to water reliability. As a result, the City is actively seeking a surface water supply. The City has constructed an inter-tie between the city-wide water distribution system and the airport distribution system. This has allowed groundwater from the Deer Creek Watershed to be delivered to most of the city. This could result in a significant increase in the water supplies available to the City, since the Deer Creek Watershed is benefitting from percolation of treated effluent.

Table 6-13: Water Quality – Current and Projected Water Supply Impacts

(UWMPGB Table 30)

Water source	Description of condition	2010	2015	2020	2025	2030
Surface Water	Acceptable	0	0	0	0	0
Groundwater	Acceptable	0	0	0	0	0

It is not anticipated that water quality will adversely affect water supply in the near future. In the instance that a well or surface water has water quality issues, treatment or blending can be provided.



7 DEMAND MANAGEMENT MEASURES (DMM)

7.1 DMMs

Legal Requirements:

§10631(f)(1) and (2) (Describe and provide a schedule of implementation for) each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following: (A) water survey programs for single-family residential and multifamily residential customers; (B) residential plumbing retrofit; (C) system water audits, leak detection, and repair; (D) metering with commodity rates for all new connections and retrofit of existing connections; (E) large landscape conservation programs and incentives; (F) high-efficiency washing machine rebate programs; (G) public information programs; (H) school education programs; (I) conservation programs for commercial, industrial, and institutional accounts; (J) wholesale agency programs; (K) conservation pricing; (L) water conservation coordinator; (M) water waste prohibition; (N) residential ultra-low flush toilets.

§10631(f)(3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.

§10631(f)(4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the supplier's ability to further reduce demand.

§10631(g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to water demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional water supplies. This evaluation shall do all of the following: (1) Take into account economic and noneconomic factors, including environmental, social, health, customer impact, and technological factors; (2) Include a cost-benefit analysis, identifying total benefits and total costs; (3) Include a description of funding available to implement any planned water supply project that would provide water at a higher unit cost; (4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.

The City has implemented many demand management measures (DMM) to reduce per capita water consumption. Metering has probably had the greatest impact on conserving water. In 2010 about 97% of the City's deliveries were metered. All metered customers are billed on a volumetric basis and therefore have incentives to conserve water. The City has also established a goal to increase water conservation efforts with education being the cornerstone of the City's water conservation program. The City also recognizes that a diversified water conservation portfolio is necessary since different programs have varying impacts on different groups. As a result, the City's water conservation efforts include a variety of programs and measures.



Table 7-1: Demand Management Measures

Demand Management Measure	Implemented	Planned for Implementation	Cost Benefit Analysis Completed	Not Applicable
DMM1 – Water Survey Programs	X			
DMM 2 – Residential Plumbing Retrofit	X			
DMM3 – Water System Audits	X			
DMM4 – Metering and Commodity Rates	X			
DMM5 – Landscape Irrigation Programs	X			
DMM6 – Washing Machine Rebate Program			X	
DMM7 – Public Information Program	X			
DMM8 – School Education Program	X			
DMM9 – Commercial, Industrial and Institutional Conservation Programs	X			
DMM10 – Wholesale Agency Programs				X
DMM11 – Conservation Pricing	X			
DMM12 – Water Conservation Coordinator	X			
DMM13 – Water Waste Prohibition	X			
DMM14 – Ultra Low Flush Toilet Replacement			X	

7.1.1 Water Survey Programs

Water surveys involve an on-site assessment of water uses on a customer's property to identify area of high water usage or water waste.

The City has not developed or implemented a targeting/marketing strategy for single-family or multi-family home water surveys. However, the City does perform water surveys at the request of water users. Typically the City is asked to perform a water survey if a customer feels that their water bill is too high. Often the customer asks to have their meter tested or recalibrated. In most cases the meters are functioning properly and City staff then perform a water survey to determine where the customer has high water usage. The water survey includes the following:

1. Check indoor and outdoor plumbing for leaks
2. Check irrigation system timers



3. Evaluate irrigation watering schedule
4. Recommend various water conservation measures to the customer, such as modifications to their irrigation schedule and retrofitting with water efficient fixtures and appliances

Outdoor water consumption accounts for a large proportion of total water sold and offers the biggest target for water savings, so the surveys tend to focus on improving landscape irrigation efficiencies.

The City of Albuquerque developed a Water Use Audit Program (Western Resource Advocates). The program sponsored 125 water audits with water savings averaging 8 percent and estimated potential savings at 30 percent. Based on residential water use records, it is assumed that 185 gpcpd is used in Porterville for residential use, then an 8% reduction would equate to $8\% \times 185 \text{ gallons/capita/day} \times 3.3 \text{ persons/household} \times 365 \text{ days/year} = 17,800 \text{ gallons/year/household} = 0.05 \text{ AF/year/household}$. The effectiveness of the water surveys on conservation will be based on this value.

Porterville performs about five water surveys per year and only at the request of customers. Studies have shown that water surveys are not effective unless they are specifically requested by a customer. When a customer is forced to participate they often have no desire to conserve water and hence will not follow recommendations or suggestions. Studies also show that water surveys have very high costs per volume of water saved. Val Little (2006) evaluated the unit costs to implement various water conservation programs. Little reports that the long-term cost for water savings from water surveys is \$1,284/AF. This is presently about four times the cost of delivered water in Porterville. Considering this high cost, the City does not plan to actively market or promote its water survey program, but will continue to perform water surveys when they are requested. It is assumed that future demand for water surveys will remain unchanged.

Table 7-2 and Table 7-3 provide details on past and projected future water surveys in Porterville.

Table 7-2: Past Residential Water Surveys

Description	2001	2002	2003	2004	2005
No. of Residential	5	5	5	5	5
Actual Expenditures - \$	NA	NA	NA	NA	NA
Actual Water Savings –	0.25	0.25	0.25	0.25	0.25



Table 7-3: Future Residential Water Surveys

Description	2007	2008	2009	2010	2011
No. of Residential Surveys	5 (est)	5 (est)	5 (est)	5 (est)	5 (est)
Projected Expenditures - \$	NA	NA	NA	NA	NA
Projected Water Savings –	0.25	0.25	0.25	0.25	0.25

Implementation Schedule: Ongoing

7.1.2 Residential Plumbing Retrofit

Residential plumbing retrofits can include fixtures such as low flow showerheads, showerhead flow restrictors, toilet flappers and faucet aerators. Estimated savings for some of these fixtures include 2.8 gpcpd for low flow showerheads and 2.8 gpcpd for low flow faucets, and 22 gallons per day for a family of three that uses a complete plumbing retrofit kit (Western Resource Advocates, 2003).

Plumbing retrofits are a fairly expensive means to conserve water. Little (2006) determined that the average lifetime cost per acre-foot saved for device giveaways is \$457. This is more expensive than the current \$314/AF charged to customers for delivered water. As a result, the City only has a limited plumbing retrofit program, which involves the distribution of showerhead flow restrictors at the annual Porterville Fair. It is believed that distribution of the showerhead flow restrictors also helps to promote a culture of water conservation. A large cross section of the community can be reached at the Porterville Fair and therefore the City plans to continue these efforts.

There is no enforceable ordinance in effect in the City requiring replacement of high-flow showerheads and other water use fixtures with their low flow counterparts. In addition, no data is available on the number of houses with water efficient plumbing fixtures. However, all new buildings in the city are constructed according to State plumbing codes and Title 24 Building Standards. These require that new plumbing fixtures installed since 1992 be water efficient. In addition, many of the fixtures provided by the City have likely been installed and some owners have probably purchased and installed fixtures themselves.

The City tracks the number of showerhead flow restrictors that are handed out and their cost. The effectiveness of the flow restrictor distribution on water conservation is based on the number that are given out. First, it is assumed that 50% of the flow restrictors that are distributed are eventually installed. Each flow restrictor is assumed to reduce water consumption by 2.8 gpcpd (same as low flow showerheads) and each restrictor is assumed to be used by two people. This equates to annual water savings of 0.6 AF/year for each 100 flow restrictors that are distributed. **Table 7.4** includes data on past and anticipated future plumbing retrofits in Porterville.



Table 7-4: Residential Plumbing Retrofit Implementation

	Actual					
	2001-2005	2006	2007	2008	2009	2010
# of showerheads distributed	250	125	125	130	130	140
#of faucet aerators distributed	0	0	0	0	0	0
Actual/projected expenditures (\$)	\$450	\$0	\$0	\$500	\$0	\$0
Actual/Projected water saving (afy)	0.8	0.8	0.8	0.8	0.8	0.8

	Projected				
	2011	2012	2013	2014	2015
# of showerheads distributed	150	150	150	150	150
#of faucet aerators distributed	0	0	0	0	0
Actual/projected expenditures (\$)	\$0	\$0	\$500	\$0	\$0
Actual/Projected water saving (afy)	0.8	0.8	0.8	0.8	0.8

Implementation Schedule: Ongoing

7.1.3 Water System Audits

Water system audits include an evaluation of the City's distribution system for leaks and other losses. The system losses (water input minus water metered) are a good indication of the system integrity. In 2006, Johnson Controls performed a water system audit and was able to account for 95% of the City's water. This result was better than expected considering the age of the system and meters. In addition, the Porterville Finance Department prepares annual reports showing water production versus water sales. These reports show that system losses ranged between 4% and 10% between 2001 and 2005. Losses are actually lower because the records do not account for fire hydrant flushing or the water delivered to unmetered accounts, which is estimated at 2% of total water usage. In addition, water that is lost through pipeline leakage usually seeps to the groundwater table where it is available to the City through well pumping, so it is not considered a true loss.

The City's distribution system is operated under pressure, and, as a result, leaks are usually apparent. Only a small number of leaks are repaired each year. A physical system audit is not performed every year, mainly because the system appears to be in good condition and the current losses are considered reasonable. However, all new



water lines are pressure tested to verify that leakage is minimal. Data is not readily available on the miles of pipeline repaired or replaced annually, or the expenditures for this work. These records will be tracked more closely in future years.

The effectiveness of the water system audits will be measured by the losses calculated annually. Increasing losses would indicate the leaks have increased and/or flowmeters are not accurate.

Implementation Schedule: Ongoing

7.1.4 Metering and Commodity Rates

Currently, about 98% of the water used in the city is metered. In addition, all new connections in the city are required to be metered and billed by volume used.

Meter Retrofits and Replacements

The City has no current plans to install meters on unmetered properties due to the high cost. In addition, no meter replacement programs are currently planned because a recent audit and some meter testing has found most meters to be accurate (see Section 7.1.3). Nevertheless, as the meters become older, the City will consider replacement or recalibration.

Water Bills

City water bills show the amount of water used each billing period, and compares that value to water used during the same billing period in the previous year. This information allows water users to evaluate the effectiveness of their own conservation programs.

Effectiveness of Meters

Metering certainly creates an incentive to reduce consumption since customers are billed on a volumetric basis. As shown in the 2005 UWMP, cities that are metered use, on average, 61 gpcpd less than cities that are unmetered (279 gpcpd vs. 218 gpcpd). This equates to 6.83 AF/year for each 100 people. Due to a lack of any other data, this value will be used to estimate the water saved by metering customers in the City. Statistics on past and projected future metering are provided in **Table 7-5**.

Table 7-5: Metering and Commodity Rates Implementation

	Actual				
	2006	2007	2008	2009	2010
# of unmetered accounts*	468	468	480	480	480
# of retrofit meters installed	0	0	0	0	0
# of accounts without commodity rates	0	0	0	0	0
Actual Expenditures (\$)	\$0	\$0	\$0	\$0	\$0
Actual water savings (afy)	0	0	0	0	0
*Does not include non-revenue generating accounts or short-term construction water accounts.					



	Projected				
	2011	2012	2013	2014	2015
# of unmetered accounts*	480	480	480	480	380
# of retrofit meters installed	0	0	0	0	100
# of accounts without commodity rates	0	0	0	0	0
Projected Expenditures (\$)	\$0	\$0	\$0	\$0	\$25,500
Projected water savings (afy)	0	0	0	0	10.85
*Does not include non-revenue generating accounts or short-term construction water accounts.					

Implementation Schedule: The City will continue to install and read meters on all new services. The City will continue to retrofit existing services as requested by residents.

7.1.5 Landscape and Irrigation Programs

Large landscape customers include golf courses, cemeteries, and other customers with large turf or garden areas (>10,000 square feet). In 2005, the City had only 48 AF of water used for large landscape irrigation customer types. However, this number is misleading since other customer types (Institutional and Other) also have large landscape irrigation. Large landscaping probably uses about 10 percent of total City water demands.

Existing Programs

Existing large landscape conservation programs are described below:

- 1) Conservation During Droughts. Large (and small) landscape water conservation is especially promoted during designated droughts (see Section 6) through water timing restrictions and enforcement of water waste policies.
- 2) Artificial Turf. The City has placed artificial turf on a traffic median as a demonstration project. The City will consider adding a sign to advertise the site.
- 3) Education Programs. Landscape water conservation is a critical part of the City's Public Information Program (see Section 6.2).
- 4) Water Surveys. The City does not have a specific program for auditing large landscape accounts. However, the City will perform a water survey (see Section 7.1.1) for a customer that has large landscape water demands.

The City does not presently perform water budgets or offer rebates for landscape conversions.

Possible Future Programs

Several new ideas for large landscape conservation were identified. The City does not plan to implement these in the near future but has established a goal of evaluating their merits over the next five years. These ideas include:

1. Require large properties to have an irrigation audit;



2. Coordinate with local nurseries to compile a list of low-water using trees and plants;
3. Provide rebates for irrigation control systems;
4. Require some degree of xeriscape on new properties;
5. Limit amount/percentage of high water use vegetation on new properties;
6. Provide xeriscape garden tours and xeriscape classes;
7. Develop and implement water efficient parkway and landscape design guidelines for all new residential, commercial, industrial and governmental developments.

Measuring Effectiveness of Program

The effectiveness of the large landscape conservation programs will be measured with the following:

1. Comparison of customers water usage before and after water surveys;
2. Comparison of customers water usage during normal climatic conditions and during droughts;
3. Comments on and demand for landscape water conservation education.

Table 7-6: Landscape and Irrigation Program Implementation

	Actual				
	2006	2007	2008	2009	2010
# of large landscape sites converted to central irrigation systems	0	0	0	0	0
# of budgets developed	0	0	0	0	0
# of surveys completed	0	0	0	0	0
# of follow-up visits	0	0	0	0	0
Actual Expenditures (\$)	\$0	\$0	\$0	\$0	\$0

	Projected				
	2011	2012	2013	2014	2015
# of large landscape sites converted to central irrigation systems	0	0	0	0	1
# of budgets to be developed	0	0	0	0	1
#of surveys to be completed	0	0	0	0	1
# of follow-up visits	0	0	0	0	0
Projected Expenditures (\$)	\$0	\$0	\$0	\$0	\$4,000

Implementation Schedule: Surveys will continue to be offered to customers.



7.1.6 Washing Machine Rebate Program

Due to the potentially high cost per volume of water saved, the City has chosen not to provide rebates for high efficiency washing machines, and will achieve water conservation goals through other programs. See section 7.1.15 for more details on economics of washing machine rebates.

7.1.7 Public Information Program

Education programs are the most common form of conservation measures in most cities. Likewise, the City would like to make public education the centerpiece of their conservation efforts.

Current

Current public information programs on water conservation include the following:

1. City participation in Water Awareness Month (May);
2. Bill stuffers on water conservation;
3. News programs;
4. Radio commercials in English and Spanish;
5. Booth at the Porterville City Fair;
6. Water bills that compare current water usage to the previous year's usage.

These efforts are typically implemented during the high water use period of April to September. These efforts are also intensified during droughts.

Planned

If funding and staff time permit, the City will add the following to their public information program during the next five years:

1. Booths at public events such as neighborhood association meetings and garden clubs.
2. Facility tours (such as the wastewater treatment plant) to civic groups and students.
3. City Council Meetings may be broadcast on television in the future. This would provide the public more opportunities to listen to discussions on water issues.

Evaluations

Evaluating the effectiveness of public education programs is difficult. The impacts from water conservation education are long term and benefits may not be immediately realized. Logically, water conservation education should reduce per capita consumption over time. However, per capita consumption can also vary with many other factors such as weather, development trends, and other demand management measures. Nevertheless, the effectiveness of the public education programs will be measured by trends in per capita water consumption. In addition, public comments on and demand for the information programs will also be considered.

Past expenditures and projected future expenditures on public education programs are summarized in **Table 7.7**.



Table 7-7: Public Information Program Implementation

	Actual				
	2006	2007	2008	2009	2010
Bill inserts/newsletters sent	14,562	14,882	15,014	15,161	15,217
Porterville Recorder / Newspapers sent	29,124	29,764	30,000	30,000	30,000
Bills showing water usage comparison	Yes	Yes	Yes	Yes	Yes
Media Buy	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Special Events	5	5	5	5	5
Website Information	Yes	Yes	Yes	Yes	Yes
Actual Expenditures (\$)	\$10,000	\$10,000	\$10,875	\$11,00	\$13,200

	Projected				
	2011	2012	2013	2014	2015
Bill inserts/newsletters sent	15,250	15,250	15,300	30,600	30,00
Porterville Recorder / Newspapers sent	40,000	40,000	40,000	60,000	60,000
Bills showing water usage comparison	Yes	Yes	Yes	Yes	Yes
Media Buy	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Special Events	5	5	5	5	5
Website Information	Yes	Yes	Yes	Yes	Yes
Actual/Projected Expenditures (\$)	\$13,000	\$13,000	\$13,000	\$15,000	\$15,000

Implementation Schedule: The City will continue to provide public information to remind the public about water issues, as detailed above.

7.1.8 School Education Program

The City performs multiple educational sessions throughout the year targeting the age groups listed in Table 7-8. The City has identified education as one of the major elements of their conservation program and therefore will maintain a proactive school educational program. The City's Water Conservation Coordinator currently directs educational field trips with community schools and during the visit, students are educated in Water Conservation, Storm Drain and Recycling. School Education Programs will continue to be evaluated similar to Public Information Programs (see Section 7.1.7). A summary of planned school education programs is provided in **Table 7-8**.



Table 7-8: School Education Program Implementation

# of Class Presentations	Actual				
	2006	2007	2008	2009	2010
Grades K-3	1	1	1	1	1
Grades 4-6	1	1	1	1	1
Grades 7-8	1	1	1	1	1
High School	2	2	2	2	2
College	0	0	0	0	0

	Projected				
	2011	2012	2013	2014	2015
Grades K-3	1	1	1	1	1
Grades 4-6	1	1	1	1	1
Grades 7-8	2	2	2	2	2
High School/College	2	2	2	2	2

Educational materials will be given to the students that meet state education framework requirements. Each presentation will be given to a multiple grade assembly including about 350 to 400 students. Currently there are no plans to give teacher workshops.

Implementation Schedule: The City will continue to provide this program in the manner described above.

7.1.9 Commercial, Industrial, and Institutional Conservation Programs

Commercial, industrial and institutional customers are treated the same as residential customers. As a result, any demand reduction measures which are available and marketed to residential customers are also available for commercial, industrial and institutional customers. All commercial and industrial projects are reviewed by the City for conformance with the City's water efficient landscape ordinance

Water usage from these accounts has averaged about 20% of the total City water usage. Large water users include about 150,000 gallons per day (estimated) at a local hospital, and 100,000 gallons per day (estimated) at a large poultry processing plant.

The City currently requires new car washes to install water recycling systems. These systems have the potential to reduce water consumption from 12,000 to 4,500 gallons per day at each car wash. The systems cost approximately \$40,000. Presently, the City only monitors the recycling systems for one year but will consider more long-term monitoring in the future. Statistics are not available on the number of car washes or



estimated water savings. The number of car washes that will be installed in the next five years is also unknown.

The City does not plan to implement a toilet replacement program for commercial, industrial and institutional water users. Toilet replacements are not considered the most economical means to conserve water and are often removed by customers (see Section 7.1.15), and, as a result, other water conservation programs will be pursued.

The City has no immediate plans to implement other conservation programs for commercial, industrial and institutional water users. However, over the next five years, the City plans to study the merits and benefits of the following programs:

1. Provide funding to businesses to install water efficient systems and processes;
2. Require large water users to submit a water conservation plan;
3. Perform on-site surveys of water users for water efficiency and water waste;
4. Distribute promotional information on water conservation to all parties that apply for building permits.

Table 7-9: CII Conservation Program Implementation

	Actual				
	2006	2007	2008	2009	2010
# of surveys completed	1	1	1	1	1
Incentives provided?	No	No	No	No	No
# of follow-up visits	0	0	0	0	0
Actual expenditures (\$)	\$160	\$160	\$160	\$160	\$160

	Planned				
	2011	2012	2013	2014	2015
# of surveys to be completed	1	1	1	1	1
Incentives to be provided?	No	No	No	No	No
# of follow-up visits	0	0	0	0	0
Projected expenditures (\$)	\$160	\$160	\$160	\$160	\$160

Implementation Schedule: The City will continue to provide this program in the manner described above.



7.1.10 Wholesale Agency Programs

The City of Porterville does not provide any wholesale water to other entities, and therefore this DMM does not apply.

7.1.11 Conservation Pricing

Currently, about 98% of the water used in the City is metered. In addition, all new connections in the City are required to be metered and billed by volume of use. All potable water users are charged the same volumetric rate regardless of the volume used or purpose of use. Water users are also charged a fixed monthly fee based on the size of their flowmeter. In 2007, the volumetric rate for water was \$0.72/100 cubic feet = \$314/acre-foot. The unit rate, however, can be increased by 20% during droughts. The City is not considering a tiered rate structure that increases volumetric water fees as water usage increases. The current rate structure (volumetric pricing and increases during droughts) appears to encourage water conservation, and additional water conservation will be sought through various voluntary and mandatory programs (education, water surveys, watering restrictions, etc.). If these measures are not successful in reducing demands, then the City will consider tiered pricing when the UWMP is revised in five years.

Residential sewer rates are assessed a fixed monthly fee for sewer services. Commercial, industrial and institutional customers are charged sewer fees based on volume of wastewater, but the rate also varies for different customer types (restaurants, car washes, schools, etc.) since the chemistry of their wastewater varies. Some customers, such as retail stores, have two meters, one for indoor use and one for landscaping, since the landscaping accounts are not billed for sewerage.

The impact of metering on water consumption is described in Section 7.1.4. In summary, it is estimated to reduce consumption by about 60 gpcd. The impact of the 20% rate increase during drought on consumption is not known and will have to be tested during an actual drought. However, the City estimates that it will reduce consumption by about 20%.

7.1.12 Water Conservation Coordinator

The City of Porterville has one designated part-time Water Conservation Coordinator (WCC). The person is employed full time with the City and devotes part of their time to water conservation efforts and the rest of their time to other topics such as recycling and stormwater education. More information on the WCC is provided below:

Name: Roman Ferro

Title: Water Systems Specialist

Experience: Grade D2 Water Distribution.

Date position created: 1989

Percent of time spent on water conservation efforts: 6%



The City plans to increase water conservation efforts, particularly education, over the next five years. At this time it is anticipated that the current WCC can accommodate this additional workload. It should also be noted that many other staff in the Public Works Department and Community Development Department spend time supporting and assisting the WCC.

Evaluating the effectiveness of the WCC's efforts is difficult. The WCC performs a wide array of tasks, but many of them are related to water conservation education. Therefore, the effectiveness of the WCC will be evaluated similar to the public information programs (See Section 7.1.7).

Table 7-10 provides data on past and anticipated future efforts for the WCC.

Table 7-10: Water Conservation Coordinator Program Implementation

	Actual				
	2006	2007	2008	2009	2010
# of full-time positions	0	0	0	0	0
# of part-time positions	1	1	1	1	1
Actual expenditures (\$)	\$3,000	\$3,200	\$3,400	\$3,600	\$3,800

	Planned				
	2011	2012	2013	2014	2015
# of full-time positions	0	0	0	0	0
# of part-time positions	1	1	1	1	1
Projected expenditures (\$)	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000

Implementation Schedule: Ongoing.

7.1.13 Water Waste Prohibition

According to Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."

The City has a Water Conservation Plan (WCP) that is implemented during droughts (see Section 6.2.2). When a drought is declared the WCP moves from Phase I to Phase II, Phase III or Phase IV, depending on the severity of the drought. During droughts, City staff will be more diligent in enforcing the water waste prohibition and if necessary will issue notices and fines.

Detailed data is not available on water waste violations and fines. More detailed records will be maintained in the future. The effectiveness of this policy is difficult to determine



and quantify since it is a deterrent and prevents waste before it can occur. Nonetheless, the City will track the number of warnings and violations, especially during droughts.

Table 7-11: Water Waste Prohibition Program Implementation

	Actual				
	2006	2007	2008	2009	2010
Waste Ordinance in effect	Yes	Yes	Yes	Yes	Yes
# of citations issued	0	0	0	0	0
Actual expenditures (\$)	\$500	\$500	\$500	\$500	\$500

	Planned				
	2011	2012	2013	2014	2015
Waste Ordinance in effect	Yes	Yes	Yes	Yes	Yes
Projected # of citations to be issued	0	0	0	500	500
Projected expenditures (\$)	\$500	\$500	\$500	\$2500	\$2500

Implementation Schedule: The City has permanently incorporated this program into its ordinances.

7.1.14 Ultra-Low Flush Toilet Replacement

Due to the potentially high cost per volume of water saved and possible problems with customer satisfaction, Porterville has chosen not to provide rebates for low flow toilet replacements, and will achieve water conservation goals through other programs. Refer to Section 7.1.15 for more details on why this DMM is not being implemented.

7.1.15 Evaluation of Programs not Implemented

The City has chosen not to implement the following demand management measures:

1. High Efficiency Washing Machine Rebates Programs
2. Residential Low Flow Toilet Replacements

These water conservation programs were evaluated according to several criteria as discussed below:

Legal Authority. The City of Porterville has the legal authority to implement these programs.

Technology. The technology is readily available for the City to implement these programs.

Environmental. These programs would have some environmental benefit through the conservation of water. Plumbing retrofits and replacements would retire appliances before their life expectancy and expedite their delivery to landfills.

Social. By implementing these programs the City would help to spread a 'culture' of water conservation.

Health. There are no known health impacts from implementing or not implementing these programs.

Customer Impact. These programs would have a positive impact on customers by reducing their water demands and thus reducing their water bills. They may have a negative impact as some people believe that high efficiency water appliances do not perform as well as standard appliances. The City may also lack the available staff to implement these programs.

Cost Sharing. No cost sharing programs were identified that would lower the financial burden on the City for implementing these programs. The City will monitor grant opportunities that could assist with these programs in the future.

Economics. The economics of certain water management programs are difficult or impossible for the City to evaluate without detailed and expensive studies. As a result, the City looked at a study by Little (2006) that provided typical costs to implement common programs.

The economics of these programs was evaluated by comparing the cost to customers for delivered water versus the cost of the programs. Currently, water deliveries in Porterville cost \$314/AF (a small monthly assessment for flowmeters is ignored in this analysis).

According to Little, washing machine rebates have a lifetime cost of \$404/AF of water saved based on a 12-year life expectancy. Therefore, the benefit cost ratio would be $\$314/\$404 = 0.78$.

Little also states that the lifetime cost (based on 20 years) per volume of water saved for toilet rebates is \$436/AF, resulting in a benefit/cost ratio of $\$314/\$436 = 0.72$. However, toilet replacements have a lower cost of \$181, resulting in a benefit/cost ratio of $\$314/\$181 = 1.73$. This difference was surmised to be because distributions programs allow a utility to assert total quality control by offering only highly efficient models, ensures



that toilets are installed properly, and also check for leaks or other conservation opportunities in the household during installation.

In summary, the washing machine rebates and toilet rebates will not be implemented because they are not economical. Toilet distributions appear economical according to Little's study, but the City is lacking staff to implement a program.



8 CLIMATE CHANGE

8.1 UWMP Requirement

The UWMP Guidebook does not require a section on Climate Change but suggests it be included for a more complete representation of the water situation, as water supply and demand are related to the climate change phenomena.

8.2 Introduction

California currently enjoys a Mediterranean climate, which is not expected to change with climate change projections in the future. The climate consists of cool, wet winters and hot, dry summers typically.

Increases in global greenhouse gas levels are changing climate patterns around the world and, it is speculated, may begin to change at an accelerated pace from what has occurred in the past. This accelerated rate of change could result in impacts to the local climate of the city in the form of higher temperatures, increased droughts and floods, decreased snow pack amounts and durations and other extreme variations in weather patterns. As the UWMP projects until 2035, these changes could be expected to manifest themselves over that period. The climate variations could affect the availability and volume of water resources.

8.3 Potential Impacts

In the past, the amount of rainfall has been fairly consistent, with periods of drought and periods of excess precipitation spaced relatively far apart. With climate change, the rainfall levels could begin to vary more from year to year, incurring droughts followed by excesses with less time between them. Typically, climate change predicts a decrease in average rainfall for the area, while temperatures are expected to increase. However, increased temperatures could intensify the El Nino Southern Oscillation cycle (ENSO), possibly resulting in very wet, wet years and drought level dry years.

For areas that rely on surface water deliveries, this weather pattern change could mean less dependable surface water deliveries, as the snow pack diminishes in some years. Increasing temperatures could start the snow pack spring melting period earlier and at an increased rate, which will increase the need for capacity in storage facilities and open channel conveyance facilities (i.e. canals). The increased melting rate could also lead to extensive flooding in lower lying areas due to lack of storage infrastructure.

8.4 Mitigation and Adaptation

To respond to the climate change predictions, the City's response must be two-fold: mitigation and adaptation. Mitigation consists of reducing the amount of greenhouse gas emissions. Adaptation is the process of modifying behaviors in response to the warming climate and related changes.



In relation to water management, emission reduction can be achieved by reducing the amount of water usage, thereby decreasing the energy used to move, treat, and discharge water supplies. As the City implements the DMMs discussed above, their usage will decrease and by association so will their energy use. DMMs that conserve water but utilize excess energy supplies to do so will need to be considered seriously to determine if they are desirable.

Adaptation is generally considered a local principle and, as such, must be contemplated in a very specific manner for each area. Adaptation can consist of more extensive master planning, enhanced management and storage of surface water supplies, increased usage of recycled water, and investment in infrastructure to support the previously stated measures.



9 COMPLETED UWMP CHECKLIST

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
PLAN PREPARATION				
4	Coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.	10620(d)(2)		Section 2 Appendix B
6	Notify, at least 60 days prior to the public hearing on the plan required by Section 10642, any city or county within which the supplier provides water that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. Any city or county receiving the notice may be consulted and provide comments.	10621(b)		Section 2 Appendix B
7	Provide supporting documentation that the UWMP or any amendments to, or changes in, have been adopted as described in Section 10640 et seq.	10621(c)		Appendix A
54	Provide supporting documentation that the urban water management plan has been or will be provided to any city or county within which it provides water, no later than 60 days after the submission of this urban water management plan.	10635(b)		Section 2 Appendix B
55	Provide supporting documentation that the water supplier has encouraged active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan.	10642		Section 2 Appendix B
56	Provide supporting documentation that the urban water supplier made the plan available for public inspection and held a public hearing about the plan. For public agencies, the hearing notice is to be provided pursuant to Section 6066 of the Government Code. The water supplier is to provide the time and place of the hearing to any city or county within which the supplier provides water. Privately-owned water suppliers shall provide an equivalent notice within its service area.	10642		Section 2 Appendix B
57	Provide supporting documentation that the plan has been adopted as prepared or modified.	10642		Appendix A
58	Provide supporting documentation as to how the water supplier plans to implement its plan.	10643		Section 7



SECTION NINE

CITY OF PORTERVILLE 2010 UWMP

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
59	Provide supporting documentation that, in addition to submittal to DWR, the urban water supplier has submitted this UWMP to the California State Library and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption. This also includes amendments or changes.	10644(a)		Section 2 Appendix A
60	Provide supporting documentation that, not later than 30 days after filing a copy of its plan with the department, the urban water supplier has or will make the plan available for public review during normal business hours	10645		Section 2 Appendix B
SYSTEM DESCRIPTION				
8	Describe the water supplier service area.	10631(a)		Section 3
9	Describe the climate and other demographic factors of the service area of the supplier	10631(a)		Section 3
10	Indicate the current population of the service area	10631(a)	Provide the most recent population data possible. Use the method described in "Baseline Daily Per Capita Water Use." See Section M.	Section 3
11	Provide population projections for 2015, 2020, 2025, and 2030, based on data from State, regional, or local service area population projections.	10631(a)	2035 and 2040 can also be provided to support consistency with Water Supply Assessments and Written Verification of Water Supply documents.	Section 3
12	Describe other demographic factors affecting the supplier's water management planning.	10631(a)		Section 3
SYSTEM DEMANDS				
1	Provide baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.	10608.20(e)		Section 4
2	<i>Wholesalers:</i> Include an assessment of present and proposed future measures, programs, and policies to help achieve the water use reductions. <i>Retailers:</i> Conduct at least one public hearing that includes general discussion of the urban retail water supplier's implementation plan for complying with the Water Conservation Bill of 2009.	10608.36 10608.26(a)	Retailers and wholesalers have slightly different requirements	Section 2
3	Report progress in meeting urban water use targets using the standardized form.	10608.40		N/A until 2015



SECTION NINE

CITY OF PORTERVILLE 2010 UWMP

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
25	Quantify past, current, and projected water use, identifying the uses among water use sectors, for the following: (A) single-family residential, (B) multifamily, (C) commercial, (D) industrial, (E) institutional and governmental, (F) landscape, (G) sales to other agencies, (H) saline water intrusion barriers, groundwater recharge, conjunctive use, and (I) agriculture.	10631(e)(1)	Consider 'past' to be 2005, present to be 2010, and projected to be 2015, 2020, 2025, and 2030. Provide numbers for each category for each of these years.	Section 4
33	Provide documentation that either the retail agency provided the wholesale agency with water use projections for at least 20 years, if the UWMP agency is a retail agency, OR, if a wholesale agency, it provided its urban retail customers with future planned and existing water source available to it from the wholesale agency during the required water-year types	10631(k)	Average year, single dry year, multiple dry years for 2015, 2020, 2025, and 2030.	Not Applicable
34	Include projected water use for single-family and multifamily residential housing needed for lower income households, as identified in the housing element of any city, county, or city and county in the service area of the supplier.	10631.1(a)		Section 4
SYSTEM SUPPLIES				
13	Identify and quantify the existing and planned sources of water available for 2015, 2020, 2025, and 2030.	10631(b)	The 'existing' water sources should be for the same year as the "current population" in line 10. 2035 and 2040 can also be provided.	Section 5
14	Indicate whether groundwater is an existing or planned source of water available to the supplier. If yes, then complete 15 through 21 of the UWMP Checklist. If no, then indicate "not applicable" in lines 15 through 21 under the UWMP location column.	10631(b)	Source classifications are: surface water, groundwater, recycled water, storm water, desalinated sea water, desalinated brackish groundwater, and other.	Section 5
15	Indicate whether a groundwater management plan been adopted by the water supplier or if there is any other specific authorization for groundwater management. Include a copy of the plan or authorization.	10631(b)(1)		Section 5
16	Describe the groundwater basin.	10631(b)(2)		Section 5
17	Indicate whether the groundwater basin is adjudicated? Include a copy of the court order or decree.	10631(b)(2)		Section 5



SECTION NINE

CITY OF PORTERVILLE 2010 UWMP

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
18	Describe the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. If the basin is not adjudicated, indicate "not applicable" in the UWMP location column.	10631(b)(2)		Not Applicable
19	For groundwater basins that are not adjudicated, provide information as to whether DWR has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition. If the basin is adjudicated, indicate "not applicable" in the UWMP location column.	10631(b)(2)		Section 5
20	Provide a detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years	10631(b)(3)		Section 5
21	Provide a detailed description and analysis of the amount and location of groundwater that is projected to be pumped.	10631(b)(4)	Provide projections for 2015, 2020, 2025, and 2030.	Section 5
24	Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.	10631(d)		Section 5
30	Include a detailed description of all water supply projects and programs that may be undertaken by the water supplier to address water supply reliability in average, single-dry, and multiple-dry years, excluding demand management programs addressed in (f)(1). Include specific projects, describe water supply impacts, and provide a timeline for each project.	10631(h)		Sections 4, 5 and 6
31	Describe desalinated water project opportunities for long-term supply, including, but not limited to, ocean water, brackish water, and groundwater.	10631(i)		Section 5
44	Provide information on recycled water and its potential for use as a water source in the service area of the urban water supplier. Coordinate with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area.	10633		Section 5
45	Describe the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.	10633(a)		Section 5
46	Describe the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.	10633(b)		Section 5



SECTION NINE

CITY OF PORTERVILLE 2010 UWMP

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
47	Describe the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.	10633(c)		Section 5
48	Describe and quantify the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.	10633(d)		Section 5
49	The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected.	10633(e)		Section 5
50	Describe the actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.	10633(f)		Section 5
51	Provide a plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.	10633(g)		Section 5
WATER SHORTAGE RELIABILITY AND WATER SHORTAGE CONTINGENCY PLANNING ^b				
5	Describe water management tools and options to maximize resources and minimize the need to import water from other regions.	10620(f)		Sections 5, 6 and 7
22	Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage and provide data for (A) an average water year, (B) a single dry water year, and (C) multiple dry water years.	10631(c)(1)		Section 6
23	For any water source that may not be available at a consistent level of use - given specific legal, environmental, water quality, or climatic factors - describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.	10631(c)(2)		Section 6
35	Provide an urban water shortage contingency analysis that specifies stages of action, including up to a 50-percent water supply reduction, and an outline of specific water supply conditions at each stage	10632(a)		Section 6
36	Provide an estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.	10632(b)		Section 6



SECTION NINE

CITY OF PORTERVILLE 2010 UWMP

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
37	Identify actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.	10632(c)		Section 6
38	Identify additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.	10632(d)		Section 6
39	Specify consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.	10632(e)		Section 6
40	Indicated penalties or charges for excessive use, where applicable.	10632(f)		Section 6
41	Provide an analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.	10632(g)		Section 6
42	Provide a draft water shortage contingency resolution or ordinance.	10632(h)		Section 6 Appendix A
43	Indicate a mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.	10632(i)		Section 6
52	Provide information, to the extent practicable, relating to the quality of existing sources of water available to the supplier over the same five-year increments, and the manner in which water quality affects water management strategies and supply reliability	10634	For years 2010, 2015, 2020, 2025, and 2030	Section 6
53	Assess the water supply reliability during normal, dry, and multiple dry water years by comparing the total water supply sources available to the water supplier with the total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and multiple dry water years. Base the assessment on the information compiled under Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.	10635(a)		Section 6
DEMAND MANAGEMENT MEASURES				



SECTION NINE

CITY OF PORTERVILLE 2010 UWMP

No.	UWMP requirement ^a	Calif. Water Code reference	Additional clarification	UWMP location
26	Describe how each water demand management measures is being implemented or scheduled for implementation. Use the list provided.	10631(f)(1)	Discuss each DMM, even if it is not currently or planned for implementation. Provide any appropriate schedules.	Section 7
27	Describe the methods the supplier uses to evaluate the effectiveness of DMMs implemented or described in the UWMP.	10631(f)(3)		Section 7
28	Provide an estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the ability to further reduce demand.	10631(f)(4)		Section 7
29	Evaluate each water demand management measure that is not currently being implemented or scheduled for implementation. The evaluation should include economic and non-economic factors, cost-benefit analysis, available funding, and the water suppliers' legal authority to implement the work.	10631(g)	See 10631(g) for additional wording.	Section 7
32	Include the annual reports submitted to meet the Section 6.2 requirements, if a member of the CUWCC and signer of the December 10, 2008 MOU.	10631(j)		Not Applicable



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APPENDIX A RESOLUTIONS AND ORDINANCES



**APPENDIX B
PUBLIC NOTIFICATION**



Published in the Porterville, Calif. Recorder
Friday, June 20, 2014
Page 5B

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING and AVAILABILITY OF DRAFT URBAN WATER MANAGEMENT PLAN FOR PUBLIC REVIEW CITY OF PORTERVILLE URBAN WATER MANAGEMENT PLAN (UWMP)

Pursuant to the California Water Code section 10642 and 10608, the City Council of the City of Porterville will conduct a Public Hearing to take testimony regarding the adoption of the 2010 Urban Water Management Plan (UWMP) for the City of Porterville.

The public hearing is scheduled for the following public meeting:

Porterville City
Council Meeting
6:30 p.m. Tuesday
August 19, 2014

City Council Chambers
291 North Main Street
Porterville, California

Any interested person may present written comments concerning the proposed UWMP up to the date of the hearing.

Public Notices

Inquiries concerning the proposed UWMP should be directed to Baldomero S. Rodriguez, Public Works Director at (559) 782-7462. The draft report may be reviewed during regular business hours at:

Office of the City Clerk
291 North Main Street
Porterville, CA 93257

If any person challenges the decision of the City in this matter in court, he or she may be limited to raising only those issues that were raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing.

All interested persons are invited to be present at aforesaid hearing and be heard thereon. The meeting facility is accessible to the handicapped. Auxiliary aides will be made available, upon request in advance, for persons with hearing or vision disabilities.

John Lollis, City Clerk

Dated: June 16, 2014

Publish: June 20 and June 27, 2014

June 20, 27, July 7, 21



APPENDIX C GROUNDWATER BASIN INFORMATION



APPENDIX D WATER CONSERVATION PLAN





WATER CONSERVATION PLAN

EVERY DROP COUNTS.

PRESENTED BY: FIELD SERVICES DIVISION
PUBLIC WORKS DEPARTMENT

CITY OF PORTERVILLE
555 N. PROSPECT ST., PORTERVILLE, CA 93257



REVISED BY:

JOHN LOLLIS,
CITY MANAGER

MICHAEL K. REED,
ACTING PUBLIC WORKS DIRECTOR

BRYAN B. STYLES,
DEPUTY PUBLIC WORKS DIRECTOR
& FIELD SERVICES MANAGER

MICHAEL KNIGHT,
WATER UTILITIES SUPERINTENDENT

ROMAN FERRO,
WATER SYSTEMS SPECIALIST

DENYS THOMPSON,
ADMINISTRATIVE AIDE



TABLE OF CONTENTS

Preface4

City Water System5

Conservation Phasing7

 ● Water Conservation Phase I7

 ● Drought Response Phase II9

 ● Drought Response Phase III12

 ● Drought Response Phase IV14

 ● Emergency Response Phase V.....16



PREFACE

The City of Porterville water system is municipally-owned with more than 15,299 service connections, 97% of which are metered, serving a population of 55,490, with approximately 1,100 service connections outside the city limits. Water supplies for the City system are produced entirely from groundwater underlying the city, which is recharged from rainfall and runoff of the Western Sierra Nevada. The major stream contributing to the recharge of the Tule Basin Aquifer underlying Porterville is the Tule River.

Storage capacity represents over ten million gallons within the distribution system and five hillside reservoirs, three with a capacity of three million gallons, one with a capacity of three hundred and five thousand gallons, one with the capacity of five hundred and fifty thousand gallons.

A telemetry system controls the operation of 23 of the City's 35 active well pumps to maintain system pressure under varying loads. The water levels in the reservoirs are also monitored and controlled by the computerized telemetry control system.

Water conservation and awareness have always been areas of concern for the Porterville community. Less than normal rainfall and runoff makes efforts to promote water conservation a high priority. In addition to the benefits of conserving water as a limited natural resource, additional benefits accrue to the community in the form of a reduced impact on the Wastewater Treatment Plant and a reduction in energy costs when water supplies are conserved.

It is vitally important that the Water Conservation Plan be a joint partnership between the City and the General Public in order to achieve optimal effect. The Plan has been developed in four phases with each phase defined in terms of the available water supply.

Well Storage Levels and Drought Phase Triggers

Water Conservation Phase I	Water Conservation Phase I: Applies during periods when a normal water supply is available.
Drought Response Phase II	Drought Response Phase II: Applies during period when there is a water supply storage.
Drought Response Phase III	Drought Response Phase III: Applies during period when there is a significant water supply storage.
Drought Response Phase IV	Drought Response Phase IV: Applies during period when there is a more significant water supply storage.
Emergency Response Phase V	Emergency Response Phase V: Applies during periods when there is a critical water supply shortage.



Actions within each phase have been defined as either actions to be undertaken by the City or by the General Public. Due to the number of variables which affect the water conditions in existence at any one point in time, a City staff analysis of those variables will be utilized in determining the transition of the City from one phase to a more (or less) stringent phase. At such time as staff determines that water supply conditions warrant a phase change, staff will present the request to the City Council for their approval.

This plan differs from other valley community plans because the city of Porterville is in a more favorable position of having almost all of its water customers metered, which allows the City to basically control the water conservation program.

CITY WATER SYSTEM

The City has always been diligent in its efforts to provide sufficient safe and affordable drinking water to the residents of the community. Water conservation has long been a permanent part of the City's water resource management program. Efforts to that end include:

- **NEW WELLS:**

Over the past five years new wells have been added to the City water system in order to serve the needs of the community. Additional wells are planned for completion within the next few years.

- **TELEMETRY SYSTEM:**

This system controls the operation of the well pumps to maintain system pressure under varying loads. Water levels in the reservoirs are also monitored and controlled by the computerized telemetry control system. Water is usually pumped to the reservoirs during the off peak usage hours for later use by consumers. This system was designed to operate the City wells in the most efficient and productive way possible with additional benefits of energy cost savings.

- **RESERVOIRS:**

The City currently operates and maintains five (5) hillside reservoirs, three (3) with a capacity of three million gallons, one (1) with a capacity of 305,000 gallons, and one (1) with a capacity of 550,000. The three largest reservoirs are usually filled during off peak hours and then release water during the high usage hours. There is also a 300,000 gallon reservoir located at the Airport which is also part of the City system. The reservoirs increase the City's ability to maintain system pressure during peak demand and fire flow situations.

- **METERIZATION PROGRAM:**

With over 97% of all service connections metered, the City has a goal of 100% meterization. All new connections are required to have meters.

- **UTILITY BILLING NOTICE:**

The City's computerized utility billing system provides consumers with their current and past water usage history for comparison purposes. While variations may be attributable to a change known to the consumer (i.e. additional persons in the home, addition of a swimming pool), it may also be the result of an undetected leak or other controllable occurrence.



- **WATER AUDIT/LEAKAGE DETECTION & REPAIR PLAN:**

The City will continue in its proactive plan to audit water supply usage. Upon detection of the source of any leakage, corrective action will be taken immediately in order to promote the efficient use of the existing water supply and in turn reduce the energy required to operate the system.

- **NEW WATER LINE TESTING:**

The City requires full pressure and leak testing of all newly constructed water lines.

- **FIRE HYDRANT TESTING:**

The City Fire Department schedules their annual fire hydrant testing program during the early spring and late fall to avoid the peak water use season. Such testing is required to maintain the integrity of the fire protection system.



CONSERVATION PHASING

The effectiveness of any voluntary plan ultimately depends on the public's awareness of the need for the plan. Local residents have a history of commitment to their community and support of the public welfare. It is a reliance upon this tradition that makes the distribution of public information the cornerstone of the City's Water Conservation Plan.

● WATER CONSERVATION PHASE I: NORMAL WATER SUPPLY

The Water Conservation Phase I applies during periods when a normal water supply is available.

ACTIONS BY THE CITY:

Public Information Program	• Distribution of suggestions for residential, commercial, and industrial water conservation and awareness. • Coordination of public information with the local news media. • City participation in Water Awareness Month (May). • Lawn and Landscape Watering Guides will be made available upon request. • City staff will coordinate with local nurseries to compile a list of low water using trees and plants. The list will be made available at City Hall, the Corporation Yard, and the Parks & Leisure Services Department for local residents. • Coordination with local schools to encourage young people to become aware of local water issues and conditions. • Advise against outdoor watering within forty-eight (48) hours of a measurable rainfall. Measurable rainfall is defined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) as 1/100th of one inch.
Project Review Committee	• The City's Project Review Committee (PRC) will include the evaluation of all submitted projects for water use and conservation efforts. The goal of City staff in cooperation with the developer will be to voluntarily reduce consumption of water used in the project. • City staff will assist the developer in familiarization with the Xeriscape Concept, combining creative landscaping and efficient irrigation to save water and promote attractive alternatives to traditional, high water use landscapes.
City Landscapes and Watering Schedules	• City parks, median islands, and landscaped public facilities will be watered during late night or early morning hours to the greatest extent possible. • All new landscaping projects undertaken by the City will



APPENDIX D

CITY OF PORTERVILLE 2010 UWMP

	incorporate conservation design.
Retrofit Bathroom Facilities	Water saving kits which contain toilet water conservation and low flow shower head devices will be made available to City water consumers, both residential and commercial, upon request, as funds are available.
Fire Hydrant Testing	The City's fire hydrant testing program will be scheduled during non-peak water usage times to the greatest extent possible without impairing the integrity of the City's fire protection service.

ACTIONS BY THE GENERAL PUBLIC:

Mindful Water Use	The general public will be encouraged to utilize those water conservation measures contained within the City's Public Information Program.
Voluntary Odd/Even Watering Schedule	- This schedule is encouraged, but not mandated. This plan is designed to minimize water usage and requests that the public water their lawn and shrubs according to their street address, per Exhibit 1 below. - Addresses ending in an odd number (1, 3, 5, 7, or 9) water on Tuesday, Thursday, and Saturday. Addresses ending in an even number (0, 2, 4, 6, or 8) water on Wednesday, Friday, and Sunday. There is no watering on Monday. Watering should be avoided between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM.

Voluntary Odd/Even Water Schedule

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
DO NOT WATER	OK TO WATER	OK TO WATER	OK TO WATER	OK TO WATER	OK TO WATER	OK TO WATER
	ODD	EVEN	ODD	EVEN	ODD	EVEN

Odd Address
 Even Address

Exhibit 1



● DROUGHT RESPONSE PHASE II: WATER SUPPLY SHORTAGE

Drought Response Phase II applies during periods when there is a water supply shortage. When water supply conditions start to deteriorate, the City is mandated to implement more stringent water conservation provisions for the benefit of its community. In addition to upholding the programs and provisions outlined in Phases I, the City must be diligent in its water conservation efforts by issuing penalties for non-compliance.

ACTIONS BY THE CITY:

Adoption and Enforcement of Stricter Water Regulations and Restrictions	- The City of Porterville will enforce an odd/even watering schedule for all residents. Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. Excessive run-off is prohibited, as is outdoor watering within forty-eight (48) hours of a measurable rainfall. Measurable rainfall is defined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) as 1/100th of one inch. - Per Section 25-5.1 of the City Municipal Code, Non-compliance with the City of Porterville's water conservation regulations will result in one written warning from the City of Porterville before the issuance of a citation. A second violation within a 12 month period will result in the issuance of a citation with a fine of \$100.00; a second citation will result in a fine of \$200.00; a third citation will result in a fine of \$500.00. Willful and egregious violations will result in issuance of a citation without a warning. Each day that a violation continues shall be regarded as a new and separate offense. - Per Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."
Public Information Program	The City will pursue a more aggressive distribution of information than its efforts initiated in the initial Water Conservation Phase to promote public awareness of the need to conserve water with a stronger emphasis on the water shortage condition.
Water System Pressure Reduction	The City's water system may experience reduced water pressures during high usage periods. This may deter water use for nonessential activities and encourage scheduling of landscape watering to late nights or early mornings.
City Landscapes and Watering Schedules	All City parks, median islands, and public facility landscapes will be watered during the late night or early morning hours to reduce impact on the water system during peak usage hours.
Leak Detection Water Waste	The City will continue in its proactive plan to audit water supply usage. All City staff will be reminded of the necessity of reporting any evidence of



APPENDIX D

CITY OF PORTERVILLE 2010 UWMP

	leaks or water waste for immediate action. There will be an emphasis on coordinated community efforts to reduce water waste.
"Waste of Water" Notices	City staff will be equipped to issue "Waste of Water" notices to consumers identified as misusing water.
Mandatory Odd/Even Watering days	Increase public education on the mandatory watering schedule program. Public outreach will emphasize changes from the Water Conservation Phase I (Voluntary) to Phase II (Mandatory).
Continuation of all Conservation Programs Established in Phase I	See Phase I

ACTIONS BY THE GENERAL PUBLIC:

Mandatory Odd/Even Watering Schedule	- Addresses ending in an odd number (1, 3, 5, 7, or 9) water on Tuesday, Thursday and Saturday. Addresses ending in an even number (0, 2, 4, 6, or 8) water on Wednesday, Friday and Sunday. There is no watering on Monday. See Exhibit 2 below. - Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. - Excessive runoff is prohibited.
Ornamental Water Features	- Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life. - The operation of ornamental fountains or other structure making similar use of water is prohibited unless the fountain uses a recycling system.
Conservation Efforts	The general public will be strongly encouraged to utilize those water conservation measures contained within the City's public information program.
Restaurants	Notices will be sent to all restaurants within the city limits requesting support of water conservation efforts by serving water to customers upon request only.
Lawn and Landscaping Watering	Mandatory implementation of the Odd/Even Watering Program initiated in the Water Conservation Phase I, all residential, commercial, and industrial landscape watering scheduled times.



Vehicle Washing and Sidewalk Hosing	• The washing of sidewalks, driveways, parking areas, patios or other paved areas is prohibited, unless it is necessary for the health and safety of the public. • The washing of automobiles, trucks, trailers, boats, and airplanes is only permitted on designated watering days. Such washing, when allowed, shall be done either by automatic car washes that recycle water or with a hand held bucket, or hand held hose equipped with a positive shutoff nozzle for quick rinses. • Per Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."
--	--

Mandatory Odd/Even Water Schedule

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
DO NOT WATER	OK TO WATER	OK TO WATER	OK TO WATER	OK TO WATER	OK TO WATER	OK TO WATER
---	ODD	EVEN	ODD	EVEN	ODD	EVEN

Odd Address
 Even Address

Exhibit 2



● DROUGHT RESPONSE PHASE III: SIGNIFICANT WATER SUPPLY SHORTAGE

Drought Response Phase III applies during periods when there is a significant water supply shortage. In addition to upholding the programs and provisions outlined in Phases I and II, the City must be diligent in its water conservation efforts by issuing penalties for non-compliance.

ACTIONS BY THE CITY:

Adoption and Enforcement of Stricter Water Regulations and Restrictions	- The City of Porterville will enforce a two day a week odd/even watering schedule for all residents. Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. Excessive run-off is prohibited, as is outdoor watering within forty-eight (48) hours of a measurable rainfall. Measurable rainfall is defined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) as 1/100th of one inch. - Per Section 25-5.1 of the City Municipal Code, Non-compliance with the City of Porterville's water conservation regulations will result in one written warning from the City of Porterville before the issuance of a citation. A second violation within a 12 month period will result in the issuance of a citation with a fine of \$100.00; a second citation will result in a fine of \$200.00; a third citation will result in a fine of \$500.00. Willful and egregious violations will result in issuance of a citation without a warning. Each day that a violation continues shall be regarded as a new and separate offense. - Per Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."
Public Information Program	The utility billing system will begin to notify customers of restrictions on water use. The program to promote public awareness will be intensified with emphasis placed on communicating the mandatory water conservation requirements to the public.
City Landscapes and Watering Schedules	All City parks, median islands, and public facility landscapes will adopt a two-day watering schedule. If it becomes necessary, watering of City parks and median islands will be suspended and evaluated each day.
Continuation of all Conservation Programs and Regulations Established in Phases I and II	See Phases I and II



ACTIONS BY THE GENERAL PUBLIC:

Mandatory Reduction in Watering Days Durations	- Addresses ending in an odd number (1, 3, 5, 7, or 9) water on Tuesday and Saturday. Addresses ending in an even number (0, 2, 4, 6, or 8) water on Wednesday and Sunday. There is no watering on Monday, Thursday, or Friday. See Exhibit 3 below. - Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. - Excessive runoff is prohibited.
Ornamental Water Features	- Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life. - The operation of ornamental fountains or other structure making similar use of water is prohibited unless the fountain uses a recycling system.
Vehicle Washing and Sidewalk Hosing	- The washing of sidewalks, driveways, parking areas, patios or other paved areas is prohibited, unless it is necessary for the health and safety of the public. - The washing of automobiles, trucks, trailers, boats, and airplanes is only permitted on designated watering days. Such washing, when allowed, shall be done with a hand held bucket, or hand held hose equipped with a positive shutoff nozzle for quick rinses. - Per Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."
Water Leaks	All leaks must be treated as a priority upon discovery and repaired at the safest scheduled opportunity.

Mandatory Odd/Even Water Schedule

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
DO NOT WATER	OK TO WATER	OK TO WATER	DO NOT WATER	DO NOT WATER	OK TO WATER	OK TO WATER
---	ODD	EVEN	---	---	ODD	EVEN

Odd Address
 Even Address

Exhibit 3



● DROUGHT RESPONSE PHASE IV: SIGNIFICANT WATER SUPPLY SHORTAGE

Drought Response Phase IV applies during periods when there is a significant water supply shortage. In addition to upholding the programs and provisions outlined in Phases I, II and III, the City must be diligent in its water conservation efforts by issuing penalties for non-compliance.

ACTIONS BY THE CITY:

Adoption and Enforcement of Stricter Water Regulations and Restrictions	- The City of Porterville will enforce a one day a week odd/even watering schedule for all residents. Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. Excessive run-off is prohibited, as is outdoor watering within forty-eight (48) hours of a measurable rainfall. Measurable rainfall is defined by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) as 1/100th of one inch. - Per Section 25-5.1 of the City Municipal Code, Non-compliance with the City of Porterville's water conservation regulations will result in one written warning from the City of Porterville before the issuance of a citation. A second violation within a 12 month period will result in the issuance of a citation with a fine of \$100.00; a second citation will result in a fine of \$200.00; a third citation will result in a fine of \$500.00. Willful and egregious violations will result in issuance of a citation without a warning. Each day that a violation continues shall be regarded as a new and separate offense. - Per Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."
Public Information Program	The utility billing system will begin to notify customers of restrictions on water use. The program to promote public awareness will be intensified with emphasis placed on communicating the mandatory water conservation requirements to the public.
City Landscapes and Watering Schedules	All City parks, median islands, and public facility landscapes will adopt a two-day watering schedule. If it becomes necessary, watering of City parks and median islands will be suspended and evaluated each day.
Continuation of all Conservation Programs and Regulations Established in Phases I, II and III	See Phases I, II and III



ACTIONS BY THE GENERAL PUBLIC:

Mandatory Reduction in Watering Days Durations	- Addresses ending in an odd number (1, 3, 5, 7, or 9) water on Saturday. Addresses ending in an even number (0, 2, 4, 6, or 8) water on Sunday. There is no watering Monday through Friday. See Exhibit 3 below. - Watering is prohibited between the hours of 5:00 AM to 10:00 AM and 5:00 PM to 10:00 PM. Watering shall only occur on designated watering days. - Excessive runoff is prohibited.
Ornamental Water Features	- Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life. - The operation of ornamental fountains or other structure making similar use of water is prohibited unless the fountain uses a recycling system.
Vehicle Washing and Sidewalk Hosing	- The washing of sidewalks, driveways, parking areas, patios or other paved areas is prohibited, unless it is necessary for the health and safety of the public. - The washing of automobiles, trucks, trailers, boats, and airplanes is only permitted on designated watering days. Such washing, when allowed, shall be done with a hand held bucket, or hand held hose equipped with a positive shutoff nozzle for quick rinses. - Per Section 25-5 of the City Municipal Code, "The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them."
Water Leaks	All leaks must be treated as a priority upon discovery and repaired at the safest scheduled opportunity.

Mandatory Odd/Even Water Schedule

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
DO NOT WATER	DO NOT WATER	DO NOT WATER	DO NOT WATER	DO NOT WATER	OK TO WATER	OK TO WATER
-	-	-	-	-	ODD	EVEN

Odd Address
 Even Address

Exhibit 4



● EMERGENCY RESPONSE PHASE V: CRITICAL WATER SUPPLY SHORTAGE

Applies during periods when there is a severe water supply shortage as determined by California State mandate, City Manager, system outage, equipment failure, contamination of water supply, or other emergency. In addition to upholding the programs and provisions outlined in Phases I, II, III and IV, the City must be diligent in its water conservation efforts by issuing penalties for non-compliance.

ACTIONS BY THE CITY:

Rate Structure Enhancement	A 20% water rate increase on all residential and landscape accounts will go into effect. This rate increase will encourage water conservation and will also serve as a provision to recover the lost revenues from water conservation.
City Landscapes and Watering Schedules	Watering of City parks and median islands will be suspended and evaluated each day.
Continuation of all Conservation Programs and Regulations Established in Phases I, II, III and IV	See Phases I, II, III and IV

ACTIONS BY THE GENERAL PUBLIC:

Lawn and Landscaping Watering	Lawn and landscaping watering is prohibited.
Vehicle Washing	Vehicle washing should be accomplished either by automatic car washes that recycle water or with buckets and hoses equipped with a shut-off nozzle.
Continuation of all Conservation Programs and Regulations Established in Phases I, II, III and IV	See Phases I, II, III and IV





CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Request for Conditional Use Permit (PRC 2015-032-C) to Allow for an Upgrade of a Type 20 Off-Sale License to a Type 21 Off-Sale General License for Sunnyside Handy Market, 809 E. Putnam Ave.

SOURCE: Community Development

BACKGROUND:

On August 23, 1982, the City of Porterville Planning Commission approved Conditional Use Permit 8-82 for the development of a PD(R) - (Planned Development Residential Subdivision) for Hacienda Heights which included two small commercial parcels. Approval of Phase One included the construction of a mini-mart and a fuel dispensing island. In mid-1983, Sunnyside Handy Market was constructed and began operations.

On March 1, 2005, the applicant requested approval for an upgrade of an existing Type 20 Off-Sale (beer and wine) License to a Type 21 Off-Sale General (beer, wine, and distilled spirits) License. City Council denied the request (Conditional Use Permit 1-2005) based on City Council's belief that the area would not benefit from the upgrade in alcohol and the area did not warrant an intensification of use in an area over-concentrated with licenses.

In 2008, the applicant re-submitted the request for an upgrade to a Type 21 license and on January 20, 2009, the City Council determined there was sufficient evidence to allow for the resubmittal for CUP 4-2008 as well as to submit for a Letter of Public Convenience or Necessity.

On February 17, 2009, City Council held a public hearing to consider CUP 4-2008, to upgrade the existing Type 20 Off-Sale (beer and wine) License to a Type 21 Off-Sale General (beer, wine and distilled spirits) License and a Letter of Public Convenience or Necessity. As the interior layout, shown as an exhibit, did not reflect the existing floor plan, City Council continued the public hearing to the regularly scheduled meeting of March 3, 2009, so that information in the report could show a revised interior layout.

On March 3, 2009, City Council approved CUP 4-2008 by Resolution 19-2009 subject to conditions of approval. In said resolution, condition number eleven states: "Unless an extension of time is granted by the City Council, the Conditional Use Permit shall expire one (1) year after the date of approval if the up-grade of the Type 21 Off-Sale General (beer, wine and distilled spirits) License has not been granted by the Department of Alcoholic Beverage Control Board." At that time, the applicant decided to not pursue the up-grade further,

which due to failing to obtain the proper licensing within the required one year time frame caused the CUP to become null and void.

COMMENT: At this time, the applicant is requesting approval of a Conditional Use Permit (PRC 2015-032-C) to allow for an upgrade of an existing Type 20 Off-Sale (beer and wine) license to a Type 21 Off-Sale General (beer, wine and distilled spirits) license for the Sunnyside Handy Market located at 809 E. Putnam Avenue.

On October 21, 2015, the Project Review Committee met with the applicant to discuss the proposed alcohol license upgrade. The existing location is zoned PD (Planned Development) and is located within Census Tract 39.01.

ANALYSIS: The California Department of Alcoholic Beverage Control District (ABC) allows a specific number of licenses per census tract population. In Census Tract 39.01 five (5) on-sale and seven (7) off-sale licenses are allowed, currently the tract contains three (3) on-sale and nine (9) off-sale. Due to the over-concentration of off-sale licenses a Letter of Public Convenience or Necessity is required.

The request for the upgrade in alcohol license is not projected to cause a negative impact on the surrounding community. Due to the proximity of the Porterville Municipal Golf Course, Murry Park, and Palabra Viva Church the project is conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare, and to prevent the use from becoming a nuisance. Alcohol advertising shall be prohibited on the exterior façade and windows of the establishment and shall comply with all laws, ordinances and regulations regarding the sale of alcohol.

The applicant stated that all distilled spirits shall be kept and maintained in a secure area accessible only by employees and retrieved at the request of the customer. The project site recently had a fire inspection conducted by Battalion Chief Sandoval. Chief Sandoval found no violations present. The Police Department has indicated that Sunnyside Handy Market site currently has sufficient exterior lighting to illuminate the parking lot and the entire site during business hours. The Police Department also indicated there have not been any alcohol or ABC violations regarding this location.

The site is consistent with the Planned Development zoning and General Plan policies that promote Neighborhood Commercial, and accessibility to services and goods within a sensible and convenient distance. The Neighborhood Commercial designation is intended for small-scale commercial development that provides convenient retail for the local neighborhood by promoting a pedestrian environment to limit auto-oriented uses.

The convenience store is a permitted use in the Planned Development Zone and alcohol sales may be permitted with the requested CUP. Sunnyside Handy Market has provided services for the surrounding community for thirty-two years.

ENVIRONMENTAL REVIEW:

On November 3, 2015, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to the “General Rule” exemption, 15061(b)(3).

RECOMMENDATION:

That the City Council:

1. Adopt the draft Resolution approving Conditional Use Permit (PRC 2015-032-C), subject to conditions of approval; and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

ATTACHMENTS:

1. Locator Map
2. Floor Plan
3. Existing Licenses in Census Tract 39.01
4. Resolution 38-2005
5. Resolution 19-2009
6. Draft Resolution
7. Letter of Public Convenience or Necessity

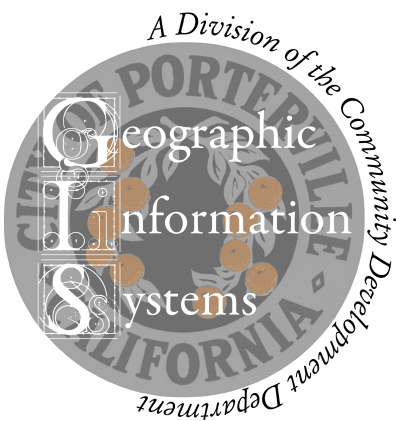
Appropriated/Funded:

Review By:

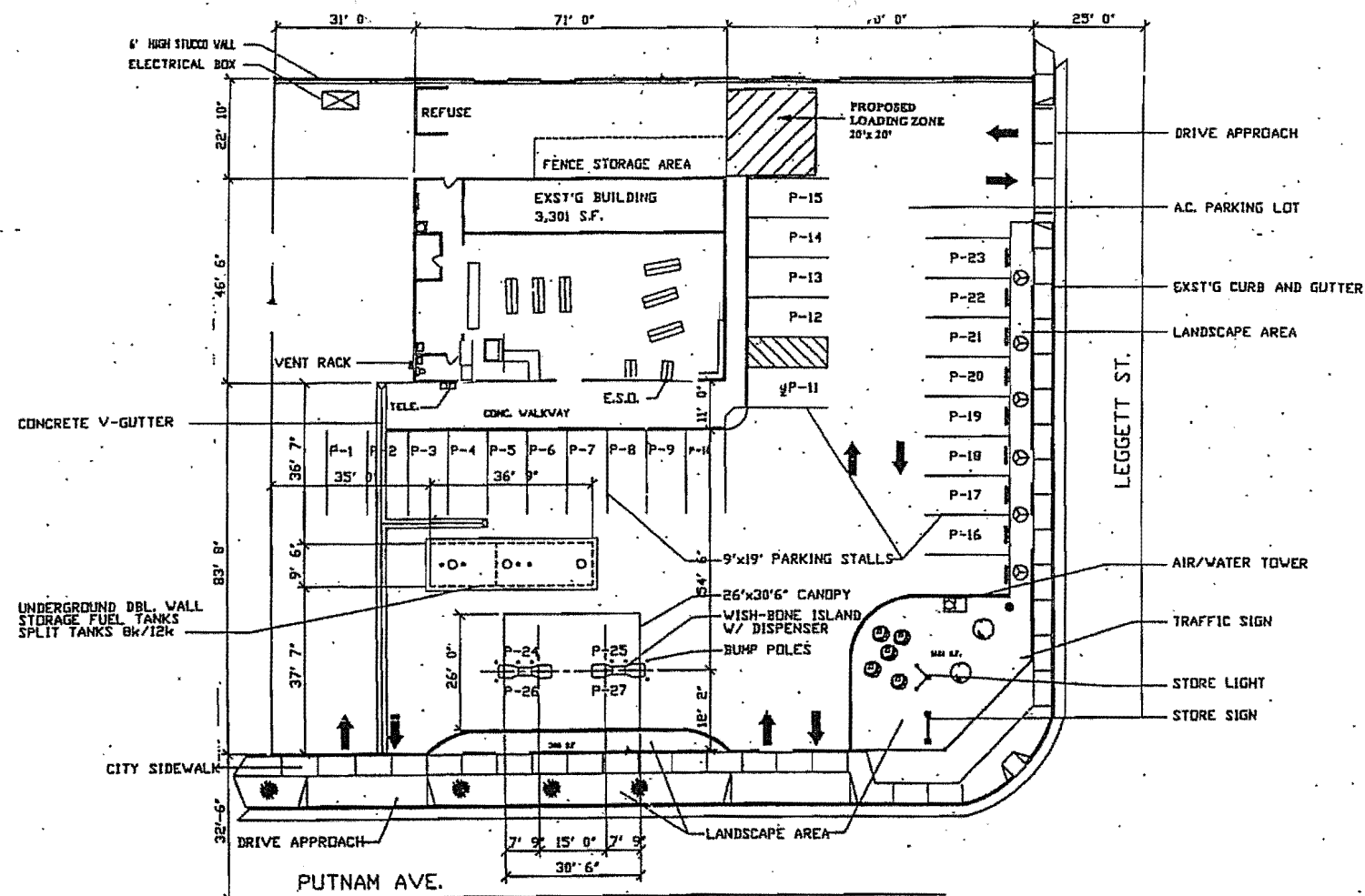
Department Director:

Jenni Byers, Community Development Director

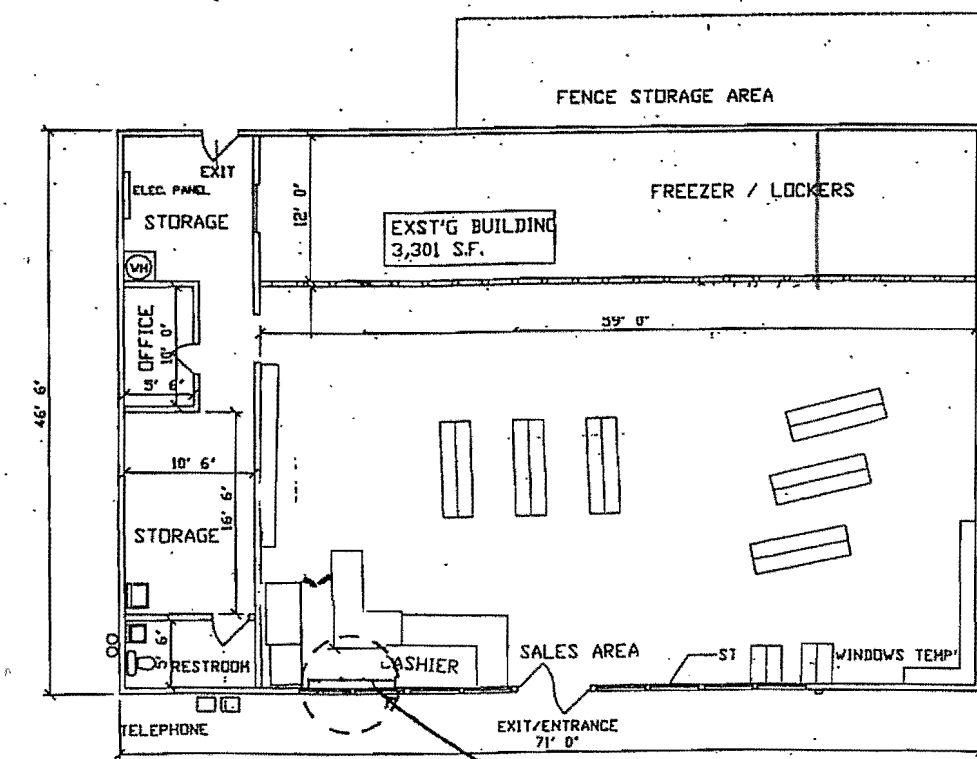
Final Approver: John Lollis, City Manager



PRC 2015-032
Up-grade from a Type 20 to Type 21
Project Locator Map
1" = 400 ft.



SITE PLAN — 1" = 20'



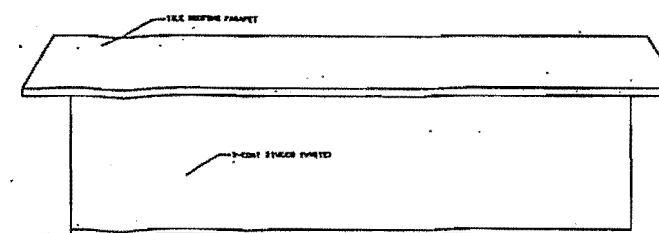
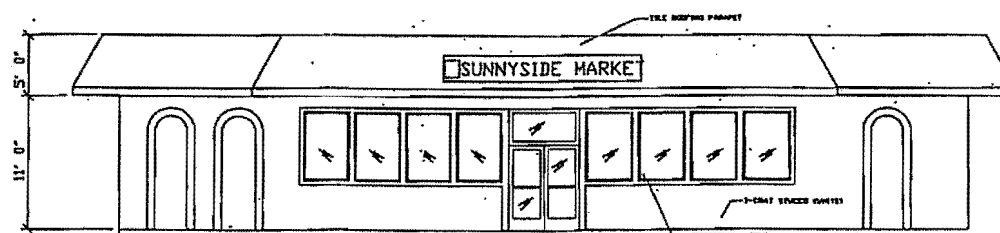
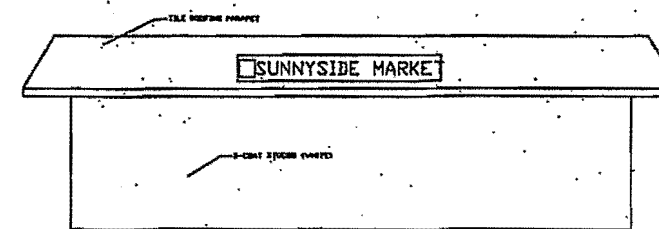
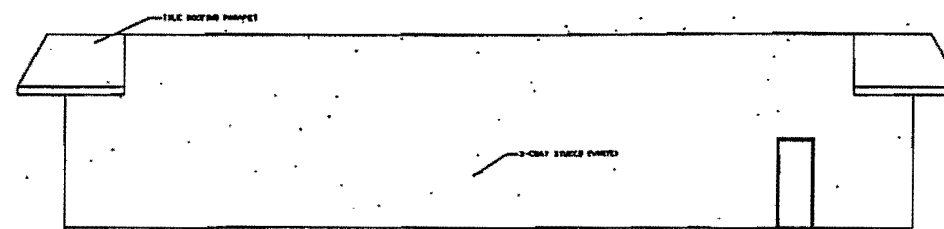
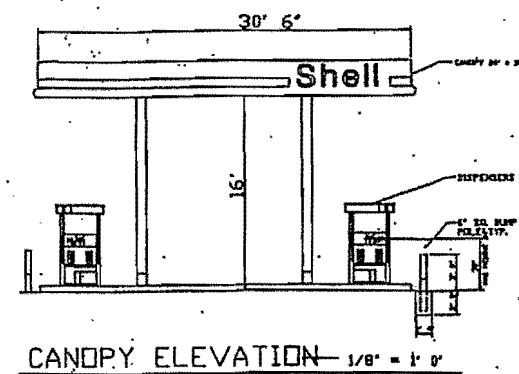
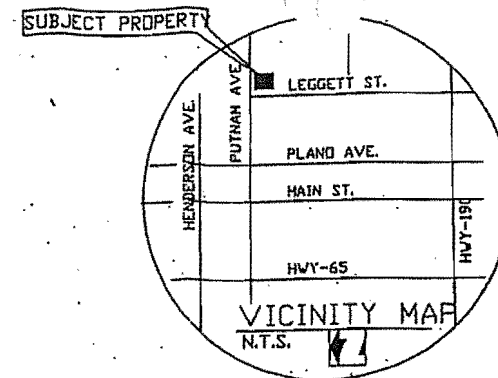
FLOOR PLAN — 1/8" = 1' 0"

SITE STATISTICS AND NOTES

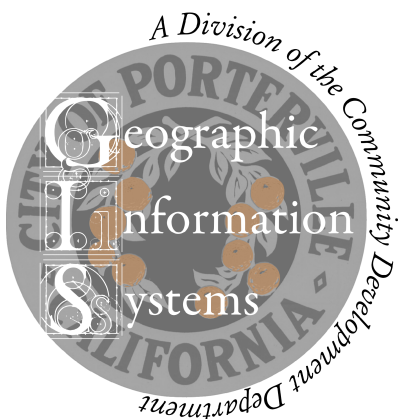
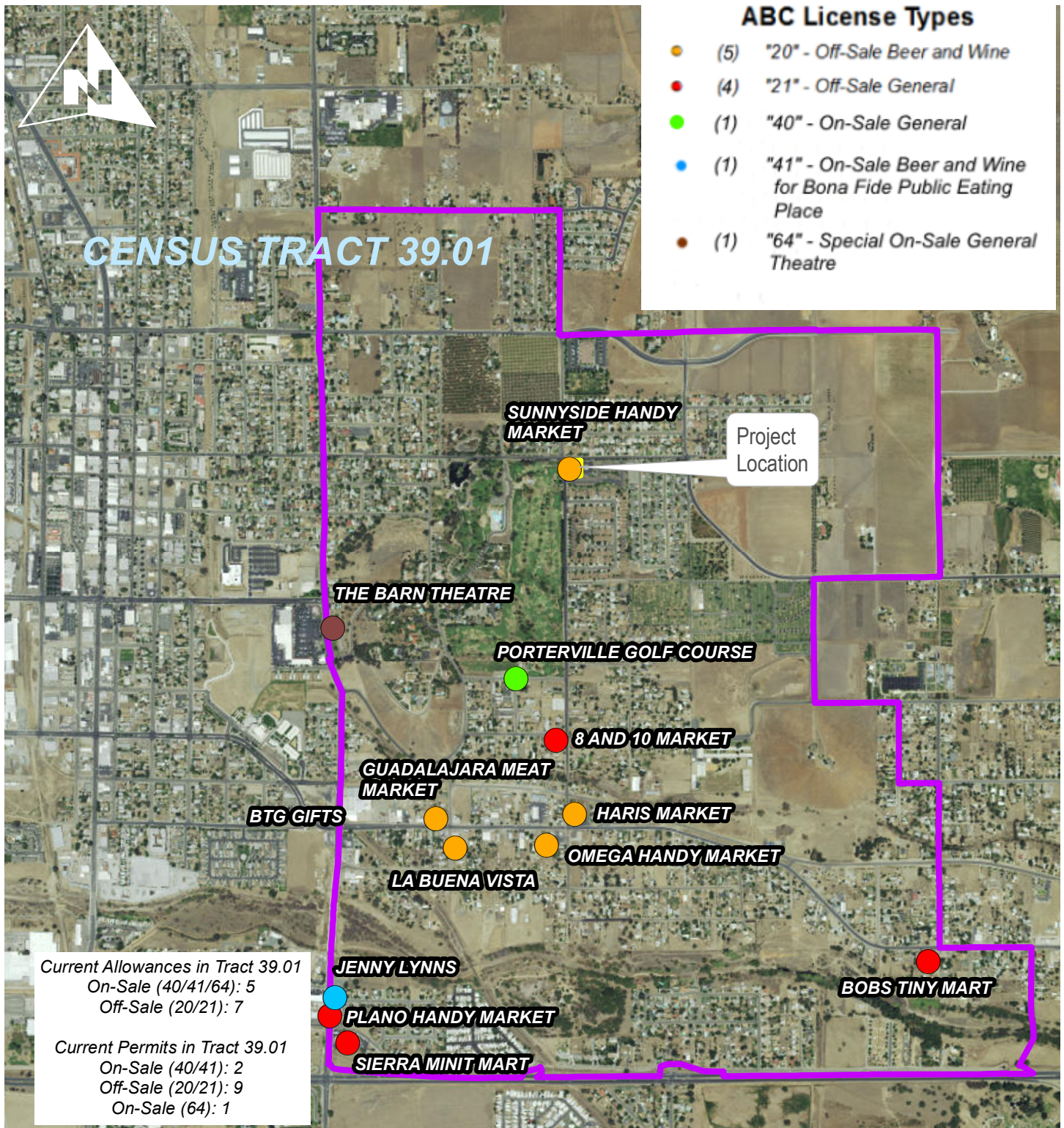
1. PARCEL # = APN
2. PROPERTY ADDRESS: 809 E. PUTNAM AVE. SUNNYSIDE MARKET / FUEL STATION
3. PROPERTY IS 26,116 SQ. FT. +/- LOT COVERAGE IS 75% TOTAL PROPOSED 2,800 SQ. FT.
4. EXISTING WOOD FRAMED BUILDING IS 46'6" x 71' (3,301 S.F.)
5. 4' A.C. PARKING LOT W/ PARKIGN STALLS STRIPED 1 SP. REQ'D PER 300 SQ. FT. / RETAIL STORE TOTAL PARKING SPACES ARE 23 W/ 4 @ FUEL ISLAND
6. ONSITE LANDSCAPE EXISTING 1,959 S.F.
7. PROPERTY IS ZONED M-1 LIGHT INDUSTRIAL

OCCUPANCY GROUP	H	3,301 S.F.
BASIC ALLOWABLE AREA	8,000 SQ. FT.	
CONSTRUCTION TYPE	TYPE VN	

8. SOLID WASTE WILL BE COLLECTED IN ROLL TYPE CONTAINER PER CITY OF PORTERVILLE SOLID WAST DIV.
9. METHOD OF SANITARY DISPOSAL SHALL BE CITY OF PORTERVILLE SEWER
10. ADDRESS NUMBERS SHALL BE POSTED ON THE EXTERIOR OF THE BUILDING IN SUCH A POSITION AS TO BE CLEARLY AND PLAINLY VISIBLE FROM THE STREET. NUMBERS SHALL BE AT LEAST SIX INCHES HIGH AND SHALL BE OF A COLOR THAT CONTRASTS WITH THEIR BACKGROUND.
11. INFORMATION ON EXISTING CONDITIONS WAS OBTAINED FROM THE OWNER AND LIMITED EXPLORATORY OBSERVATIONS. ALTHOUGH THESE SOURCES ARE BELIEVED TO BE RELIABLE, ACTUAL CONDITIONS MAY VARY. DRAWINGS OF EXISTING CONDITIONS WERE NOT AVAILABLE FOR REVIEW AND ACCURACY IS NOT GUARANTEED.
12. UNDERGROUND STORAGE FUEL TANK EXST'G
13. FUELING CANOPY 26' x 30' 6" x 16' TALL WITH (2) 310 DISPENSER
14. DIMENSIONS ARE +/-



EXTERIOR ELEVATIONS — 1/8" = 1' 0"



PRC 2015-032
Up-grade from a Type 20 to Type 21
ABC Permit Map
1" = 1,500 ft.

RESOLUTION NO. 38-2005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS FOR DENIAL OF CONDITIONAL USE PERMIT 1-2005 TO
ALLOW THE UPGRADE OF AN EXISTING TYPE 20, BEER AND WINE OFF-SALE
LICENSE TO A TYPE 21, BEER, WINE AND DISTILLED SPIRITS OFF-SALE LICENSE
AND LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR AN EXISTING MINI-
MART LOCATED AT
809 EAST PUTNAM AVENUE

WHEREAS: The City Council of the City of Porterville, at its regularly scheduled meeting of February 15, 2005, conducted a public hearing to consider Conditional Use Permit 1-2005, being a request to allow the upgrade of an existing Type 20, beer and wine license to a Type 21, beer, wine and distilled spirits off-sale license and a Letter of Public Convenience or Necessity for an existing mini-mart located at 809 East Putnam Avenue; and

WHEREAS: The City Council received testimony from all interested parties relative to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

1. This project is Categorically Exempt pursuant to "General Rule" Exception - 14 Ca. Admin. Code 15061 (b) (3) - Permit regulating operation of an existing mini-mart. Under the Permit Streamlining Act (Section 65950 of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project.
2. Section 2100 D of the Porterville Zoning Ordinance states the following:

Any use involving the sale of alcoholic beverages under an off-sale license within 600 linear feet of the nearest property line of any sensitive use as defined in this article shall be subject to obtaining approval of a Conditional Use Permit.

Any duly licensed off-sale liquor establishment in operation on July 20, 2004 shall be subject to the provisions of Article 25, of the ordinance.
3. State Law requires that if a license location is changed or the type of license is upgraded or downgraded (to increase or decrease privileges), a Letter of Public Convenience or Necessity is required.

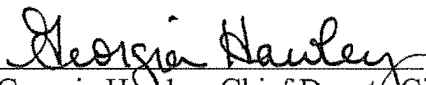
4. The subject site is located in Census Tract 30.01 which allows a maximum of eight (8) off-sale alcohol licenses. Currently there are 10 (to include the existing off-sale of beer and wine license at 809 E. Putnam Avenue). The majority of the licenses are located in the commercial areas along Plano Street and Date Avenue. Two (2) of those businesses are licensed to sell distilled spirits, as is the Big "D" Liquor Store on the east side of Plano Street located in Census Tract 41.01.
5. Under the regulations of the Business and Professions Code, whenever the ratio of off-sale licenses to population in a census tract exceeds the average ratio for the county, an "undue concentration" of licenses is determined to exist. In such circumstances, no additional licenses may be granted by the ABC unless the City Council determines that there is a public convenience or necessity in the community for the (subject) alcoholic beverage licensed establishment.
6. That due to the nature of the request to upgrade the existing Type 20 off-sale (beer and wine) license to a Type 21 off-sale (beer, wine and distilled spirits) license, the City Council finds that granting the proposed intensification of use would result in an undesirable effect on the community by establishing a City wide precedent allowing other convenience stores to seek similar intensifications thereby impacting the health, safety and general welfare of citizens residing in the community.
7. That due to the existing over concentration of off-sale licenses in Census Tract No. 30.01, approval of the Conditional Use Permit would further facilitate a precedence of allowing future Conditional Use Permits for alcoholic beverages in this Census Tract.
8. That due to the aforementioned, the proposed Conditional Use Permit would encourage potential of an environment of unstable, and undesirable conditions not suitable for the character of a site in the vicinity of the closeness of the existing residential subdivision to the south and Murry Park to the west.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby deny Conditional Use Permit 1-2005.


Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By 
Georgia Hawley, Chief Deputy City Clerk

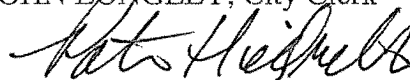
STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN LONGLEY, 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 a resolution passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council duly called and held on the 15th day of March, 2005.

THAT said resolution was duly passed adopted by the following vote:

Council:	WEST	IRISH	HAMILTON	STADTHERR	MARTINEZ
AYES:		X	X	X	X
NOES:					
ABSTAIN:					
ABSENT:	X				

JOHN LONGLEY, City Clerk



by Patrice Hildreth, Deputy City Clerk

RESOLUTION NO. 19-2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVAL OF
CONDITIONAL USE PERMIT 4-2008 TO ALLOW THE UPGRADE OF AN EXISTING
TYPE 20, BEER AND WINE OFF-SALE LICENSE TO A TYPE 21, BEER, WINE AND
DISTILLED SPIRITS OFF-SALE LICENSE AND LETTER OF PUBLIC CONVENIENCE OR
NECESSITY FOR AN EXISTING MINI-MART LOCATED AT
809 EAST PUTNAM AVENUE

WHEREAS: On March 1, 2005, the Porterville City Council at their regularly scheduled meeting by Resolution 38-2005 denied Conditional Use Permit 1-2005 to allow for the upgrade of an existing Type 20 beer and wine off-sale license to a Type 21 beer, wine and distilled spirits off-sale license.

WHEREAS: On January 20, 2009 the City Council of the City of Porterville authorized the applicant to submit application stating there was sufficient evidence of significant change in circumstances; and

WHEREAS: On February 17, 2009 the City Council continued the public hearing so that information in the report could be updated; and

WHEREAS: The City Council of the City of Porterville, at its regularly scheduled meeting of March 3, 2009, conducted a public hearing to consider Conditional Use Permit 4-2008, being a request to allow the upgrade of an existing off-sale Type 20, beer and wine alcohol license to an off-sale Type 21, beer, wine, and distilled spirits alcohol license and a Letter of Public Convenience or Necessity for an existing convenience market located at 809 E. Putnam Avenue; and

WHEREAS: The City Council received testimony from all interested parties relative to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

1. That the proposed project is consistent with the General Plan, zoning and land use for the site.

Conditional Use Permit 8-82 allowed for approval of a PD(R)-(Planned Development Residential Subdivision) for Hacienda Heights which also included a small commercial parcel. Approval of Phase One of Conditional Use Permit 8-82 allowed for the construction of the existing mini-mart and fuel dispensing island. On or about July 1983, the mini-mart was built. The existing market has been selling alcoholic beverages (beer and wine) prior to the adoption of Article 21 of the Porterville Zoning Ordinance.

2. That the proposed location of the project and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, welfare, or

materially injurious to properties or improvements in the vicinity. Conditions of approval are included to ensure adequate development standards are met.

3. Section 2100 D of the Porterville Zoning Ordinance states the following:

Any use involving the sale of alcoholic beverages under an off-sale license within 600 linear feet of the nearest property line of any sensitive use as defined in this article shall be subject to obtaining approval of a Conditional Use Permit.

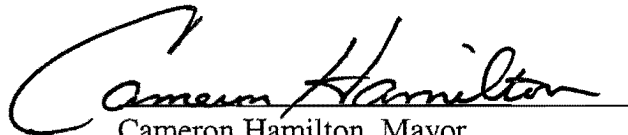
Any duly licensed off-sale liquor establishment in operation on July 20, 2004 shall be subject to the provisions of Article 25, of the ordinance. (Ord. 1198, 5-6-1980; Ord. 1393? 1, 11-17-1987; Ord. 1450? 1, 1-2-1991; Ord. 1657? 1, 8-3-2004)

4. State Law requires that if a license location is changed or the type of license is upgraded or downgraded (to increase or decrease privileges), a Letter of Public Convenience or Necessity is required.
5. The subject site is located in Census Tract 39.01 which allows a maximum of seven (7) off-sale alcohol licenses. Currently, there are twelve (12) (to include the existing off-sale of beer and wine license at 809 E. Putnam Avenue).
6. Under the regulations of the Business and Professions Code, whenever the ratio of off-sale licenses to population in a census tract exceeds the average ratio for the county, an "undue concentration" of licenses is determined to exist. In such circumstances, no additional licenses may be granted by the ABC unless the City Council determines that there is a public convenience or necessity in the community for the (subject) alcoholic beverage licensed establishment.
7. This project is Categorically Exempt pursuant to "General Rule" Exception - 14 Ca. Admin. Code 15061 (b) (3) - Permit regulating operation of an existing mini-mart.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit 4-2008 subject to the following conditions:

1. The developer/applicant shall install security lighting on the exterior of the building and/or in the parking lot sufficient to allow reasonable surveillance of the parking area to the satisfaction of the Porterville Police Department.
2. No alcohol advertising shall be displayed on the outside of the proposed building.
3. Any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council if such modification involves the sale of alcoholic beverages.

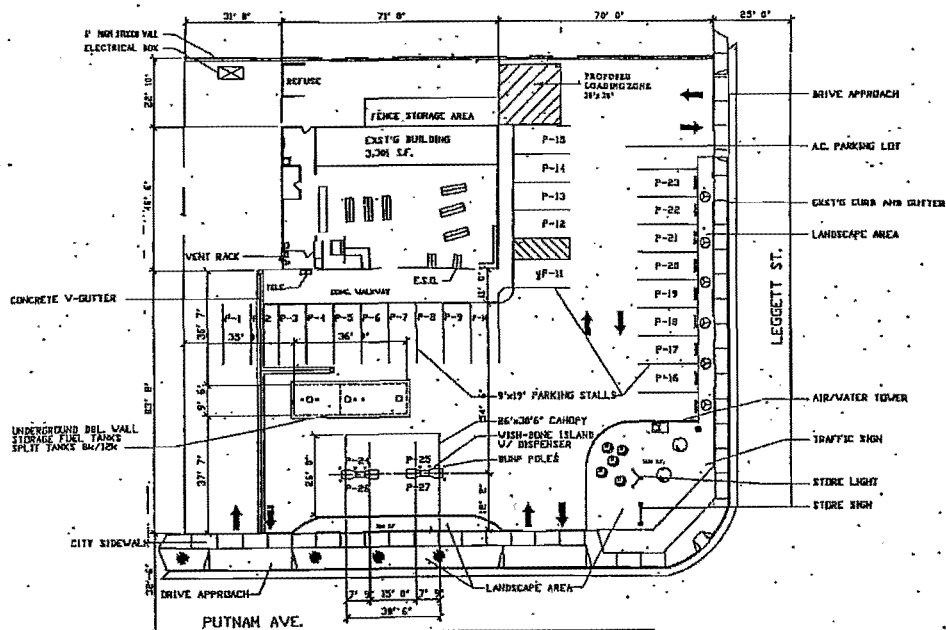
4. That the consumption of alcoholic beverages shall be prohibited on-site.
5. Upon approval of the Conditional Use Permit, any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls by the Police Department resulting from the sales of alcohol will result in revocation of the Conditional Use Permit.
6. A Letter of Public Convenience or Necessity will require approval by the Porterville City Council.
7. At all times, the facility shall be operated and maintained to comply with State Laws, the City of Porterville Zoning Ordinance, adopted Building Codes and all other applicable laws and ordinances.
8. The applicant shall provide a loading space(s) in accordance with Section 2400 and 2401 of the Zoning Ordinance.
9. That all distilled spirits shall be kept and maintained in a secure area accessible only to employees and retrieved at the request of the customer. The location of the distilled spirits is identified on the attached Exhibit A.
10. The hours of operation shall be between the hours 5am to 11pm seven days a week. At all times the convenience market shall be maintained in accordance with all applicable Municipal Code and Zoning Ordinance regulations.
11. Unless an extension of time is granted by the City Council, the Conditional Use Permit shall expire one (1) year after the date of approval if the up-grade of the off-sale Type 21, beer, wine and distilled spirits license has not been granted by the Department of Alcoholic Beverage Control Board.


Cameron Hamilton, Mayor

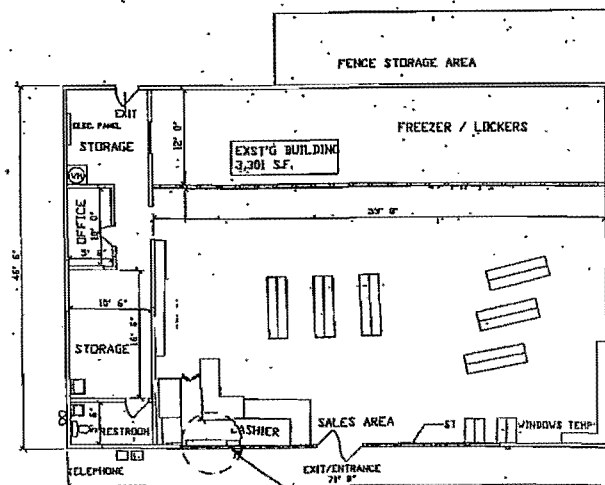
ATTEST:

John Lollis, City Clerk

By 
Patrice Hildreth, Chief Deputy City Clerk



SITE PLAN 1" = 20'



FLOOR PLAN 1/8" = 1' 0"

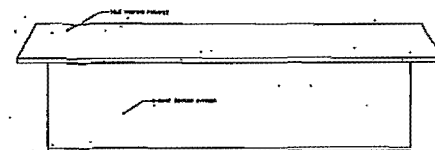
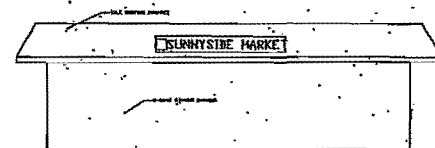
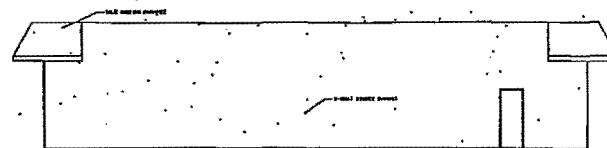
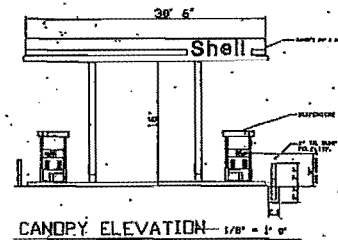
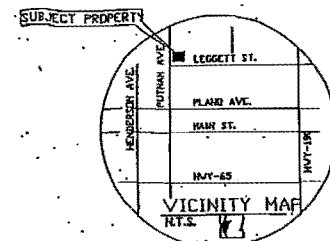
* Proposed Location of Distilled Sprinklers

SITE STATISTICS AND NOTES

1. PARCEL 8 - APM
2. PROPERTY ADDRESS: 809 E. PUTNAM AVE. SUNNYSIDE MARKET / FUEL STATION
3. PROPERTY IS 26,116 SQ. FT. +/-
4. LOT COVERAGE IS 75% TOTAL PROPOSED 2,800 SQ. FT. IS 46'6" x 71' (3,301 S.F.)
5. 4" AC. PARKING LOT W/ PARKING STALLS STRIPED 1 SP. REQ'D PER 300 SQ. FT. / RETAIL STORE TOTAL PARKING SPACES ARE 23 1/4 @ FUEL ISLAND
6. DMSITE LANDSCAPE EXISTING 1,939 S.F.
7. PROPERTY IS ZONED H-1 LIGHT INDUSTRIAL

OCCUPANCY GROUP	H - 3,301 S.F.
BASIC ALLOWABLE AREA	8,000 SQ. FT.
CONSTRUCTION TYPE	TYPE VH

8. SOLID WASTE WILL BE COLLECTED IN ROLL TYPE CONTAINER PER CITY OF PORTERVILLE SOLID WASTE DIV.
9. METHOD OF SANITARY DISPOSAL SHALL BE CITY OF PORTERVILLE SEWER
10. ADDRESS NUMBERS SHALL BE POSTED ON THE EXTERIOR OF THE BUILDING IN SUCH A POSITION AS TO BE CLEARLY AND PLAINLY VISIBLE FROM THE STREET. NUMBERS SHALL BE AT LEAST 2 1/2 INCHES HIGH AND SHALL BE OF A COLOR THAT CONTRASTS WITH THEIR BACKGROUND.
11. INFORMATION ON EXISTING CONDITIONS WAS OBTAINED FROM THE OWNER. THESE SOURCES ARE BELIEVED TO BE RELIABLE. ACTUAL CONDITIONS MAY VARY. DRAWINGS OF EXISTING CONDITIONS WERE NOT AVAILABLE FOR REVIEW AND ACCURACY IS NOT GUARANTEED.
12. UNDERGROUND STORAGE FUEL TANK EXIST'G
13. FUELING CANOPY 26' x 30' 6" x 16' TALL WITH (2) 310 DISPENSER
14. DIMENSIONS ARE +/-



EXTERIOR ELEVATIONS 1/8" = 1' 0"

EXHIBIT A

NOTES:
CITY OF PORTERVILLE CONDITIONAL USE PERMIT DBA

JQM DRAFTING
COMMERCIAL & RESIDENTIAL
10403 WHITE CHAPL LANE

VICINITY MAP & SITE PLAN
FLOOR PLAN, EXT. ELEV.
DATE: 10/1/00
DRAWN BY: JQM

EXISTING HINT-MART/FUEL STATION
E. PUTNAM AVE. & LEGGETT ST. CITY OF PORTERVILLE
PROPOSED DRAWINGS FOR

SCALE:
1/16" = 1' 0"
1/8" = 1' 0"
1/4" = 1' 0"
1/2" = 1' 0"
1" = 1' 0"
1 1/2" = 1' 0"
2" = 1' 0"
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9672" = 1' 0"
9696" = 1' 0"
9720" = 1' 0"
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9768" = 1' 0"
9792" = 1' 0"
9816" = 1' 0"
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9864" = 1' 0"
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9912" = 1' 0"
9936" = 1' 0"
9960" = 1' 0"
9984" = 1' 0"
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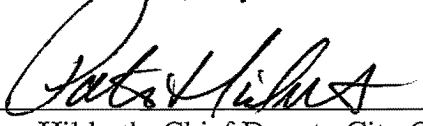
STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

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 regular meeting of the Porterville City Council duly called and held on the 3rd day of March, 2009.

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

Council:	McCRACKEN	P. MARTINEZ	F. MARTINEZ	WARD	HAMILTON
AYES:	X	X	X		X
NOES:				X	
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk


Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF CONDITIONAL USE
PERMIT (PRC 2015-032-C) TO ALLOW FOR THE UPGRADE OF AN EXISTING TYPE 20
OFF-SALE (BEER AND WINE) LICENSE TO A TYPE 21 OFF-SALE GENERAL (BEER,
WINE AND DISTILLED SPIRITS) LICENSE FOR SUNNYSIDE HANDY MARKET
LOCATED AT 809 E. PUTNAM AVENUE.

WHEREAS: Phase One of Conditional Use Permit 8-82 allowed for the construction of the existing mini-mart and fuel dispensing island; and

WHEREAS: On March 1, 2005, the Porterville City Council at their regularly scheduled meeting, by Resolution 38-2005, denied Conditional Use Permit 1-2005 to allow for the upgrade of an existing Type 20 Off-Sale (beer and wine) License to Type 21 Off-Sale General (beer, wine, and distilled spirits) License; and

WHEREAS: On January 20, 2009, the City Council authorized the applicant to resubmit an application requesting an upgrade stating that there was sufficient evidence of significant change in circumstances; and

WHEREAS: On February 17, 2009, the City Council continued the public hearing so that information in the report could be updated and report that the upgrade would not result in an undesirable effect on the community based on the conditions of approval; and

WHEREAS: On March 3, 2009, by Resolution 19-2009, City Council approved Conditional Use Permit 4-2008, being a request to allow the upgrade of an existing Type 20 Off-Sale (beer and wine) license to a Type 21 Off-Sale General, (beer, wine and distilled spirits) license; and

WHEREAS: Resolution 19-2009, expired one (1) year after the date of approval pursuant to condition number eleven, due to the applicant failure to obtain the proper licensing within the one year time frame; and

WHEREAS: On October 28, 2015, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act, per General Rule §15061(b),(3) of the California code of regulation (CEQA Guidelines); and

WHEREAS: The City Council of the City of Porterville, at its regularly scheduled meeting of November 17, 2015, conducted a public hearing to consider Conditional Use Permit (PRC 2015-032-C) to allow the upgrade of an existing Type 20 Off-Sale (beer and wine) License to a Type 21 Off-Sale General (beer, wine and distilled spirits) License for Sunnyside Handy Market located at 809 E. Putnam Avenue; and

WHEREAS: The City Council received testimony from all interested parties relative to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

1. That the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted.

The subject site is consistent with the Conditional Use Permit 8-82 that approved the PD(R) - (Planned Development Residential Subdivision for Hacienda Heights) which included a small commercial parcel. The subject site also advances the goals of the General Plan Land Use Designation of Neighborhood Commercial and Zoning Standards for Planned Development (PD) by providing convenient retail for local neighborhoods. The convenience store is a permitted use in the Planned Development Zone and alcohol sales may be permitted with the requested Conditional Use Permit.

2. That the proposed location of the project and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity.

The request for upgrade in alcohol license is not projected to cause a negative impact on the surrounding community. Conditions of approval are in place to operate the establishment in a manner that will preserve the public health, safety and welfare of the properties in the vicinity.

3. This project is Categorically Exempt pursuant to CEQA Guidelines §15061(b),(3) – General Rule; CEQA applies only to projects which have the potential for causing a significant effect on the environment.
4. The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. The subject site is located within Census tract 39.01 which allows, five (5) on-sale and seven (7) off-sale without being deemed over-concentrated. This tract contains 12 licenses for alcohol sales; three (3) on-sale and nine (9) off-sale. Whenever the ratio of off-sale licenses to population in a census tract exceeds the average ratio for the county, an “undue concentration” of licenses is determined to exist. Due to the over-concentration of off-sale licenses, a Letter of Public Convenience or Necessity will be required.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit (PRC 2015-019-C) subject to the following conditions:

1. Census Tract 39.01 contains 12 licenses for alcohol sales; three (3) on-sale, nine (9) off-sale. The California Department of Alcoholic Beverage Control allows a specific number of licenses per census tract population. In Census Tract 39.01, five (5) on-sale and seven (7) off-sale licenses are allowed. Due to the over-concentration of off-sale licenses a Letter of Public Convenience or Necessity will be required.

2. Upon approval of the conditional use permit, any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council if such modification involves the sale of alcoholic beverages.
3. No display that represents the use of the site as a location selling alcoholic beverages shall be visible from the outside of the building and windows.
4. The applicant shall maintain the security lighting on the exterior of the building and in the parking lot in a manner to allow reasonable surveillance of the area to the satisfaction of the Police Department and Zoning Administrator.
5. Upon approval of the conditional use permit, any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls by the Police Department resulting from the sales of alcohol could result in revocation of the Conditional Use Permit.
6. At all times, the facility shall be operated and maintained to comply with State Laws, the City of Porterville Zoning Ordinance, adopted building codes and all other applicable laws and ordinances.
7. Unless an extension of time is granted by the City Council the conditional use permit shall expire two (2) years after the date of approval if the Type 21 Off-Sale General (beer, wine and distilled spirits license) License is not active or actively pursued.
8. The applicant shall operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit as provided in section 601.10 of the Porterville Development Ordinance.
9. The elements of the conditional use permit approving off-site alcohol sales will be subject to modification or revocation if the off-sale license is sanctioned by the state of California.
10. The entire site shall be permanently maintained free of accumulated dirt and litter and in an otherwise neat and attractive manner.
11. The trash enclosure shall be located according to the floor plan submitted shown herein as Exhibit "A".
12. The hours of operation during which alcoholic beverages may be sold and served under the off-sale license shall be limited to only during business hours.
13. The consumption of alcoholic beverages shall be prohibited on-site.

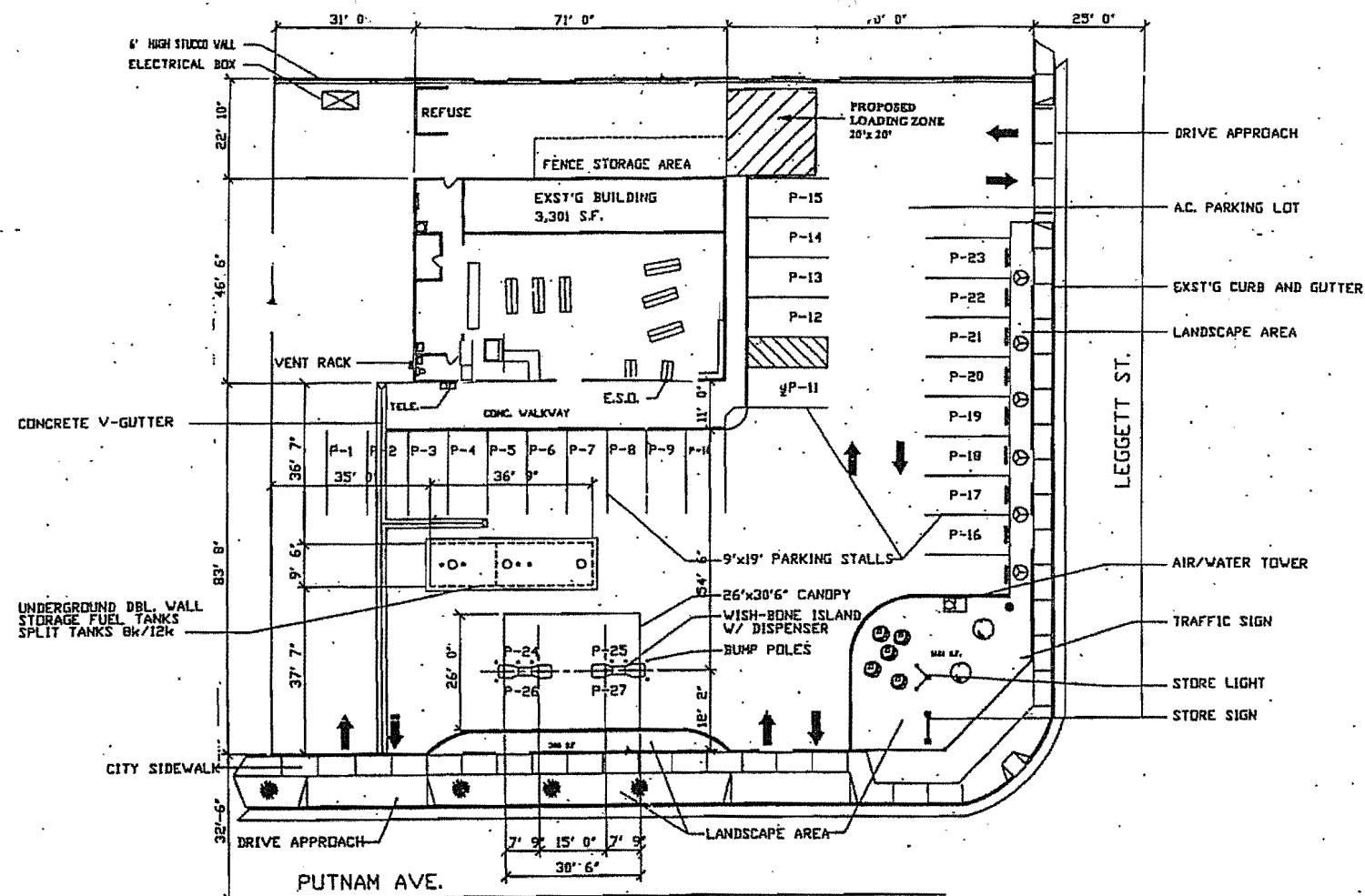
14. The developer/applicant shall keep the distilled spirits in a secure place with access only available to the employees and retrieved at the request of the customer, shown herein behind the service counter in Exhibit "A." Any future changes in operation which substantially alter the condition or nature of the subject business will require approval by the City Council if such modification involves expansion, relocation, or change in accessibility to the conditioned uses.

PASSED, APPROVED AND ADOPTED this 17th day of November, 2015.

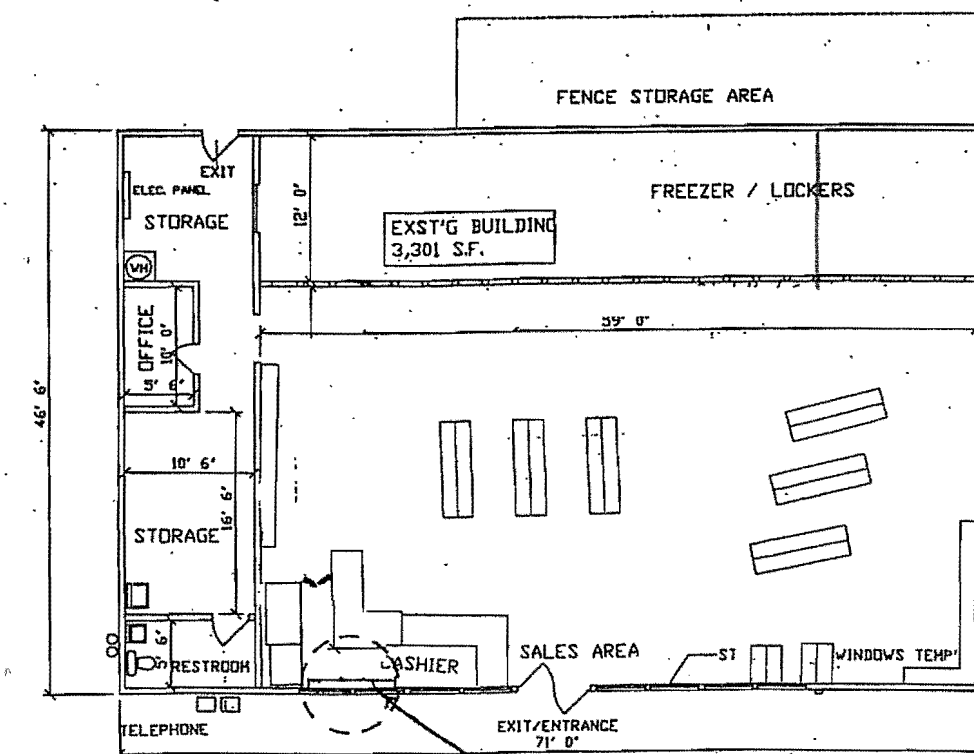
ATTEST:
John D. Lollis, City Clerk

Milt Stowe, Mayor

BY _____
Patrice Hildreth, Chief Deputy City Clerk



SITE PLAN — 1" = 20'



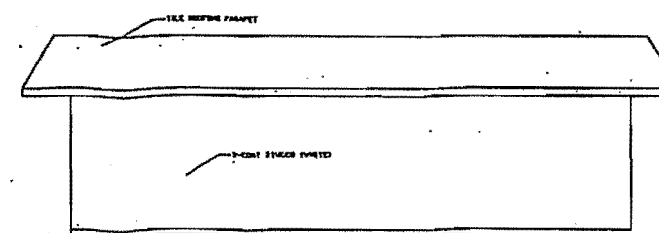
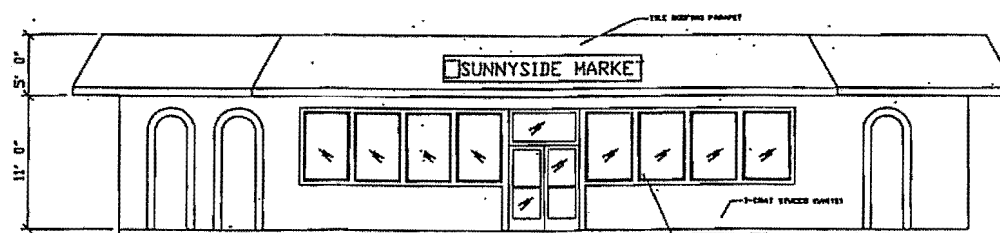
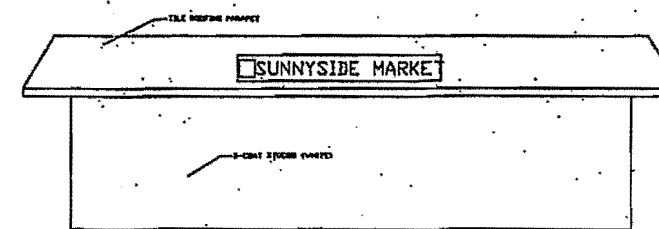
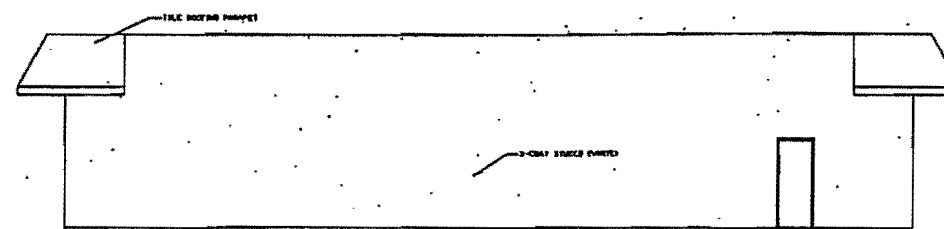
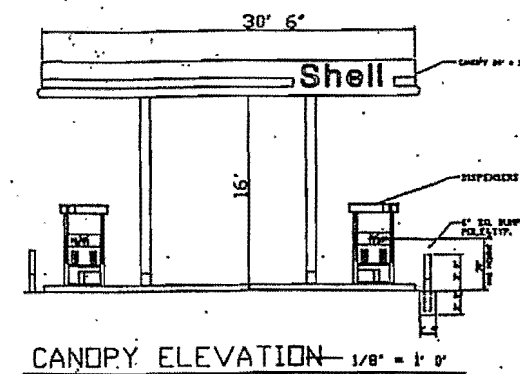
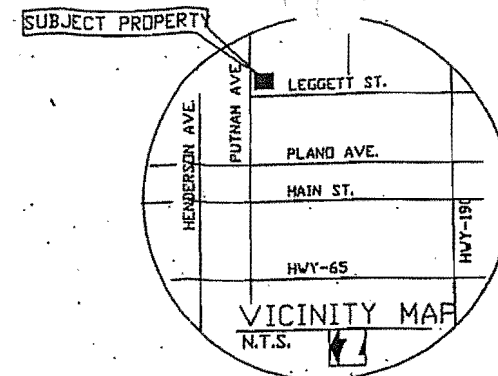
FLOOR PLAN — 1/8" = 1' 0"

SITE STATISTICS AND NOTES

1. PARCEL # = APN
2. PROPERTY ADDRESS: 809 E. PUTNAM AVE. SUNNYSIDE MARKET / FUEL STATION
3. PROPERTY IS 26,116 SQ. FT. +/- LOT COVERAGE IS 75% TOTAL PROPOSED 2,800 SQ. FT.
4. EXISTING WOOD FRAMED BUILDING IS 46'6" x 71' (3,301 S.F.)
5. 4' A.C. PARKING LOT W/ PARKIGN STALLS STRIPED 1 SP. REQ'D PER 300 SQ. FT. / RETAIL STORE TOTAL PARKING SPACES ARE 23 W/ 4 @ FUEL ISLAND
6. ONSITE LANDSCAPE EXISTING 1,959 S.F.
7. PROPERTY IS ZONED M-1 LIGHT INDUSTRIAL

OCCUPANCY GROUP	H	3,301 S.F.
BASIC ALLOWABLE AREA	8,000 SQ. FT.	
CONSTRUCTION TYPE	TYPE VN	

8. SOLID WASTE WILL BE COLLECTED IN ROLL TYPE CONTAINER PER CITY OF PORTERVILLE SOLID WAST DIV.
9. METHOD OF SANITARY DISPOSAL SHALL BE CITY OF PORTERVILLE SEWER
10. ADDRESS NUMBERS SHALL BE POSTED ON THE EXTERIOR OF THE BUILDING IN SUCH A POSITION AS TO BE CLEARLY AND PLAINLY VISIBLE FROM THE STREET. NUMBERS SHALL BE AT LEAST SIX INCHES HIGH AND SHALL BE OF A COLOR THAT CONTRASTS WITH THEIR BACKGROUND.
11. INFORMATION ON EXISTING CONDITIONS WAS OBTAINED FROM THE OWNER AND LIMITED EXPLORATORY OBSERVATIONS. ALTHOUGH THESE SOURCES ARE BELIEVED TO BE RELIABLE, ACTUAL CONDITIONS MAY VARY. DRAWINGS OF EXISTING CONDITIONS WERE NOT AVAILABLE FOR REVIEW AND ACCURACY IS NOT GUARANTEED.
12. UNDERGROUND STORAGE FUEL TANK EXST'G
13. FUELING CANOPY 26' x 30' 6" x 16' TALL WITH (2) 310 DISPENSER
14. DIMENSIONS ARE +/-



EXTERIOR ELEVATIONS — 1/8" = 1' 0"

November 17, 2015

California Department of Alcoholic Beverage Control
Fresno District Office
3640 East Ashlan Avenue
Fresno, CA 93726
ATTN: Christine Weldon

RE: Sunnyside Handy Market - 809 E. Putnam Avenue, Porterville, CA

Dear Ms. Weldon:

The City Council of the City of Porterville has elected to approve submittal of this letter regarding the public convenience or necessity to be served through issuance of a Type 21 Off-Sale General (beer, wine and distilled spirits) license for Sunnyside Handy Market located at 809 E. Putnam Avenue.

Approval of this letter was based on the following:

1. Per Section 23958.4 of the "Business and Professions Code," the subject site is located within Census Tract 39.01 which allows seven (7) off-sale licenses. At the present time, nine (9) on-sale licenses exist in this tract. Due to the over concentration of on-sale licenses a Letter of Public Convenience or Necessity was required.
2. On November 17, 2015, the City Council conditionally approved Conditional Use Permit (PRC 2015-032-C) (review attached resolution) to allow the off-sale of beer, wine and distilled spirits located at 809 E. Putnam Avenue. As a condition of approval, a Letter of Public Convenience or Necessity was required to be approved by the City Council.
3. In consideration of the above, the City Council determined that public convenience or necessity would be served by the issuance of a Type 21 Off-Sale General (beer, wine and distilled spirits) license.

Further issuance of an off-sale license allowing beer, wine and distilled spirits sales represents a viable economic asset to the community which will contribute tax revenues to the local economy.

The subject site is consistent with the General Plan Land Use Designation for CN, Neighborhood Commercial. The CN designation is intended to provide small-scale commercial development that provides convenient retail for the local neighborhood by promoting a pedestrian environment to limit auto-oriented uses. The proposed upgrade from a Type 20 Off-Sale, (beer and wine) license to a Type 21 Off-Sale General, (beer, wine and distilled spirits) license would suit the purpose of the zone designation as well as meeting the economic development guiding policy needed to retain, improve, and promote existing businesses in Porterville. The convenience store is a permitted use in the Planned Development Zone and alcohol sales may be permitted with the requested Conditional Use Permit.

For these reasons, the City Council of the City of Porterville supports issuance of a Type 21 Off-Sale, (beer, wine and distilled spirits) license for the Sunnyside Handy Market located at 809 E. Putnam.

Sincerely,

Milt Stowe, Mayor

Attachment: Resolution



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Second Reading - Ordinance 1829 - Permitting Process for Small Residential Rooftop Solar Systems

SOURCE: Administrative Services

COMMENT: Ordinance No. 1829, An Ordinance of the City Council of the City of Porterville Amending Article V of Chapter 7 of the Porterville Municipal Code Authorizing an Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems, was given first reading on November 3, 2015, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1829, waive further reading, and adopt said Ordinance.

ATTACHMENTS: 1. Ordinance No. 1829

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

ORDINANCE NO. 1829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING ARTICLE V OF CHAPTER 7 OF THE PORTERVILLE MUNICIPAL CODE
AUTHORIZING AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL
RESIDENTIAL ROOFTOP SOLAR SYSTEMS

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

SECTION 1:

Article V of Chapter 7 of the Porterville Municipal Code shall be entitled “Residential Rooftop Solar Energy Systems” and shall include sections 7-13, 7-13.1, 7-13.2, 7-13.3, 7-13.4, and 7-13.5 as follows:

CHAPTER 7-13

Residential Rooftop Solar Energy Systems

7-13: Definitions

7-13.1: Purpose

7-13.2: Applicability

7-13.3: Solar System Energy Requirements

**7-13.4: Duties of City in Reviewing Small Residential Rooftop
Solar Energy System Applications**

7-13.5: Permit Review and Inspection Requirements

7-13 Definitions

A. “Solar Energy System” means either of the following:

- 1) Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.
- 2) Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

B. “Small residential rooftop solar energy system” means all of the following:

- 1) A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - 2) A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and all State and City, health and safety standards.
 - 3) A solar energy system that is installed on a single or duplex family dwelling.
 - 4) A solar panel or module array that does not exceed the maximum legal building height as defined by the City.
- C. “Electronic submittal” means the utilization of one or more of the following approved methods:
- 1) Email
 - 2) Facsimile
 - 3) The Internet
- D. “Association” means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.
- E. “Common interest development” means any of the following:
- 1) A community apartment project;
 - 2) A condominium project;
 - 3) A planned development;
 - 4) A stock cooperative.
- F. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- G. “Reasonable restrictions” on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allows for an alternative system or comparable cost, efficiency, and energy conservation benefits.
- H. “Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance” means:
- 1) For Water Systems or Solar Swimming Pool Heating Systems: an amount

exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the solar energy system by an amount exceeding 10 percent, as originally specified and proposed.

- 2) For Photovoltaic Systems: an amount not to exceed one thousand dollars (\$1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10 percent as originally specified and proposed.

7-13.1: Purpose

The purpose of the Ordinance is to adopt an expedited, streamline solar permitting process that complies with state law and provide for timely and cost-effective installation of small residential rooftop solar energy systems. The Ordinance encourages the use of solar systems by removing unreasonable barriers and minimizing costs to property owners and the City to install solar energy systems. The Ordinance allows the City to achieve these goals while protecting the public health and safety.

7-13.2: Applicability

This Ordinance applies to the permitting of all small residential rooftop solar energy systems in the City. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this Ordinance are not subject to the requirements of this Ordinance unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

7-13.3: Solar System Energy Requirements

- A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the State and the City of Porterville.
- B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Codes.
- C. Solar energy systems for producing electricity shall meet all applicable Codes, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

7-13.4: Duties of City in Reviewing Small Residential Rooftop Solar Energy System Applications

- A. All documents required by the City to be completed for the submission of an expedited

solar energy system application shall be made available on the publicly accessible City of Porterville website.

- B. Electronic submittal of the required permit applications and documents by email, the internet, or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.

An applicant's electronic signature shall be accepted on all forms, applications, and other documents submitted for permit in lieu of a wet signature. Safety and performance standards established by the California Electrical Code shall provide an electronic "Notarized" copy of proof of ownership of said property and the contractor utilized by the applicant shall provide proof of current contractor's license and insurance.

Applicants are required to appear in person at the time of permit issuance. Permits will not be issued electronically and shall be available for issuance each business day during regular hours of operation.

- C. The City of Porterville Engineering & Building Division shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply in order to be eligible for expedited review. This standard plan and checklist will be updated and reviewed periodically by the Engineering & Building Division and revised if necessary to comply with all applicable requirements.
- D. The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall conform to the most current state codes.
- E. All fees prescribed for the permitting of small residential rooftop solar energy systems must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.

7-13.5: Permit Review and Inspection Requirements

- A. The City of Porterville Engineering & Building Division shall adopt an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems within 30 days of the adoption of this Ordinance. The Engineering & Building Division shall issue a building permit or other nondiscretionary permit the same day for over-the-counter application or within one-three business days for electronic application of receipt of a complete application that meets the requirements of the approved administrative process and standard plan. The Building Official may require an applicant to apply for a use permit if the official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the City of Porterville Building Appeals Board.
- B. Review of the application shall be limited to the building official's review of whether the

application meets local, state, and federal health and safety requirements.

- C. If a use permit is required, the Building Official may deny the application for the use permit if the official makes written findings upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the City of Porterville Building Appeals Board.
- D. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.
- E. “A feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit. The City shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of state law, including, but not limited to, subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.
- F. The City shall not condition approval of an application on the approval of an association, meaning a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development, as the term “association” is defined in Section 4080 of the Civil Code.
- G. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to, or given to, the applicant for resubmission.
- H. Only one inspection shall be required and performed by the Engineering & Building Division for small residential rooftop solar energy systems eligible for expedited review. The City of Porterville Engineering & Building Division has the authority/responsibility to perform safety inspections regarding ingress and egress on roof clearances regarding solar panels at rooftops and at leading edges. The Engineering & Building Division will also inspect for proper flashing installation requirements, installation of smoke alarm(s) and carbon monoxide detectors, and that the requirements of SB 407 for the replacement of non-compliant plumbing fixtures are being met.
- I. The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two (2) business days of a request being received and shall be assigned a two-(2) hour inspection window.
- J. If a small residential rooftop solar energy system fails inspection, a subsequent inspection

is required and, henceforth, shall be held to the same requirements as all inspections outside of the prevue of this ordinance.

SECTION 2:

As part of complying with new state law requirements, the City of Porterville Engineering & Building Division has prepared a checklist of the requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The ordinance authorizes the Engineering & Building Division, in consultation with the Fire Department, to prepare this checklist, utilize the checklist for expedited review of small rooftop solar energy system applications, and periodically review and update the checklist. A copy of the initial checklist is included in Exhibit A.

SECTION 3:

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Porterville hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 4:

The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law, and this Ordinance shall be construed in light of that intent.

SECTION 5:

This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 6:

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

PASSED, ADOPTED AND APPROVED this 17th day of November, 2015.

ATTEST:
John D. Lollis, City Clerk

Milt Stowe, Mayor

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Second Reading - Ordinance 1830 - Water Conservation and Landscape Irrigation

SOURCE: Administrative Services

COMMENT: Ordinance No. 1830, An Ordinance of the City Council of the City of Porterville Adopting a Water Efficient Landscape Ordinance and Amending the Porterville Municipal Code as it Related to Water Conservation and Landscape Irrigation, was given first reading on November 3, 2015, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1830, waive further reading, and adopt said Ordinance.

ATTACHMENTS: 1. Ordinance No. 1830

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

ORDINANCE NO. 1830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ADOPTING A WATER EFFICIENT LANDSCAPE ORDINANCE AND
AMENDING THE PORTERVILLE MUNICIPAL CODE AS IT RELATES TO
WATER CONSERVATION AND LANDSCAPE IRRIGATION

WHEREAS: On January 17, 2014, Governor Edmund G. Brown, Jr. proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS: On April 25, 2014, Governor Brown proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS: On April 1, 2015, Governor Brown issued Executive Order B-29-15, which outlined various directives to state agencies, and in turn local governments, in order to save water, increase enforcement against water waste, invest in new technologies, and streamline government response; and

WHEREAS: One specific directive requires the Department of Water Resources to update the State Model Water Efficient Landscape Ordinance (“State Model”). The updated State Model was completed and became operative on September 15, 2015. The State Model requires that local agencies report on implementation and enforcement by December 31, 2015. The State Model may be adopted verbatim by a local agency or locally modified. The proposed ordinance has been locally modified to cross reference local project processes, and to tie into the City’s Water Conservation Plan; the modifications from the State Model are underlined for clarification; and

WHEREAS: Pursuant to Item 26 of Executive Order B-29-15, Division 13 (commencing with Section 21000) of the Public Resources Code, otherwise known as the California Environmental Quality Act (CEQA) and regulations adopted pursuant to that Division were suspended. The suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required. Therefore, the adoption of this ordinance is not subject to environmental review; and

WHEREAS: On October 20, 2015, the City Council held a public hearing to consider adopting modifications to Porterville Municipal Code that will comply with the State Model as well as further Porterville’s interest in encouraging and requiring development to pursue drought tolerant landscaping to the furthest extent possible. No public comments were received at the public hearing, but the City Council discussed local modifications to limit use of natural turf in commercial and industrial zone districts. In order to draft language to achieve this vision, the Council continued the public hearing to the meeting of November 3, 2015.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does hereby adopt an ordinance amending the Porterville Municipal Code as it relates to water conservation and landscape irrigation, and commercial crop cultivation, as follows:

SECTION 1:

Add Chapter 25, Article 1, Division 6. Water Conservation and Efficiency, as follows:

§ 25-33. Purpose.

(a) The City of Porterville has found:

- (1) that the waters of the Tule Sub-basin are of limited supply and are subject to ever increasing demands;
- (2) that the continuation of Porterville's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
- (3) that it is the policy of the City of Porterville to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
- (4) that landscapes are essential to the quality of life in Porterville by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development;
- (5) that landscape design, installation, maintenance and management can, and should be, water efficient; and
- (6) that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not, and shall not, extend to waste or unreasonable method of use.

(b) Consistent with these legislative findings, the purpose of this ordinance is to:

- (1) promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water;
- (2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects through a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;
- (3) establish provisions for water management practices and water waste prevention for existing landscapes;
- (4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount; and
- (5) establish economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure.

(c) Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's and Porterville's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban

environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of the Ordinance, conditions in the urban setting will be improved by:

- (1) creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits;
- (2) minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas;
- (3) conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment;
- (4) protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion;
- (5) protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants; and
- (6) utilizing integrated pest management with least toxic methods as the first course of action.

§ 25-34 Applicability

- (a) This ordinance shall apply to all of the following landscape projects:
 - (1) new development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
 - (2) rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
 - (3) existing landscapes limited to Sections 25-52 and 25-53; and
 - (4) cemeteries; recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 25-38, 25-45 and 25-46; and existing cemeteries are limited to Sections 25-52 and 25-53; and
 - (5) all new commercial and industrial developments requiring building permits where the landscape area will be modified or rehabilitated.
- (b) Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Section 25-55.
- (c) For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2,500 sq. ft. of landscape and meets the lot's or parcel's

landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Section 25-55(a)(5).

(d) This ordinance does not apply to:

- (1) registered local, state or federal historical sites;
- (2) ecological restoration projects that do not require a permanent irrigation system;
- (3) mined-land reclamation projects that do not require a permanent irrigation system; or
- (4) existing plant collections, as part of botanical gardens and arboretums open to the public.

(e) This Division further applies to all properties within the city limits of the city of Porterville, as well as any property beyond the limit of the city of Porterville but that receives municipal water service from the City.

§ 25-35. Definitions.

The terms used in this ordinance have the meaning set forth below:

- (a) “applied water” means the portion of water supplied by the irrigation system to the landscape.
- (b) “automatic irrigation controller” means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
- (c) “backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- (d) “Certificate of Completion” means the document required under Section 25-43.
- (e) “certified irrigation designer” means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation designer certification program and Irrigation Association’s Certified Irrigation Designer program.
- (f) “certified landscape irrigation auditor” means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation auditor certification program and Irrigation Association’s Certified Landscape Irrigation Auditor program.
- (g) “check valve” or “anti-drain valve” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

- (h) “common interest developments” means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
- (i) “compost” means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.
- (j) “conversion factor (0.62)” means the number that converts acre-inches per acre per year to gallons per square foot per year.
- (k) “distribution uniformity” means the measure of the uniformity of irrigation water over a defined area.
- (l) “drip irrigation” means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- (m) “ecological restoration project” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- (n) “effective precipitation” or “usable rainfall” (Eppt) means the portion of total precipitation which becomes available for plant growth.
- (o) “emitter” means a drip irrigation emission device that delivers water slowly from the system to the soil.
- (p) “established landscape” means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
- (q) “establishment period of the plants” means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.
- (r) “Estimated Total Water Use” (ETWU) means the total water used for the landscape as described in Section 25-38.
- (s) “ET adjustment factor” (ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.
- (t) “evapotranspiration rate” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

- (u) “flow rate” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- (v) “flow sensor” means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.
- (w) “friable” means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.
- (x) “Fuel Modification Plan Guideline” means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.
- (y) “graywater” means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. “Graywater” includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.
- (z) “hardscapes” means any durable material (pervious and non-pervious).
- (aa) “hydrozone” means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.
- (bb) “infiltration rate” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
- (cc) “invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- (dd) “irrigation audit” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association’s Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency “Watersense” labeled auditing program.

- (ee) “irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.
- (ff) “irrigation survey” means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
- (gg) “irrigation water use analysis” means a review of water use data based on meter readings and billing data.
- (hh) “landscape architect” means a person who holds a license to practice landscape architecture in the State of California Business and Professions Code, Section 5615.
- (ii) “landscape area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
- (jj) “landscape contractor” means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- (kk) “Landscape Documentation Package” means the documents required under Section 25-37.
- (ll) “landscape project” means total area of landscape in a project as defined in “landscape area” for the purposes of this ordinance, meeting requirements under Section 25-34.
- (mm) “landscape water meter” means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.
- (nn) “lateral line” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- (oo) “local agency” means the City of Porterville. The City of Porterville is responsible for the enforcement of this ordinance including, but not limited to, approval of a permit and plan check or design review of a project.
- (pp) “local water purveyor” means any entity, including a public agency, city, county, or private water company that provides retail water service.
- (qq) “low volume irrigation” means the application of irrigation water at low pressure through a system of tubing or lateral lines and low volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

- (rr) “main line” means the pressurized pipeline that delivers water from the water source to the valve or outlet.
- (ss) “master shut-off valve” is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.
- (tt) “Maximum Applied Water Allowance” (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section 25-38. It is based upon the area’s reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0.

$$\text{MAWA} = (\text{ET}_0) (0.62) [(\text{ETAF} \times \text{LA}) + ((1 - \text{ETAF}) \times \text{SLA})]$$
- (uu) “median” is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.
- (vv) “microclimate” means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
- (ww) “mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
- (xx) “mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and/or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- (yy) “new construction” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
- (zz) “non-residential landscape” means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.
- (aaa) “operating pressure” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
- (bbb) “overhead sprinkler irrigation systems” means systems that deliver water through the air (e.g., spray heads and rotors).
- (ccc) “overspray” means the irrigation water which is delivered beyond the target area.

- (ddd) “permit” means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- (eee) “pervious” means any surface or material that allows the passage of water through the material and into the underlying soil.
- (fff) “plant factor” or “plant water use factor” is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the publication “Water Use Classification of Landscape Species”. Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
- (ggg) “project applicant” means the individual or entity submitting a Landscape Documentation Package required under Section 25-37 to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.
- (hhh) “rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains.
- (iii) “record drawing” or “as-builts” means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.
- (jjj) “recreational area” means areas, excluding private single-family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.
- (kkk) “recycled water”, “reclaimed water”, or “treated sewage effluent water” means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.
- (lll) “reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Section 25-38, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.
- (mmm) “Regional Water Efficient Landscape Ordinance” means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.

- (nnn) “rehabilitated landscape” means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 25-34, and the modified landscape area is equal to, or greater than, 2,500 square feet.
- (ooo) “residential landscape” means landscapes surrounding single or multifamily homes.
- (ppp) “runoff” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.
- (qqq) “soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
- (rrr) “soil texture” means the classification of soil based on its percentage of sand, silt, and clay.
- (sss) “Special Landscape Area” (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.
- (ttt) “sprinkler head” means a device which delivers water through a nozzle.
- (uuu) “static water pressure” means the pipeline or municipal water supply pressure when water is not flowing.
- (vvv) “station” means an area served by one valve or by a set of valves that operate simultaneously.
- (www) “swing joint” means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
- (xxx) “submeter” means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.
- (yyy) “turf” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass, Zoysia grass, and Buffalo grass are warm-season grasses.
- (zzz) “valve” means a device used to control the flow of water in the irrigation system.
- (aaaa) “water conserving plant species” means a plant species identified as having a very low or low plant factor.
- (bbbb) “water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or

stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(cccc) “watering window” means the time of day irrigation is allowed.

(dddd) “WUCOLS” means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, and the Department of Water Resources 2014.

§ 25-36 Compliance with Landscape Documentation Package.

(a) Prior to construction, the Zoning Administrator or his designee shall:

- (1) provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews;
- (2) review the Landscape Documentation Package submitted by the project applicant;
- (3) approve or deny the Landscape Documentation Package;
- (4) issue a permit or approve the plan check or design review for the project applicant; and
- (5) upon approval of the Landscape Documentation Package, retain a copy of the Water Efficient Landscape Worksheet for use in reporting as may be required.

(b) Prior to construction, the project applicant shall:

- (1) submit a Landscape Documentation Package to the City prior to, or as a part of, the building permit submittal package.

(c) Upon approval of the Landscape Documentation Package by the Zoning Administrator, the project applicant shall:

- (1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion; and
- (2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee.

§ 25-37 Elements of the Landscape Documentation Package.

(a) The Landscape Documentation Package shall include the following six (6) elements:

- (1) Project Information;
 - (A) date
 - (B) project applicant
 - (C) project address (if available, parcel and/or lot number(s))
 - (D) total landscape area (square feet)

- (E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the service is other than City of Porterville
 - (G) checklist of all documents in Landscape Documentation Package
 - (H) project contacts to include contact information for the project applicant and property owner
 - (I) applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package"
- (2) Water Efficient Landscape Worksheet:
- (A) water budget calculations
 - 1. Maximum Applied Water Allowance (MAWA)
 - 2. Estimated Total Water Use (ETWU)
 - (3) Soil Management Report;
 - (4) Landscape Design Plan;
 - (5) Irrigation Design Plan; and
 - (6) Grading Design Plan.

§ 25-38 Water Efficient Landscape Worksheet.

- (a) A project applicant shall complete the Water Efficient Landscape Worksheet in Appendix A which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.

- (1) In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo values listed below, as excerpted from the Reference Evapotranspiration Table in Appendix A of the State Model Water Efficiency Landscape Ordinance, 2015.

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Annual

ETo

Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
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(b) Water budget calculations shall adhere to the following requirements:

- (1) The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- (2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
- (3) All Special Landscape Areas shall be identified and their water use calculated as shown in the Water Efficient Landscape Worksheet.
- (4) ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

§ 25-39 Soil Management Report.

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

- (1) Submit soil samples to a laboratory for analysis and recommendations.
 - (A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
 - (B) The soil analysis shall include:
 1. soil texture;
 2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
 3. pH;
 4. total soluble salts;
 5. sodium;
 6. percent organic matter; and
 7. recommendations.
 - (C) In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.

- (2) The project applicant, or his/her designee, shall comply with one of the following:
 - (A) If significant mass grading is not planned, the soil analysis report shall be submitted to the Zoning Administrator as part of the Landscape Documentation Package; or
 - (B) If significant mass grading is planned, the soil analysis report shall be submitted to the Zoning Administrator as part of the Certificate of Completion.
- (3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
- (4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the Zoning Administrator with Certificate of Completion.

§ 25-40 Landscape Design Plan.

- (a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

- (1) Plant Material

- (A) Any plant may be selected for the landscape providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:
 - 1. Protection and preservation of native species and natural vegetation;
 - 2. Selection of water-conserving plant, tree and turf species, especially local native plants;
 - 3. Selection of plants based on local climate suitability, disease and pest resistance;
 - 4. Selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area; and
 - 5. Selection of plants from local and regional landscape program plant lists.
- (B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 25-41(a)(2)(D).
- (C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
 - 1. Use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

2. Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth and
 3. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
- (D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
- (E) High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
- (F) The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.
- (G) The architectural guidelines of a common interest development, which includes community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
- (H) Natural turf is prohibited in commercial and industrial zone districts. However, when the City Council finds that a logical and substantiated need exists for natural turf, eg., for uses such as day care centers or commercial recreation facilities, a conditional use permit may be approved with conditions specifying the reason natural grass is deemed necessary by the applicant, the allowed area of turf, and that all other water conservation requirements of this code are applied, regardless of the total landscape area.
- (I) Warm season grasses are the only approved natural turf for new installations.
- (2) Water Features
- (A) Recirculating water systems shall be used for water features.
- (B) Where available, recycled water shall be used as a source for decorative water features.
- (C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
- (D) Pool and spa covers are highly recommended.
- (3) Soil Preparation, Mulch and Amendments
- (A) Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.

- (B) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 25-39).
 - (C) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.
 - (D) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5 % of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
 - (E) Stabilizing mulching products shall be used on slopes that meet current engineering standards.
 - (F) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
 - (G) Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available.
- (b) The landscape design plan, at a minimum, shall:
- (1) delineate and label each hydrozone by number, letter, or other method;
 - (2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
 - (3) identify recreational areas;
 - (4) identify areas permanently and solely dedicated to edible plants;
 - (5) identify areas irrigated with recycled water;
 - (6) identify type of mulch and application depth;
 - (7) identify soil amendments, type, and quantity;
 - (8) identify type and surface area of water features;
 - (9) identify hardscapes (pervious and non-pervious);
 - (10) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the City of Porterville or regional Water Quality Control Board for information on any applicable stormwater technical

requirements. Stormwater best management practices are encouraged in the landscape design plan and examples are provided in Section 25-50.

- (11) identify any applicable rain harvesting or catchment technologies as discussed in Section 25-50 and their 24-hour retention or infiltration capacity;
- (12) identify any applicable graywater discharge piping, system components and area(s) of distribution;
- (13) contain the following statement: “I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan”; and
- (14) bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.)

§ 25-41 Irrigation Design Plan.

- (a) This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers’ recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) System

- (A) Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq. ft. (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:

- 1. a customer service meter dedicated to landscape use provided by the City of Porterville; or
- 2. a privately owned meter or submeter.

- (B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.

- (C) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer’s recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
 2. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
- (D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
- (E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
- (F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
- (G) Flow sensors that detect high flow conditions created by system damage or malfunction are required for all non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
- (H) Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
- (I) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- (J) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
- (K) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
- (L) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 25-38 regarding the Maximum Applied Water Allowance.
- (M) All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014

- “Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
- (N) Through the Project Review process, or, if an applicable project is not subject to Project Review, during the building permit review process, the Public Works Director will provide information regarding peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
 - (O) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
 - (P) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer’s recommendations.
 - (Q) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer’s recommendations.
 - (R) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
 - (S) Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
 - (T) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
 - (U) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 - 1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - 2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - 3. the irrigation designer specifies an alternative design or technology as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 25-41 (a)(1)(I). Prevention of overspray and runoff must be confirmed during the irrigation audit.
 - (V) Slopes greater than 25% shall not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(2) Hydrozone

- (A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
- (B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
- (C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
- (D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
 - 1. the plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
 - 2. the plant factor of the higher water using plant is used for calculations.
- (E) Individual hydrozones that mix high and low water use plants shall not be permitted.
- (F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Water Efficient Landscape Worksheet (Appendix A). This table can also assist with the irrigation audit and programming the controller.

(b) The irrigation design plan, at a minimum, shall contain:

- (1) location and size of separate water meters for landscape;
- (2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
- (3) static water pressure at the point of connection to the public water supply;
- (4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
- (5) recycled water irrigation systems as specified in Section 25-48;
- (6) the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and
- (7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5

of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

§ 25-42 Grading Design Plan.

- (a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other building permits satisfies this requirement.
 - (1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
 - (A) height of graded slopes;
 - (B) drainage patterns;
 - (C) pad elevations;
 - (D) finish grade; and
 - (E) stormwater retention improvements, if applicable.
 - (2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:
 - (A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
 - (B) avoid disruption of natural drainage patterns and undisturbed soil; and
 - (C) avoid soil compaction in landscape areas.
 - (3) The grading design plan shall contain the following statement: “I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan” and shall bear the signature of a licensed professional as authorized by law.

§ 25-43 Certificate of Completion.

- (a) The Certificate of Completion (Appendix B) shall include the following six (6) elements:
 - (1) project information sheet that contains:
 - (A) date
 - (B) project name
 - (C) project applicant name, telephone, and mailing address
 - (D) project address and location
 - (E) property owner name, telephone, and mailing address

- (2) certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;
 - (A) where there have been significant changes made in the field during construction, these “as-built” or record drawings shall be included with the certification
 - (B) a diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes
 - (3) irrigation scheduling parameters used to set the controller (see Section 25-44);
 - (4) landscape and irrigation maintenance schedule (see Section 25-45);
 - (5) irrigation audit report (see Section 25-46); and
 - (6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 25-39).
- (b) The project applicant shall:
- (1) submit the signed Certificate of Completion to the City of Porterville for review; and
 - (2) ensure that copies of the approved Certificate of Completion are submitted to the property owner or his or her designee.
- (c) The City of Porterville shall:
- (1) receive the signed Certificate of Completion from the project applicant; and
 - (2) approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the City of Porterville shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

§ 25-44 Irrigation Scheduling.

- (a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
- (1) Irrigation scheduling shall be regulated by automatic irrigation controllers.
 - (2) Irrigation shall be scheduled in a manner consistent with the current phase of the City’s water conservation plan.
 - (3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation

schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

- (4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:
 - (A) the plant establishment period;
 - (B) the established landscape; and
 - (C) temporarily irrigated areas.
- (5) Each irrigation schedule shall consider for each station all of the following that apply:
 - (A) irrigation interval (days between irrigation);
 - (B) irrigation run times (hours or minutes per irrigation event to avoid runoff);
 - (C) number of cycle starts required for each irrigation event to avoid runoff;
 - (D) amount of applied water scheduled to be applied on a monthly basis;
 - (E) application rate setting;
 - (F) root depth setting;
 - (G) plant type setting;
 - (H) soil type;
 - (I) slope factor setting;
 - (J) shade factor setting; and
 - (K) irrigation uniformity or efficiency setting.

§ 25-45 Landscape and Irrigation Maintenance Schedule.

- (a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- (b) A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing obstructions to emission devices.
- (c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
- (d) A project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

§ 25-46 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

- (a) All landscape irrigation audits shall be conducted by a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.
- (b) In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.
- (c) For new construction and rehabilitated landscape projects installed after December 3, 2015, as described in Section 25-34:
 - (1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the City of Porterville that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming; and
 - (2) the City of Porterville shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

§ 25-47 Irrigation Efficiency.

- (a) For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.

§ 25-48 Recycled Water.

- (a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
- (b) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
- (c) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

§ 25-49 Graywater Systems.

- (a) Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to Section 25-34(d) for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

§ 25-50 Stormwater Management and Rainwater Retention.

- (a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management

practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.

- (b) Project applicants shall refer to the City of Porterville and Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
- (c) All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to Section 25-40(a)(3).
- (d) It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e., roof and paved areas) from either:
 - (1) the one inch, 24-hour rain event, or
 - (2) the 85th percentile, 24-hour rain event, and/or
 - (3) additional capacity as required by any applicable local, regional, state or federal regulation.
- (e) It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
 - Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
 - Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
 - Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
 - Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
 - Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
 - Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
 - Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

§ 25-51 Public Education.

- (a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.
 - (1) The City of Porterville shall provide information to owners of permitted renovations and new single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget.
- (b) Model Homes. All model homes shall be landscaped and use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.

- (1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per this ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping such as using native plants, graywater systems, and rainwater catchment systems.
- (2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

§ 25-52 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis, Existing.

- (a) This section shall apply to all existing landscapes that were installed before December 3, 2015, and are over one acre in size.
 - (1) For all landscapes in Section 25-52(a) that have a water meter, the City of Porterville shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: $MAWA = (0.8)(ETo)(LA)(0.62)$.
 - (2) For all landscapes in Section 25-52(a) that do not have a meter, the City of Porterville shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
- (b) All landscape irrigation audits shall be conducted by a third party certified landscape irrigation auditor.

§ 25-53 Water Waste Prevention.

- (a) The City of Porterville shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.
- (b) Restrictions regarding overspray and runoff may be modified if:
 - (1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - (2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

§ 25-54 Effective Precipitation.

- (a) The City of Porterville will consider Effective Precipitation (25% of annual precipitation) in tracking water use and will use the following equation to calculate Maximum Applied Water Allowance:

$MAWA = (ET_o - Eppt) (0.62) [(0.55 \times LA) + (0.45 \times SLA)]$ for residential areas.

$MAWA = (ET_o - Eppt) (0.62) [(0.45 \times LA) + (0.55 \times SLA)]$ for non-residential areas.

§ 25-55 Prescriptive Compliance Option.

- (a) Any project with an aggregate landscape area of 2,500 square feet or less may comply with the prescriptive compliance option as an alternative to the other performance requirements of this ordinance.
- (b) Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:
 - (1) Submit a Landscape Documentation Package which includes the following elements:
 - (A) date
 - (B) project applicant
 - (C) project address (if available, parcel and/or lot number(s))
 - (D) total landscape area (square feet), including a breakdown of turf and plant material
 - (E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - (G) contact information for the project applicant and property owner
 - (H) applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWELO".
 - (2) Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test)
 - (3) Plant material shall comply with all of the following:
 - (A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;
 - (B) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
 - (4) Turf shall comply with all of the following:

- (A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;
 - (B) Turf shall not be planted on sloped areas which exceed a slope of one foot vertical elevation change for every four feet of horizontal length;
 - (C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.
- (5) Irrigation systems shall comply with the following:
- (A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data.
 - (B) Irrigation controllers shall be of a type which does not lose programming date in the event the primary power source is interrupted.
 - (C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.
 - (D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.
 - (E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard," All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
- (c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

§ 25-56 Penalties.

- (a) Penalties for violation of this Division will be imposed as prescribed in Chapter 1 of the Porterville Municipal Code.

§ 25-57 Reporting.

- (a) The City of Porterville will report on implementation and enforcement of this Division to the Department of Water Resources on an annual basis, not later than January 31st of each year.
- (b) The report shall include the following information:
 - (1) The number and types of projects subject to the ordinance during the specified reporting period.

- (2) The total area (in square feet or acres) subject to the ordinance over the reporting period, if available.
- (3) The number of new housing starts, new commercial projects, and landscape retrofits during the reporting period.
- (4) The procedure for review of projects subject to the ordinance.
- (5) Actions taken to verify compliance. If a plan check was performed, note by which entity. If a site inspection was performed, note by which entity. If a post-installation audit was required, note by whom.
- (6) Describe enforcement measures.
- (7) Explain challenges to implementing and enforcing the ordinance.
- (8) Describe educational and other needs to properly apply the ordinance.

SECTION 2:

Amend Sections 25-5 and 25-5.1 and relocate to Chapter 25, Article 1, Division 6, as follows:

§ 25-58 Wasteful Use of Water Prohibited.

In addition to all protocols within this Division adopted with the intent to increase efficient outdoor water use, property owners and residents shall use reasonable care to prevent the waste of water. Water shall not be allowed to run or waste from a property onto streets or highways, and shall not be used to wash sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them.

§ 25-59 City Water Conservation Plan.

The City Council has adopted by resolution its water conservation plan which sets forth water conservation phases and conservation measures including mandatory restrictions on water usage by property owners and water consumers. Violation of the measures in effect, currently and as may be amended by resolution from time to time, pursuant to the applicable phase of the water conservation plan, shall be enforceable as set forth per any applicable remedy provisions in this code, including but not limited to, Sections 1-9 and 1-10, Chapter 2, Article XIV of this Code, and/or this Division. The City's water conservation plan is deemed to be the City's "Water Shortage Contingency Plan" as per applicable state law.

SECTION 3:

Amend Section 25-16.2, in order to maintain consistency with other recently adopted policy, as follows:

The City Council, shall have authority for approval of requests for water service outside city limits, if applicant meets all other conditions as required by this code and the annexation and municipal

services policy, and all other pertinent regulations. Consideration of said request shall be in conjunction with approval of required City permits, Tulare LAFCo Extra-territorial Service Agreement, and payment of applicable fees.

SECTION 4:

Amend Chapter 21, Section 301.06 of the Porterville Development Ordinance as follows:

Commercial crop cultivation is allowed as an interim use in zones designated in series 200 of this chapter. Land use regulations as identified in series 200 and elsewhere in this Chapter apply.

(a) Purpose And Intent

- (1) It is the purpose and intent of this section to provide opportunity for interim use of land within city limits until such time as the development market supports the intended development of said lands.
- (2) Commercial crop cultivation can be allowed on an interim basis only where the impacts of an agricultural operation will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the surrounding area.
- (3) Crop cultivation allowed under the premises of this section is secondary to its availability for urban development and should be available for development as an urban use when market conditions improve for such a use.
- (4) Use of a subject site for crop cultivation for an interim period does not result in the land being construed as an agricultural resource requiring protection or preservation.
- (5) If residentially zoned, the land, regardless of the status of its agricultural use, will be considered in the City's housing element and the regional housing needs assessment (RHNA) as available for residential use.
- (6) The key intent of this section is to limit the use to a time period that is appropriate to the type of agricultural crop to be planted, to allow sufficient time for a reasonable profit to be realized while assuring that the use is interim in nature. At its discretion, the City Council may set time periods to limit the use to a specific amount of time.
- (7) This section shall not be construed to apply to animal confinement.

(c) Considerations

The following factors will be considered on a project by project basis to determine if commercial crop cultivation is an appropriate use for a particular site. The Council may consider the following factors or others as may be appropriate, based on the location of the proposed use and its proximity to urban uses and may consider limiting some crop types due to impacts of excessive noise, dust, vibration, odors or other effects on surrounding uses.

- (1) No "right to farm" is conveyed or otherwise implied with the use.

- (2) The area to be farmed is of adequate size, dimension and topography to accommodate the proposed use.
- (3) The burning of agricultural waste/trimmings/etc., on the property will not create a public nuisance or a danger due to the close proximity of urban uses.
- (4) On site sale of crops is allowed in accordance with subsection D, "Sale Of Agricultural Crops", of this section.
- (5) The use does not involve the installation of underground storage tanks.
- (6) Best management practices to reduce spray drift will be implemented.
- (7) Wells, as needed to serve the subject site, are subject to California Department of Public Health Services approval and review of the City engineer.
- (8) Irrigation water runoff, if any, can be contained on site.
- (9) Use of municipal water for irrigation is prohibited.
- (10) The area shall be groomed of weeds and agricultural waste regularly to reduce potential fire hazard, proliferation of pests, and unsightly conditions.
- (11) Equipment and vehicles related to the active farming operation of the site shall not be parked in the public right of way and vehicular circulation related to the use shall occur on site.
- (12) The applicant shall remove all abandoned crops upon discontinuation of the use.

SECTION 5:

Amend Chapter 21, Section 303 of the Porterville Development Ordinance as follows:

303.01: PURPOSE:

The specific purposes of the landscaping regulations are to:

- (a) Improve the appearance of the community by requiring aesthetically pleasing landscaping on public and private sites;
- (b) Aid in energy conservation by providing shade from the sun and shelter from the wind;
- (c) Soften the appearance of parking lots and other development through landscaping;
- (d) Promote conservation of water resources through the use of native and drought tolerant plants, and water conserving irrigation practices; and
- (e) Minimize or eliminate conflicts between potentially incompatible but otherwise permitted land uses on adjoining lots through visual screening.

303.02: APPLICABILITY:

The standards of this chapter apply to all new development or improvements subject to project review and building permits.

303.03: LANDSCAPE DESIGN PRINCIPLES:

The following design principles are general standards to be used by city staff in evaluating whether landscape plans conform to the requirements of this article:

- (a) Natural Landscapes: Landscape designs shall incorporate and enhance existing natural landscapes and existing specimen trees and native vegetation (including canopy, understory, and ground cover). Particular care shall be given to preserve intact natural landscapes. Where previous landscaping has dramatically altered natural landscapes, new designs shall seek to reestablish natural landscape patterns and plantings. Natural landscapes and native vegetation do not include weeds.
- (b) Composition: The quality of a landscape design is dependent not only on the quantity and selection of plant materials but also on how that material is arranged. Landscape materials shall include a combination of ground covers, shrubs, vines and trees with a variety of plant heights and colors.
- (c) Buffering And Screening: The placement of natural landscape materials (trees, shrubs, and hedges) is the preferred method for buffering differing land uses, for providing a transition between adjacent properties, and for screening the view of any parking or storage area, refuse collection, utility enclosures, or other service area visible from a public street, alley, or pedestrian area. Plants may be used with fences or berms to achieve the desired screening or buffering effect. When used to screen an activity area such as a parking lot, landscaping shall not interfere with public safety.
- (d) Responsive To Local Context And Character: Landscape designs shall build on the site's and area's unique physical characteristics, conserving and complementing existing natural features. Naturalistic design elements such as irregular plant spacing, undulating berm contours, and mixed proportions of plant species shall be used to ensure that new landscaping blends in and contributes to the quality of the surrounding area. Selection and spacing of plant material shall be reflective of the surrounding area's character.
- (e) Use Of Native And Drought Resistant Plants: Landscape designs shall feature native and/or related plant species and avoid invasive species, especially in areas adjacent to existing native vegetation, to take advantage of the unique natural character and diversity of the region and the adaptability of native plants to local environmental conditions. Where feasible, the reestablishment of native habitats shall be incorporated into the landscape design. In the same manner, landscape designs shall utilize drought tolerant plant materials to the maximum extent feasible. The use of drought tolerant plants shall enrich the existing landscape character, conserve water and energy, and provide as pleasant and varied a visual appearance as plants that require more water.

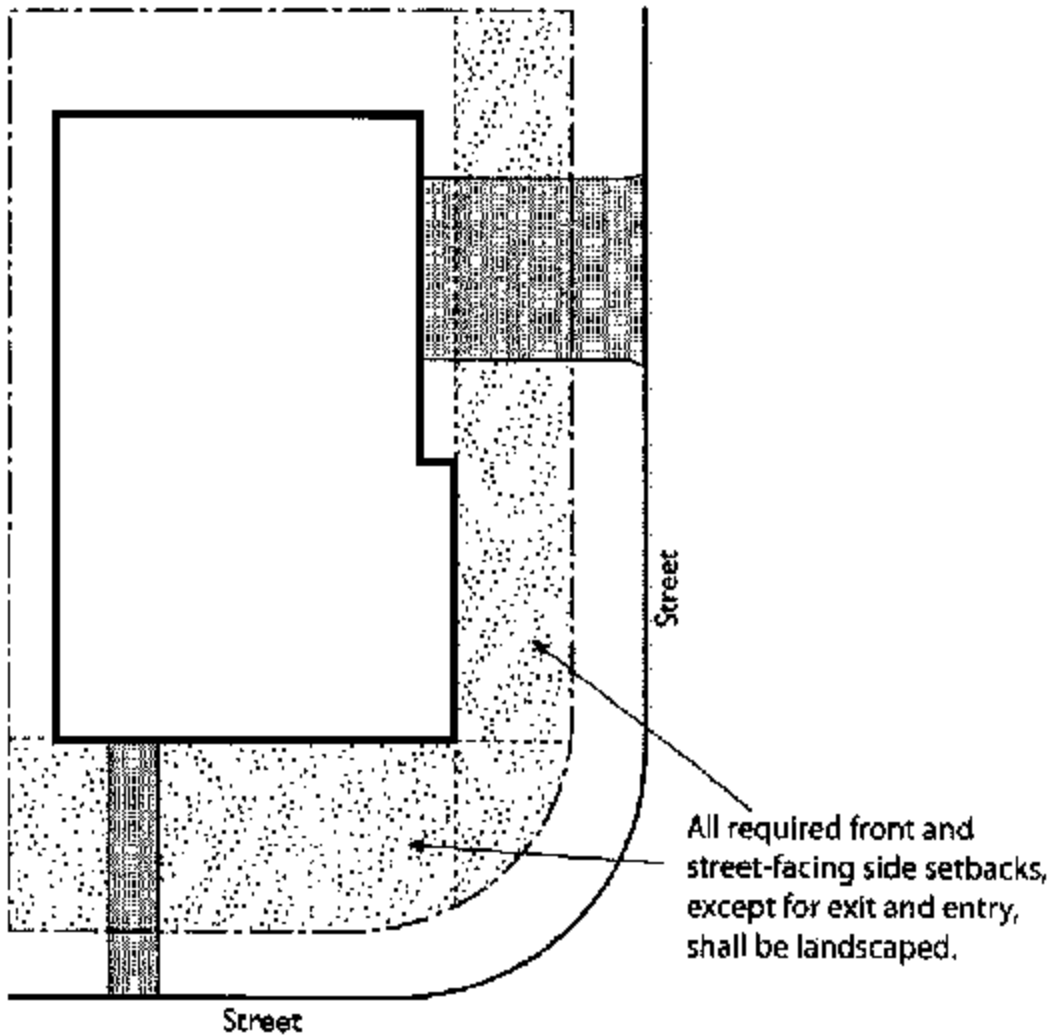
- (f) Continuity And Connection: Landscaping shall be designed within the context of the surrounding area, provided that the landscaping is also consistent with these design principles. Where the design intent and the surrounding landscape is naturalistic, plant materials shall blend well with adjacent properties, particularly where property edges meet, to create a seamless and natural landscape. Where the design intent and the surrounding landscape is formal, consistent or similar plant material and spacing shall be utilized. Exceptions shall be made when seeking to create a transition between uses, districts, and tiers.
- (g) Enhancing Architecture: Landscape designs shall be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape. Major landscape elements shall be designed to complement architectural elevations and rooflines through color, texture, density, and form on both vertical and horizontal planes. Landscaping shall be in scale with on site and adjacent buildings. Plant material shall be installed at an appropriate size and allowed to accomplish these intended goals. When foundation planting is required, plantings and window boxes shall incorporate artistic elements and be compatible with a building's architectural character.

303.04: AREAS TO BE LANDSCAPED:

The following areas shall be landscaped, and may count toward the total area of site landscaping required by the zoning district regulations:

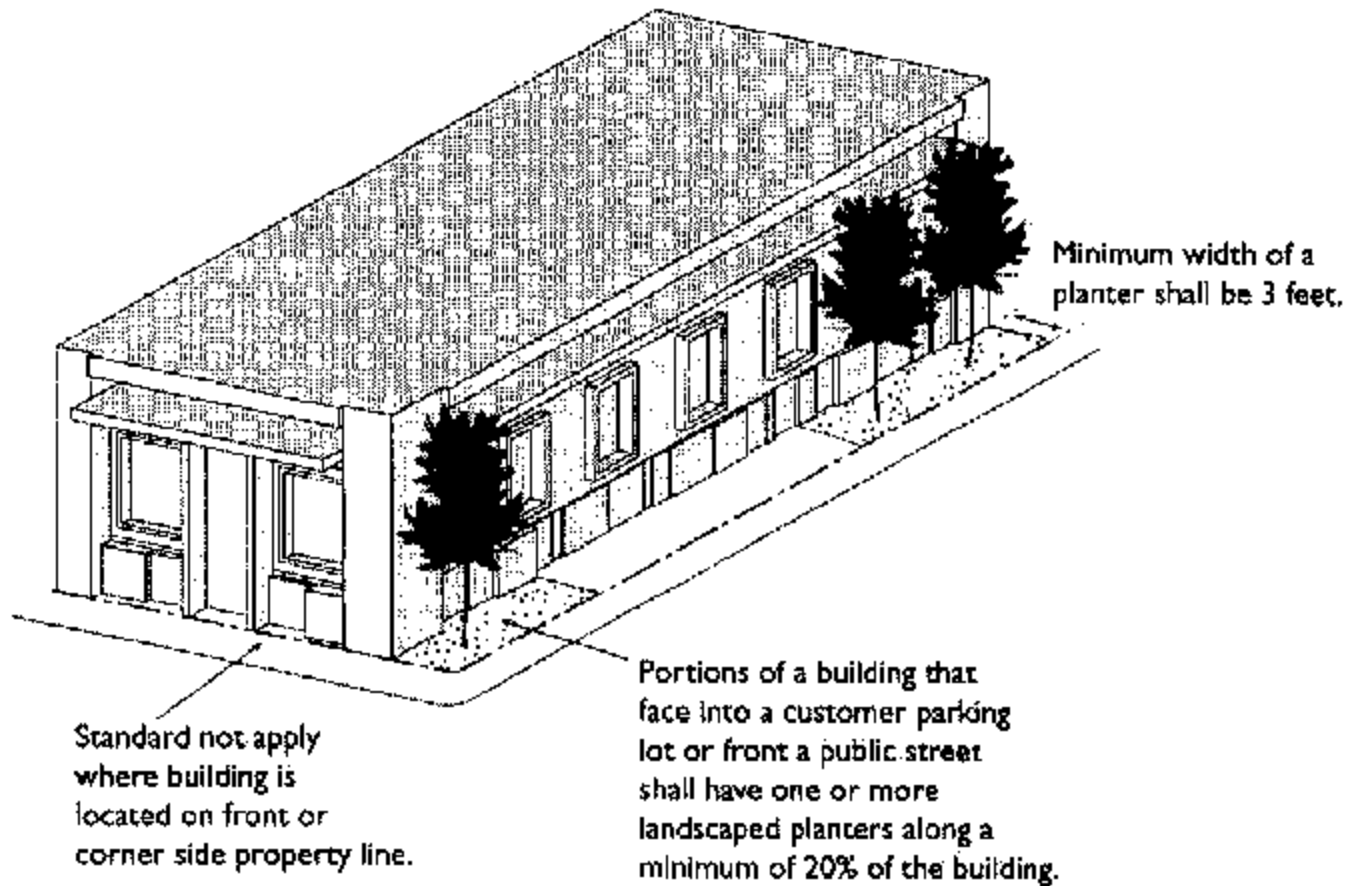
- (a) Required Setbacks: All required front and street facing side setbacks, except for areas used for exit and entry, shall be landscaped.

FIGURE 303.04A: REQUIRED SETBACKS



- (b) Interior Property Lines Abutting R Districts: A minimum five foot (5') wide landscape buffer shall be provided along interior property lines, where no building abuts a property line, in districts adjacent to an R district.
- (c) Building Perimeters: The portions of a building facade that face onto a customer parking lot or front a public street shall have one or more landscape planters installed along a minimum twenty percent (20%) of that building face. The minimum width of the planter shall be three feet (3'). This standard does not apply where a building is located on the front or corner side property line and there is no setback between the building and the property line.

FIGURE 303.04C: BUILDING PERIMETERS



- (d) Landscaping In Parking Areas: Parking areas shall be landscaped as required by article 304, "On Site Parking And Loading", of this series.
- (e) Orchards And Gardens: Areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens.
- (f) Unused Areas: All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped or left in a natural state. Access to the unused portion of the site shall be prohibited by a concrete curb, timber barrier or other barrier not less than six inches (6") high.

303.05: GENERAL LANDSCAPING STANDARDS:

(a) Materials:

- (1) General: Landscaping shall consist of a combination of ground covers, shrubs, vines, and trees. Landscaped areas may include paved or graveled surfaces, provided they do not cover more than ten percent (10%) of the area required to be landscaped. Plant materials shall be selected from those species and varieties known to thrive in the

Porterville climate and/or listed in Sunset's "Western Garden Book, Region No. 9". Recirculating water shall be used for decorative water features.

- (2) Ground Cover Materials: Ground cover shall be of living organic plant material. Ground cover may include grasses. The exclusive or majority use of nonplant materials such as gravel, colored rock, cinder, bark, and similar materials may not be used to meet the minimum planting area requirements required by this article. Mulch is not a substitute for ground cover plants.
 - (3) Turf Allowance/Drought Tolerant Materials: The maximum amount of lawn in required landscape areas shall be twenty five percent (25%) except for turf areas that comprise an essential component of a project (e.g., golf courses or playing fields), which are exempt from this limit. The installation of turf on slopes greater than twenty five percent (25%) is prohibited. The use of drought tolerant or artificial turf plant materials is preferred in these applications to conserve the city's water resources.
 - (4) Mulch: A minimum two inch (2") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers or other special planting situations where mulch is not recommended. Stabilizing mulching products shall be used on slopes.
 - (5) Size And Spacing: Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun and light) and maintenance needs. Plants shall be of the following size and spacing at the time of installation:
 - a. Ground Covers: Areas planted in ground cover plants other than grass seed or sod shall be planted at a rate of one per twelve inches (12") on center.
 - b. Shrubs: Shrubs shall be a minimum size of one gallon. When planted to serve as a hedge or screen, shrubs shall be planted with two (2) to four feet (4') of spacing, depending on the plant species.
 - c. Trees: Trees shall be a minimum of fifteen (15) gallons in size with a one inch (1") diameter at breast height (dbh) spaced at thirty five feet (35') on center. Newly planted trees shall be supported with stakes or guywires.
- (b) Dimension Of Landscaped Areas: No landscaped area smaller than three feet (3') in any horizontal dimension shall count toward required landscaping.
- (c) Drivers' Visibility: Trees and shrubs shall be planted and maintained so that at maturity they do not interfere with traffic safety sight areas, or public safety. Notwithstanding other provisions of this section, landscaping must comply with Section 300.16, "Visibility At Driveways And Intersections (Sight Distance)", of this series.

303.06: INSTALLATION AND COMPLETION:

- (a) Consistency With Approved Plans: All landscaping and screening shall be installed consistent with approved plans and specifications, in a manner designed to promote and maintain healthy plant growth.
- (b) Timing Of Installation: Required landscaping and screening shall be installed prior to the issuance of a certificate of occupancy for the associated project.
- (c) Exception- Assurance Of Landscaping Completion: The zoning administrator may permit the required landscaping to be installed within one hundred twenty (120) days after the issuance of a certificate of occupancy in special circumstances related to weather conditions or plant availability. A surety in the amount equal to one hundred fifty percent (150%) of the estimated cost of landscaping, including materials and labor, as well as an agreement that the required landscaping will be installed within one hundred twenty (120) days, shall be filed with the City to assure completion of landscaping installation within such time. The surety may take the form of cash deposit; and together with the agreement, would provide for payment to the City of any costs incurred in contracting for completion of the required landscaping.
- (d) Certification Of Substantial Completion: Upon completion of the installation of the landscaping and irrigation system, a field observation shall be completed by the licensed project contractor. A certificate of substantial completion shall be submitted to the City by the licensed project contractor. The certificate shall specifically indicate that the plants were installed as specified, that the irrigation system was installed as designed, along with a list of any deficiencies.

SECTION 6: This ordinance shall be in full force and effect thirty days from and after its publication and passage.

PASSED, APPROVED, AND ADOPTED this 17th day of November, 2015.

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Consideration of Appointment to Animal Control Commission

SOURCE: Administrative Services

COMMENT: With the recent resignation of Commissioner Kathy Guinn, a vacancy currently exists on the Animal Control Commission with a term to expire in September 2018. Staff has publicized notice of the vacancy and solicited applications from interested individuals who are city residents.

As of the time of agenda distribution, the Clerk's Office had two Requests for Appointment: one on file from January submitted by Ms. Kathleen Harris, and one received October 30, 2015 submitted by Ms. Melanie Huerta. Ms. Harris has since withdrawn herself from consideration. Ms. Huerta's Request is attached hereto for Council's consideration.

Should any further Requests for Appointment be received after the distribution of the agenda, they will be presented to the Council for consideration under separate cover and made available to the public.

RECOMMENDATION: That the City Council consider the appointment of one individual to the Animal Control Commission to a term expiring in September 2018.

ATTACHMENTS: 1. Request for Appt - Huerta

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Melanie Huerta
(Please Print)

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

☐ Reappointment; or IF NEW, please provide :

Street Address: 125 N Maston St.
Porterville Ca. 93257

Mailing Address: 125 N Maston St.
Porterville Ca. 93257

Name of Business: N/A
☐ Own ☐ Operate

Business Address: _____

Telephone: Home 559-300-4631
Work 559-788-1116
FAX 559-788-1107
E-mail melstar36@gmail.com

City of Porterville resident:

☒ Yes
☐ No

Registered Voter:

☒ Yes
☐ No

Qualifications: I am an upstanding member of the community concerned with efforts
of maintaining a safe environment for all. My goal is to advocate for the voiceless animals
that share our community and work towards positive ways in which to control the animal
population. The Porterville area has an alarming amount of strays. Presently I already work
with those involved in TNR projects in hopes of controlling the stray cat population. Promoting
and orchestrating funds for TNR programs is vital as our shelters overflow with homeless
animals. I am passionate about the cause and have the determination in which to work hard
to find ways to obtain such funds. I also already have experience in serving this community
as I work as a social worker and advocate for children daily. My experience,
passion and hard work ethic make me an ideal candidate.

- ☒ Resume attached
☒ Letter of request attached

Submitted By: Melanni Huerta 10-30-15
Date

Received by: P. Zavala

Forwarded to: City Clerk ☒ Date: 10-30-15
City Council ☐ Date: _____
City Manager ☐ Date: _____
Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

Melanie Huerta

Objective

To obtain a position as a member for the Animal Control Committee.

Experience

2013–2015 Tule County Social Services Porterville, CA

Social Services Worker III-CWS

- Providing counseling and support services to children and parents
- Referring children and families to other services if necessary
- Investigating child abuse and neglect
- Preparation of court reports

2012–2013 Tule River Indian Tribe Porterville, CA

ICWA Family & Social Services Director Interim

- Supervision of Social Services staff
- Case management
- ICWA advocate
- Preparation of court reports & memos
- Develop client & family treatment plans

2008–2012 Tule River Indian Tribe Porterville, CA

Teacher

- Plan and conduct a balanced program of instruction
- Coordinate student activities with opportunities to observe, question, and investigate
- Observe and evaluate students' performance & progress

2008–2009 Turning Point Crisis House Porterville, CA

Psych Tech Assistant

- Supervise services for adolescents and their families experiencing crises
- Crisis intervention
- Short term counseling
- Assessments for services plans

Education

2005–2008 Chapman University Orange County, CA

- Graduated in June, 2007 B.A. in Social Science.
- On 2006/2007 Deans List
- 3.85 GPA

1998-2001 Porterville College Porterville, CA

- Graduate, A.A. in Social Sciences
- 3.5 GPA

Skills

Managing complex caseloads. Trained in cultural and socio-economic sensitivity with specialization in ICWA law. Investigation of child abuse and neglect. Recommendation and implementation of family safety plans. Supervise and evaluate of social services staff.

October 30, 2015

Re: Animal Control Commission Committee

To Whom It May Concern:

I was excited to see there is an available opening for Animal Control Commission Committee.

Currently I am serving the community as a Social Services Worker for Tulare County Child Welfare. My office is located in Porterville Ca. I advocate daily for the rights of children in the area and regularly work with the public. I am familiar with the resources available within Porterville and have exceptional interpersonal skills.

Conserving animal rights is a passion of mine. A position on the Animal Control Committee would be a natural transition for me as I already have experience working with other's to obtain services for the public of the community as well as advocating for the rights of children as a Social Worker.

I regularly partner with others within the community in efforts of controlling the feral cat population as I work with TNR programs for feral cat colonies. I have the ability to organize and coordinate fundraisers in efforts of obtaining funds to assure resources such as TNR programs continue to exist for the community.

I am confident that I can offer valuable insight as a committee member as I obtain the communication and problem-solving skills needed to obtain results for all life within the community. Feel free to call me at 559-300-4631 (cell). Thank you for your time -- I look forward to learning more about this opportunity!

Sincerely,


Melanie Huerta



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Parks and Leisure Services Recreation Software

SOURCE: Parks and Leisure Services

COMMENT: Parks and Leisure Services has been using Class, a program registration and facility reservation recreation management software since 2005. Class is set to merge with another company during FY 2016/17, rendering the software obsolete. Seven different recreation software vendors were compared to receive a good understanding of what is currently being offered. Staff also received product demonstrations and performed reference checks. The following are some of the product features that were compared: web based, customizable web page, online registration, user friendly, online facility reservation, customizable receipts and reports, and online waiver capability.

There are two ways most recreation management software providers charge for their product. The first is to pay a flat rate for the software, plus an annual cost for maintenance/updates. These fees range from \$4,000 - \$37,000 for initial start-up, and average \$8,000 for annual maintenance.

The other format is one in which there are no start-up or maintenance fees, but rather the software provider receives a percentage of every transaction. Rec1 is built on this per transaction fee based model, assessing a 1% transaction fee per transaction entered into the system. Rec1 is the software provider staff and the Parks and Leisure Services Commission recommend.

City staff and the Parks and Leisure Services Commission recommend a \$1.00 fee adjustment to all programs and services over \$30.00 to cover Rec1's 1% transaction fee. Here's the recommended scale:

\$1-\$29 fee = \$0 increase
\$30-\$100 fee = \$1 increase
\$101-\$200 = \$2 increase
\$201-\$300 = \$3 increase
>\$301 = \$4 increase

Paymentus is the City's current credit card payment provider. Paymentus is based on a flat rate depending on the amount of the transaction:

\$2.95 fee up to \$100 transaction
\$4.95 fee up to \$180 transaction
2.75% of total over \$180 transaction

Even with this proposed increase, based on Rec1's fees compared to Paymentus, not only will the public be able to register online, but it will be cheaper to do so.

Currently, the public does not have the option to make park reservations, pool rentals, or program registrations online. Paymentus is a way for the public to pay online, but for every Paymentus credit card transaction staff has to go into Class to input the registration/reservation, not making it conducive to selective programs such as sports leagues. Rec1 will enable the public to make all of these reservations/registrations directly into its system, thus saving staff time.

There are some favorable features of Rec1 that are not currently provided by Class including: no minimum length of contract terms, league scheduling, a teams portal, facility availability, and text and email notifications. Should Council authorize Parks and Leisure Services to contract with Rec1, those still wishing to register in person may do so.

For every credit card transaction, standard merchant processing rates will apply and must be paid by the City. The merchant processing rate is 2% per transaction and the transaction fee is \$.05 per transaction.

Here's an example credit card transaction using Rec1:

Current youth soccer registration fee	\$57
Proposed youth soccer fee	\$58
1% Rec1 transaction fee	\$0.58
Credit card fees paid by the City	\$1.17
Parks and Leisure total net amount	\$56.25

Cash or check transaction using Rec1:

Current youth soccer registration fee	\$57
Proposed youth soccer fee	\$58
1% Rec1 transaction fee	\$0.58
Parks and Leisure total net amount	\$57.42

To summarize, here are the projected numbers based on Parks and Leisure Services annual revenue and annual total number of transactions:

\$7,540 - increase in Parks and Leisure Services revenue
\$3,770 - Rec1 1% per transaction fee
\$5,660 - credit card processing fees to be incurred by City
\$0 - Rec1 initial licensing fee (current provider Class was \$34,500)
\$0 - Rec1 annual maintenance fee (Class \$7,100)

RECOMMENDATION: That the City Council consider the scheduling of a public hearing for December 1, 2015, to allow for public comments and to consider adoption of a fee increase scale to cover Rec1 recreation management software transaction fees.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – NOVEMBER 17, 2015

SUBJECT: Status and Review of Declaration of Local Drought Emergency

SOURCE: City Manager's Office

COMMENT: Governor Brown issued Executive Order B-29-15 on Wednesday, April 1, 2015, which established drought-related mandates and restrictions in addition to those already stipulated in previous Executive Orders B-26-14 and B-28-14. Of significance, the Governor directed the State Water Resources Control Board to impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016, in comparison to the amount used in 2013, and with consideration given to per capita usage as a basis. The Governor further directed the Board to impose additional restrictions on commercial, industrial, and institutional properties with significant landscaping (cemeteries, golf courses, parks, schools, etc.), to also achieve a 25% reduction in potable water usage. Also of significance, the Board is directed to prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems.

At the City Council's last meeting on November 3rd, the City Council took action in the continued affirmation of the adoption of a Resolution of Declaration of Local Emergency, due to local residences within the city having been identified as having wells that are now dry as a result of the drought. Approximately twenty-five (25) residences within the city have been determined to currently have dry wells, most of which are concentrated in the vicinity of E. Vandalia Avenue between Main and Plano Streets, and it is anticipated that more could likely occur through the coming months. City staff has submitted a Mutual Aid Request to Tulare County OES to initiate the household tank program for identified properties within the city where wells are dry. As previously reported, City staff has resubmitted the E. Vandalia water connection project to the State for grant-funding consideration. Given staff's perception that the State is not inclined to provide funding for this water connection project, staff conducted an outreach meeting with the affected area residents on Thursday, September 10th, to begin discussions regarding the formation of a water utility district. Another meeting with the affected residents will soon be scheduled.

Also at its November 3rd meeting, the Council continued its authorization for the County to purchase up to 500,000 gallons of City water over the next thirty (30) days in support of the County's Household Tank Program in East Porterville, requiring that the water continue to be drawn exclusively from the City's "Jones Corner" water system. County OES has continued to work toward developing additional water sources, which two (2) additional sources have been secured, to

assist in an ultimate goal to place 700 tanks in the East Porterville area.

City staff has been in continued coordination with both State and County representatives on the funding and development of the new well, which a coordination meeting of the agencies was conducted on Wednesday, November 4th. State representatives continue to have difficulty understanding the magnitude of the local situation, and the number of residences in the local area that are on private wells or served by small mutual water companies and not connected to the City water system. Department of Public Health/Division of Drinking Water (DDW) is responsible for the regulation of fourteen (14) separate private water systems (i.e. Akin Water Company) in the City's Urban Area Boundary, of which seven (7) are currently within City limits and three (3) are located in East Porterville, and have become increasingly concerned as to those systems sustainability. Serving in total more than four hundred (400) residences, DDW is interested in working with the City on new water sources that could be developed to support the connection of these small water systems, as well as provide capacity for connecting individuals with private wells.

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. Resolution 49-2015 - Declaration of Local Emergency
2. Governor's Executive Order

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE DECLARING A DROUGHT EMERGENCY
WITHIN THE CITY OF PORTERVILLE

WHEREAS: in response to the ongoing severe drought, the State Water Resources Control Board approved an emergency regulation to ensure water agencies, their customers, and state residents increase water conservation in urban settings or face possible fines or other enforcement; and

WHEREAS: as we enter the fourth year of severe drought, long-term forecasts indicate no relief of the current drought conditions, and suggest a warmer-than-average summer, resulting in increased domestic demand for water; and

WHEREAS: public and private potable water supplies continue to be threatened due to decreasing supplies of groundwater caused by the precipitation deficit and an extended state of groundwater overdraft; and

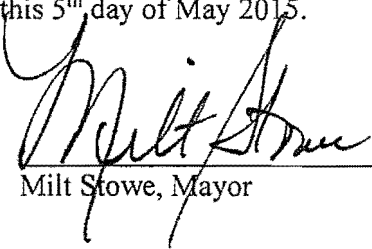
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

NOW, THEREFORE, BE IT RESOLVED: that the City Council of the City of Porterville does hereby proclaim that, due to drought conditions, a Local Emergency now exists in the city of Porterville and shall remain in effect for the duration of the emergency; and

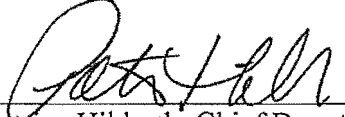
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, to include a Presidential Declaration of Emergency and Individual Assistance and Public Assistance programs as applicable; and

BE IT FURTHER RESOLVED: that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services.

PASSED, APPROVED, AND ADOPTED this 5th day of May 2015.


Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk


By: Patrice Hildreth, Chief Deputy City Clerk

Executive Department
State of California

EXECUTIVE ORDER B-29-15

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with record low snowpack in the Sierra Nevada mountains, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins; and

WHEREAS the severe drought conditions continue to present urgent challenges including: drinking water shortages in communities across the state, diminished water for agricultural production, degraded habitat for many fish and wildlife species, increased wildfire risk, and the threat of saltwater contamination to fresh water supplies in the Sacramento-San Joaquin Bay Delta; and

WHEREAS a distinct possibility exists that the current drought will stretch into a fifth straight year in 2016 and beyond; and

WHEREAS new expedited actions are needed to reduce the harmful impacts from water shortages and other impacts of the drought; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

WHEREAS under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.



IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my January 17, 2014 Proclamation, my April 25, 2014 Proclamation, and Executive Orders B-26-14 and B-28-14 remain in full force and effect except as modified herein.

SAVE WATER

2. The State Water Resources Control Board (Water Board) shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.
3. The Department of Water Resources (the Department) shall lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The Department shall provide funding to allow for lawn replacement programs in underserved communities, which will complement local programs already underway across the state.
4. The California Energy Commission, jointly with the Department and the Water Board, shall implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.
5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets mandated by Directive 2 of this Executive Order.
6. The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.
7. The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

8. The Water Board shall direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions. The Water Board is directed to adopt emergency regulations, as it deems necessary, pursuant to Water Code section 1058.5 to implement this directive. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

INCREASE ENFORCEMENT AGAINST WATER WASTE

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.
10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.
12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.

13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.
14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.
15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.
16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

INVEST IN NEW TECHNOLOGIES

17. The California Energy Commission, jointly with the Department and the Water Board, shall implement a Water Energy Technology (WET) program to deploy innovative water management technologies for businesses, residents, industries, and agriculture. This program will achieve water and energy savings and greenhouse gas reductions by accelerating use of cutting-edge technologies such as renewable energy-powered desalination, integrated on-site reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology.

STREAMLINE GOVERNMENT RESPONSE

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.
19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.

26. For purposes of carrying out directives 2–9, 11, 16–17, 20–23, and 25, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions. This suspension, and those specified in paragraph 9 of the January 17, 2014 Proclamation, paragraph 19 of the April 25, 2014 proclamation, and paragraph 4 of Executive Order B-26-14, shall remain in effect until May 31, 2016. Drought relief actions taken pursuant to these paragraphs that are started prior to May 31, 2016, but not completed, shall not be subject to Division 13 (commencing with section 21000) of the Public Resources Code for the time required to complete them.
27. For purposes of carrying out directives 20 and 21, section 13247 and Chapter 3 of Part 3 (commencing with section 85225) of the Water Code are suspended.
28. For actions called for in this proclamation in directive 20, the Department shall exercise any authority vested in the Central Valley Flood Protection Board, as codified in Water Code section 8521, et seq., that is necessary to enable these urgent actions to be taken more quickly than otherwise possible. The Director of the Department of Water Resources is specifically authorized, on behalf of the State of California, to request that the Secretary of the Army, on the recommendation of the Chief of Engineers of the Army Corps of Engineers, grant any permission required pursuant to section 14 of the Rivers and Harbors Act of 1899 and codified in section 48 of title 33 of the United States Code.
29. The Department is directed to enter into agreements with landowners for the purposes of planning and installation of the Emergency Drought Barriers in 2015 to the extent necessary to accommodate access to barrier locations, land-side and water-side construction, and materials staging in proximity to barrier locations. Where the Department is unable to reach an agreement with landowners, the Department may exercise the full authority of Government Code section 8572.
30. For purposes of this Executive Order, chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.

31. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 17, 20, and 24. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have
hereunto set my hand and caused the
Great Seal of the State of California to
be affixed this 1st day of April 2015.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State